

FILE NO. 210855

Petitions and Communications received from July 15, 2021, through July 22, 2021, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 27, 2021.

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

From the Department of Public Health, submitting updates to Health Order No. C19-07y and updates from the Department of Human Resources. Copy: Each Supervisor. (1)

From the Police Department and the Office of the District Attorney, submitting responses to Supervisor Safai's Letter of Inquiry regarding data on San Francisco organized crime retail theft and charging standards, conviction standards, and when offenses have been aggregated on commercial shoplifting and organized crime retail theft. Copy: Each Supervisor. (2)

From concerned citizens, regarding a proposed Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development with 2550 Irving Associates, L.P. to execute loan documents relating to financing for the acquisition of real property located at 2550 Irving Street. File No. 210763. 195 letters. Copy: Each Supervisor. (3)

From concerned citizens, regarding the Hearing for an Appeal of Conditional Use Authorization Disapproval for the property located at 5 Leland Avenue and 2400 Bayshore Boulevard. File No. 210756. 46 letters. Copy: Each Supervisor. (4)

From concerned citizens, regarding the Hearing for the De Facto Route Abandonment and Service Restoration for Muni Buses, Trains, and Cable Cars; and Urging to Reinstate All Transit Lines to Pre-Covid Service Hours by December 31, 2021. File Nos. 210748 and 210820. 34 letters. Copy: Each Supervisor. (5)

From concerned citizens, regarding a proposed Ordinance amending the Environment Code regarding the Climate Action Plan. File No. 210563. 7 letters. Copy: Each Supervisor. (6)

From concerned citizens, regarding a proposed Resolution Initiating Landmark Designation for Lincoln Park "City Cemetery." File No. 210426. 5 letters. Copy: Each Supervisor. (7)

From the Department of the Environment, pursuant to Environment Code, Section 310, submitting a Notice of Annual Public Hearing regarding Pest Management Activities on City Properties. Copy: Each Supervisor. (8)

From California Fish and Game Commission, submitting a Notice of Receipt of Petition, pursuant to the provisions of the Fish and Game Code, Section 2073.3, to list Southern California steelhead (also known as southern steelhead) (*Oncorhynchus mykiss*) as endangered under the California Endangered Species Act. Copy: Each Supervisor. (9)

From Verizon Wireless, providing notice to the California Public Utilities Commission regarding new cell tower sites. Copy: Each Supervisor. (10)

From the Black Employees Alliance, regarding various issues. 6 letters. Copy: Each Supervisor. (11)

From SF Property Tax Appeals, regarding in person meetings for the Assessment Appeals Board. Copy: Each Supervisor. (12)

From Janis Reed, regarding the Hearing for the Release of Reserved Funds at Public Works for the Design Completion of New Trash Cans. File No. 210749. Copy: Each Supervisor. (13)

From the Youth Commission, submitting their response regarding the Hearing on Sexual Orientation and Gender Identity Data Reports - FYs 2019-2020 and 2020-2021 and COVID-Related Data. File No. 210747. Copy: Each Supervisor. (14)

From the Youth Commission, submitting their response regarding the Hearing for De Facto Route Abandonment and Service Restoration for Muni Buses, Trains, and Cable Cars. File No. 210748. Copy: Each Supervisor. (15)

From Allen Jones, regarding the Juvenile Justice Center. Copy: Each Supervisor. (16)

From Mary L. Donnici, regarding counting the homeless in San Francisco. Copy: Each Supervisor. (17)

From Patrick Monette-Shaw, regarding the Police Commission's staffing guidance to the Police Department. Copy: Each Supervisor. (18)

From Sharon Steuer, regarding restricting transit-only lanes to public buses. Copy: Each Supervisor. (19)

From Grover Cleveland Democratic Club, regarding a proposed Resolution Urging Privacy and Preventing Unnecessary Harm for Trans and Non-Binary Residents Seeking Court Ordered Name and Gender Changes in Superior Courts. File No. 210821. Copy: Each Supervisor. (20)

From Public Works, regarding a proposed Resolution for a Street Encroachment Permit - North Mary Street Pedestrian Paseo and Underground Utilities in Portions of Minna, Natoma, and Mary Streets. File No. 210688. Copy: Each Supervisor. (21)

From Mary Spicer, regarding a proposed Resolution urging the San Francisco Public Utilities Commission to pause its litigation against the California State Water Resources Control Board. File No. 210595. Copy: Each Supervisor. (22)

From concerned citizens, regarding appointments to the Sheriff's Department Oversight Board. File No. 210481. 5 letters. Copy: Each Supervisor. (23)

From Mair Eliza, regarding Vision Zero, street closures and other traffic calming attempts. Copy: Each Supervisor. (24)

From Mary Savannah, regarding Conrad House, San Francisco permanent supportive housing. Copy: Each Supervisor. (25)

From Isabella De Francesca, regarding black trans women. Copy: Each Supervisor. (26)

From Keith Zawadi, regarding crime and tourism in San Francisco. 2 letters. Copy: Each Supervisor. (27)

From Francois Arouet, regarding condition of a storefront in the Castro. Copy: Each Supervisor. (28)

From Norma Yee, regarding a proposed Ordinance to amend the Administrative Code regarding the Effect Of COVID-19 on Commercial Leases. File No. 210603. Copy: Each Supervisor. (29)

From concerned citizens, regarding the COVID-19 vaccines. 4 letters. Copy: Each Supervisor. (30)

From San Francisco Land Use Coalition on the Housing Element. Copy: Each Supervisor. (31)

From Ellen Zhou, regarding election fraud. Copy: Each Supervisor. (32)



**City and County of
San Francisco**

**Department of Public Health
Order of the Health Officer**

ORDER OF THE HEALTH OFFICER No. C19-07y (updated)

**ORDER OF THE HEALTH OFFICER
OF THE CITY AND COUNTY OF SAN FRANCISCO
ENCOURAGING COVID-19 VACCINE COVERAGE
AND REDUCING DISEASE RISKS
(Safer Return Together)**

DATE OF ORDER: June 11, 2021, updated July 8, 2021 and July 20, 2021

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*; California Penal Code §§ 69, 148(a)(1); and San Francisco Administrative Code § 7.17(b).)

Summary: As of June 15, 2021, and in connection with the State terminating the Blueprint for a Safer Economy and putting in its place new, limited COVID-19 guidance, this Order replaces the prior health order, Health Officer Order No. C19-07x (the Stay-Safer-At-Home Order), in its entirety. Based on increasing vaccination and the success of the City and County of San Francisco, the rest of the Bay Area, and the State in containing the virus that causes COVID-19, this Order lifts local capacity limits on business and other sectors, local physical distancing requirements, and many other previous health and safety restrictions. Businesses are no longer required to prepare and post social distancing protocols or in most instances submit health and safety plans to the Health Officer. Nor are they strongly urged to allow office employees to continue to work remotely as much as possible. Also, except for schools, childcare, and out-of-school time programs, sector specific guidance under local health directives no longer apply.

This Order continues to place certain safety requirements on individuals, including masking requirements in some settings, consistent with federal and state rules. And it places some requirements on businesses and government entities, such as a general requirement to report positive cases in the workplace and in schools, a new and much more limited requirement for signage, and a vaccination or testing requirement to admit people to attend indoor mega-events largely consistent with state rules. It also requires personnel working in certain high-risk settings, such as acute care hospitals, skilled nursing facilities, residential care facilities for the elderly, homeless shelters and jails to be fully vaccinated, with limited exemptions and within a specified timeframe. Also, this Order includes recommendations to reduce COVID-19 risk, but not requirements, for individuals, businesses, and government entities.

Even though COVID-19 case rates are now low and more people are vaccinated in San Francisco and the region, there remains a risk that people may come into contact with others who may have COVID-19 when outside their Residence. And while daily cases remain significantly lower than during the winter of 2020, San Francisco is currently experiencing a surge in new COVID-19 cases and an increase in hospitalizations, mostly



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among people who are not fully vaccinated. Most COVID-19 infections are caused by people who have no symptoms of illness. There are also people in San Francisco who are not yet fully vaccinated, including children under 12 years old, and people who are immuno-compromised and may be particularly vulnerable to infection and disease. We have also seen surges in other parts of the country and the world, increasingly impacting younger adults. Everyone who is eligible, including people at risk for severe illness with COVID-19—such as unvaccinated older adults and unvaccinated individuals with health risks—and members of their households, are urged to get vaccinated as soon as they can if they have not already done so.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE
SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE CITY AND
COUNTY OF SAN FRANCISCO ORDERS:**

1. Definitions.

For purposes of this Order, the following initially capitalized terms have the meanings given below.

- a. *Business.* A “Business” includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure.
- b. *Cal/OSHA.* “Cal/OSHA” means the California Department of Industrial Relations, Division of Occupational Safety and Health, better known as Cal/OSHA.
- c. *CDC.* “CDC” means the United States Centers for Disease Control and Prevention.
- d. *Close Contact.* “Close Contact” means having any of following interactions with someone with COVID-19 while they were contagious: (i) being within six feet of them for a total of 15 minutes or more in a 24-hour period; (ii) living or staying overnight with them; (iii) having physical or intimate contact including hugging and kissing; (iv) taking care of them, or having being taken care of by them; or (v) having direct contact with their bodily fluids (*e.g.*, they coughed or sneezed on you or shared your food utensils). The person is considered contagious *either* if they had symptoms, from 48 hours before their symptoms began until at least 10 days after the start of symptoms, *or* if they did not have symptoms, from 48 hours before their COVID-19 test was collected until 10 days after they were tested.
- e. *County.* The “County” means the City and County of San Francisco.
- f. *COVID-19.* “COVID-19” means coronavirus disease 2019, the disease caused by the SARS-CoV-2 virus and that resulted in a global pandemic.
- g. *DPH.* “DPH” means the San Francisco Department of Public Health.



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- h. *DPH Core Guidance*. “DPH Core Guidance” means the webpage and related materials titled *Core Guidance for COVID-19* that DPH regularly updates and includes health and safety recommendations for individuals and Businesses as well as web links to additional resources, available online at www.sfdph.org/dph/covid-19/core-guidance.asp.
- i. *Face Covering Requirements*. “Face Covering Requirements” means the requirement to wear a Well-Fitted Mask (i) as required by federal or state law including, but not limited to, California Department of Public Health guidance and Cal/OSHA’s rules and regulations; (ii) in indoor common areas of homeless shelters, emergency shelters, and cooling centers, except while sleeping, showering, engaged in personal hygiene that requires removal of face coverings, or actively eating or drinking; and (iii) in indoor common areas of jails except while sleeping, showering, engaged in personal hygiene that requires removal of face coverings, or actively eating or drinking.
- j. *FDA*. “FDA” means the United States Food and Drug Administration.
- k. *Fully Vaccinated*. “Fully Vaccinated” means two weeks after completing the entire recommended series of vaccination (usually one or two doses) with a vaccine authorized to prevent COVID-19 by the FDA, including by way of an emergency use authorization, or by the World Health Organization. For example, as of the date of issuance of this Order, an individual would be fully vaccinated at least two weeks after receiving a second dose of the Pfizer or Moderna COVID-19 vaccine or two weeks after receiving the single dose Johnson & Johnson’s Janssen COVID-19 vaccine. The following are acceptable as proof of full vaccination: (i) the CDC vaccination card, which includes name of person vaccinated, type of vaccine provided, and date last dose administered, (ii) a photo of a vaccination card as a separate document, (iii) a photo of the a vaccination card stored on a phone or electronic device, (iv) documentation of vaccination from a healthcare provider, or (v) written self-attestation of vaccination signed (including an electronic signature) under penalty of perjury and containing the name of the person vaccinated, type of vaccine taken, and date of last dose administered, or (vi) a personal digital COVID-19 vaccine record issued by the State of California and available by going to myvaccinerecord.cdph.ca.gov or similar documentation issued by another State, local, or foreign governmental jurisdiction. If any state or federal agency uses a more restrictive definition of what it means to be Fully Vaccinated or to prove that status for specified purposes (such as Cal/OSHA rules for employers in workplaces), then that more restrictive definition controls for those purposes. Also, to the extent Cal/OSHA approves an alternate means of documenting whether an employee is “fully vaccinated,” even if less restrictive than the definition contained here, employers may use the Cal/OSHA standard to document their employees’ vaccination status.
- l. *Health Officer*. “Health Officer” means the Health Officer of the City and County of San Francisco.



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- m. *High-Risk Settings*. “High-Risk Settings” means certain care or living settings involving many people, including many congregate settings, where vulnerable populations reside out of necessity and where the risk of COVID-19 transmission is high, consisting of general acute care hospitals, skilled nursing facilities, residential care facilities for the elderly, homeless shelters, and jails.
- n. *Household*. “Household” means people living in a single Residence or shared living unit. Households do not refer to individuals who live together in an institutional group living situation such as in a dormitory, fraternity, sorority, monastery, convent, or residential care facility.
- o. *Qualifying Medical Reason*. “Qualifying Medical Reason” means a medical condition or disability recognized by the FDA or CDC as a contra-indication to COVID-19 vaccination.
- p. *Mega-Event*. “Mega-Event” means an event with either more than 5,000 people attending indoors or more than 10,000 people attending outdoors, consistent with the definition of those events in the State’s Post-Blueprint Guidance. As provided in the State’s Post-Blueprint Guidance, a Mega-Event may have either assigned or unassigned seating, and may be either general admission or gated, ticketed and permitted events.
- q. *Personnel*. “Personnel” means the following people who provide goods or services associated with a Business in the County: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the Business); independent contractors; vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the Business. “Personnel” includes “gig workers” who perform work via the Business’s app or other online interface, if any.
- r. *Religious Beliefs*. “Religious Beliefs” means a sincerely held religious belief, practice, or observance.
- s. *Residence*. “Residence” means the location a person lives, even if temporarily, and includes single-family homes, apartment units, condominium units, hotels, motels, shared rental units, and similar facilities. Residences also include living structures and outdoor spaces associated with those living structures, such as patios, porches, backyards, and front yards that are only accessible to a single family or Household.
- t. *Schools*. “Schools” mean public and private schools operating in the County, including independent, parochial, and charter schools.
- u. *State’s Post-Blueprint Guidance*. The “State’s Post-Blueprint Guidance” means the guidance entitled “Beyond the Blueprint for Industry and Business Sectors” that the California Department of Public Health issued on May 21, 2021 and that applies from June 15, 2021 through October 1, 2021, including as the State may extend, update or supplement that guidance in the future. (See www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Beyond-Blueprint-Framework.aspx.)



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- v. *Tested*. “Tested” means to have a negative test for the virus that causes COVID-19 within the prior 72 hours. Both nucleic acid (including polymerase chain reaction (PCR)) and antigen tests are acceptable. The following are acceptable as proof of a negative COVID-19 test result: a printed document (from the test provider or laboratory) or an email, text message, webpage, or application (app) screen displayed on a phone or mobile device from the test provider or laboratory. The information should include person’s name, type of test performed, negative test result, and date the test was administered. If any state or federal agency uses a more restrictive definition of what it means to be Tested for specified purposes (such as Cal/OSHA rules for employers in workplaces), then that more restrictive definition controls for those purposes.
 - w. *Ventilation Guidelines*. “Ventilation Guidelines” means ventilation guidance from recognized authorities such as the CDC, the American Society of Heating, Refrigerating and Air-Conditioning Engineers, or the State of California, including Cal/OSHA. The DPH Core Guidance also includes ventilation guidelines.
 - x. *Well-Fitted Mask*. A “Well-Fitted Mask” means a face covering that is well-fitted to an individual and covers the nose and mouth especially while talking, consistent with the Face Covering Requirements. DPH guidance regarding Well-Fitted Masks may be found at www.sfgdcp.org/maskingupdate. A non-vented N95 mask is strongly recommended as a Well-Fitted Mask, even if not fit-tested, to provide maximum protection. A Well-Fitted Mask does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric or any mask that has an unfiltered one-way exhaust valve.
2. Purpose and Intent.
- a. Purpose. The public health threat from COVID-19 is decreasing in the County, the Bay Area, and the State. But COVID-19 continues to pose a risk especially to individuals who are not fully vaccinated, and certain safety measures continue to be necessary to protect against COVID-19 cases and deaths. Vaccination is the most effective method to prevent transmission and ultimately COVID-19 hospitalizations and deaths. It is important to ensure that as many eligible people as possible are vaccinated against COVID-19. Further, it is critical to ensure there is continued reporting of cases to protect individuals and the larger community. Accordingly, this Order allows Businesses, schools, and other activities to resume fully while at the same time putting in place certain requirements designed to (1) extend vaccine coverage to the greatest extent possible; (2) limit transmission risk of COVID-19; (3) contain any COVID-19 outbreaks; and (4) generally align with guidance issued by the CDC and the State relating to COVID-19 except in limited instances where local conditions require more restrictive measures. This Order is based on evidence of continued community transmission of SARS-CoV-2 within the County as well as scientific evidence and best practices to prevent transmission of COVID-19. The Health Officer will continue to monitor data regarding the evolving scientific



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understanding of the risks posed by COVID-19, including the impact of vaccination, and may amend or rescind this Order based on analysis of that data and knowledge.

- b. Intent. The primary intent of this Order is to continue to protect the community from COVID-19 and to also increase vaccination rates to reduce transmission of COVID-19 long-term, so that the whole community is safer and the COVID-19 health emergency can come to an end.
 - c. Interpretation. All provisions of this Order must be interpreted to effectuate the purposes and intent of this Order as described above. The summary at the beginning of this Order as well as the headings and subheadings of sections contained in this Order are for convenience only and may not be used to interpret this Order. In the event of any inconsistency between the summary, headings, or subheadings and the text of this Order, the text will control. Certain initially capitalized terms used in this Order have the meanings given them in Section 1 above. The interpretation of this Order in relation to the health orders or guidance of the State is described in Section 10 below.
 - d. Application. This Order applies to all individuals, Businesses, and other entities in the County. For clarity, the requirements of this Order apply to all individuals who do not currently reside in the County when they are in the County. Governmental entities must follow the requirements of this Order that apply to Businesses, unless otherwise specifically provided in this Order or directed by the Health Officer.
 - e. DPH Core Guidance. All individuals and Businesses are strongly urged to follow the DPH Core Guidance, containing health and safety recommendations for COVID-19.
 - f. Effect of Failure to Comply. Failure to comply with any of the provisions of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both, as further provided in Section 12 below.
3. General Requirements for Individuals.
- a. Vaccination. Individuals are strongly urged to get Fully Vaccinated as soon as they are able to. In particular, people at risk for severe illness with COVID-19—such as unvaccinated older adults and unvaccinated individuals with health risks—and members of their Household, are urged to get Fully Vaccinated as soon as they can. Information about who is at increased risk of severe illness and people who need to take extra precautions can be found at www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html. For those who are not yet Fully Vaccinated, staying home or choosing outdoor activities as much as possible with physical distancing from other Households whose vaccination status is unknown is the best way to prevent the risk of COVID-19 transmission. Fully Vaccinated individuals are subject to fewer restrictions as provided in this Order, and there are



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allowances for certain large gatherings where all the participants are Fully Vaccinated or Tested.

- b. Face Coverings. All persons must follow the Face Covering Requirements. People should be respectful of an individual's decision to wear face coverings even in settings where they are not required, and no Business or other person should take an adverse action against individuals who chose to wear a face covering to protect their health. Because of the recent surge in cases, everyone, including people who are Fully Vaccinated, are urged to wear Well-Fitted Masks in indoor public settings. Under current federal law, when riding or waiting to ride on public transit people who are inside the vehicle or other mode of transportation or are indoors at a public transit stop or station, must wear Well-Fitted Masks. This requirement extends to all modes of transportation other than private vehicles, such as airplanes, trains, subways, buses, taxis, ride-shares, maritime transportation, street cars, cable cars, and school buses. But any passenger who is outdoors or in open-air areas of the mode of transportation, such as open-air areas of ferries, buses, and cable-cars, is not required by federal law to wear a face covering. Personnel and passengers on public transit are urged to get Fully Vaccinated, and those who are not Fully Vaccinated are strongly urged to wear a Well-Fitted Mask or respirator. Under Cal/OSHA's rules and regulations, employers may also be required to ensure employees continue to wear Well-Fitted Masks or respirators, particularly in indoor settings.
- c. Monitor for Symptoms. Individuals should monitor themselves for symptoms of COVID-19. A list of COVID-19 symptoms is available online at www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html. Anyone with any symptom that is new or not explained by another condition must comply with subsections 3.d and 3.e below regarding isolation and quarantine.
- d. Isolation. Anyone who (i) has a positive COVID-19 test result, (ii) is diagnosed with COVID-19, or (iii) has a COVID-19 symptom that is new or not explained by another condition must refer to the latest COVID-19 isolation health directive (available online at www.sfdph.org/directives) and follow the requirements detailed there.
- e. Quarantine. Anyone who had Close Contact with someone with COVID-19 must refer to the latest COVID-19 quarantine health directive (available online at www.sfdph.org/directives) and follow the requirements detailed there.
- f. Moving to, Traveling to, or Returning to the County. Everyone is strongly encouraged to comply with any State travel advisories and CDC travel guidelines (available online at www.cdc.gov/coronavirus/2019-ncov/travelers/travel-during-covid19.html).
- g. Large indoor gatherings. Individuals who are neither Fully Vaccinated nor Tested are urged to wear Well-Fitted Masks and maintain physical distance when they are in large indoor gatherings with members of other Households whose vaccination status



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is unknown, such as public meetings. Nothing in this section limits any requirements that apply under this Order to indoor Mega-Events or that Cal/OSHA or other State authority may impose on any indoor setting involving large gatherings.

4. General Requirements for Businesses and Governmental Entities.

- a. Encourage Activities that Can Occur Outdoors. All Businesses and governmental entities are urged to consider moving operations or activities outdoors, if feasible and to the extent allowed by local law and permitting requirements, because there is generally less risk of COVID-19 transmission outdoors as opposed to indoors.
- b. Personnel Health Screening. Businesses and governmental entities must develop and implement a process for screening Personnel for COVID-19 symptoms, but this requirement does not mean they must perform on-site screening of Personnel. Businesses and governmental entities should ask Personnel to evaluate their own symptoms before reporting to work. If Personnel have symptoms consistent with COVID-19, they should follow subsections 3.d and 3.e above.
- c. Businesses Must Allow Personnel to Stay Home When Sick. Businesses are required to follow Cal/OSHA rules and regulations allowing Personnel to stay home where they have symptoms associated with COVID-19 that are new or not explained by another condition or if they have been diagnosed with COVID-19 (by a test or a clinician) even if they have no symptoms, and to not to have those Personnel return to work until they have satisfied certain conditions, all as further set forth in the Cal/OSHA rules. Also, Businesses must comply with California Senate Bill 95 (Labor Code, sections 248.2 and 248.3), which provides that employers with more than 25 employees must give every employee 80 hours of COVID-related sick leave retroactive to January 1, 2021 and through September 30, 2021 (pro-rated for less than full time employees), including that employees may use this paid sick leave to get vaccinated or for post-vaccination illness. Each Business is prohibited from taking any adverse action against any Personnel for staying home in any of the circumstances described in this subsection.
- d. Signage.
 - i. Signage for Patrons. All Businesses and governmental entities are required to conspicuously post signage reminding individuals of COVID-19 prevention best practices to reduce transmission: Get vaccinated; Stay home if sick, and talk to your doctor; Wear a mask for added protection; Maximize fresh air; and Clean your hands. Sample signage is available online at sf.gov/outreach-toolkit-coronavirus-covid-19.
 - ii. Signage for Employees. All Businesses and governmental entities are required to post signs in employee break rooms or areas encouraging employees to get vaccinated and informing them how to obtain additional information. Sample signage is available online at sf.gov/outreach-toolkit.



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[coronavirus-covid-19.](#)

- e. Ventilation Guidelines. All Businesses and governmental entities with indoor operations are urged to review the Ventilation Guidelines and implement ventilation strategies for indoor operations as feasible. Nothing in this subsection limits any ventilation requirements that apply to particular settings under federal, state, or local law.
- f. Mandatory Reporting by Businesses and Governmental Entities. Consistent with Cal/OSHA rules and regulations, Businesses and governmental entities must require that all Personnel immediately alert the Business or governmental entity if they test positive for COVID-19 and were present in the workplace either (1) within the 48 hours before onset of symptoms or within 10 days after onset of symptoms if they were symptomatic; or (2) within 48 hours before the date on which they were tested or within 10 days after the date on which they were tested if they were asymptomatic. If a Business or governmental entity learns that three or more of its Personnel are confirmed positive cases of COVID-19 and visited the workplace during their high-risk exposure period at any time during a 14-day period (*i.e.*, three cases onsite within a 14-day period), then the entity must call DPH at 628-217-6100 immediately to report the cases and in any event no later than the next business day after learning of those positive cases. Businesses and governmental entities must also comply with all case investigation and contact tracing measures directed by DPH including providing any information requested within the timeframe provided by DPH, instructing Personnel to follow isolation and quarantine protocols specified by DPH, and excluding positive cases and unvaccinated close contacts from the workplace during these isolation and quarantine periods.

Schools and Programs for Children and Youth are subject to separate reporting requirements set forth in Health Officer Directive Nos. 2020-33 and 2020-14, respectively, including as those directives are updated in the future.

5. Schools and Programs for Children and Youth

- a. Schools. Based on extremely low COVID-19 case rates throughout the region, and the demonstrated low risk of transmission in school settings, the Health Officer strongly believes that schools can and should reopen in full for in-person classes for all grades at the beginning of the 2021/2022 school year. Largely because not all children are eligible to be vaccinated against COVID-19 at this time, schools must follow the health and safety requirements set forth in Health Officer Directive No. 2020-33, including as it may be amended in the future, to ensure the safety of all students and Personnel at the school site.
- b. Programs for Children and Youth. Largely because not all children are eligible to be vaccinated against COVID-19 at this time, the following Programs for Children and Youth must operate in compliance with the health and safety requirements set forth in



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Health Officer Directive No. 2020-14, including as it may be amended in the future: (1) group care facilities for children who are not yet in elementary school—including, for example, licensed childcare centers, daycares, family daycares, and preschools (including cooperative preschools); and (2) with the exception of schools, which are addressed in subsection a above, educational or recreational institutions or programs that provide care or supervision for school-aged children and youth—including for example, learning hubs, other programs that support and supplement distance learning in schools, school-aged childcare programs, youth sports programs, summer camps, and afterschool programs.

6. Vaccination Requirements for Personnel in High-Risk Settings.

- a. Subject to the extension for some Personnel as provided in subsection (i)(1) below, no later than September 15, 2021, Businesses and governmental entities with Personnel in High-Risk Settings must:
 - i. ascertain vaccination status of all Personnel in High-Risk Settings who routinely work onsite, and ensure that before entering or working in any High-Risk Setting, all Personnel who routinely work onsite are Fully Vaccinated with any vaccine authorized to prevent COVID-19 by the FDA, including by way of an emergency use authorization, or by the World Health Organization, unless any Personnel are exempt under subsection b below.
 1. For purposes of this Order, Personnel who are not permanently stationed or regularly assigned to a High-Risk Setting but who in the course of their duties may enter or work in High-Risk Settings even on an intermittent or occasional basis or for short periods of time are considered to routinely work onsite in High-Risk Settings. Businesses and governmental entities with such Personnel are required to meet all requirements of this Section 6 for such Personnel no later than October 13, 2021; this additional time allows Businesses and governmental entities adequate time to identify Personnel who are covered by this paragraph and comply with this Order. In the interest of protecting residents of High-Risk Settings, Personnel, and their families, Businesses and governmental entities are strongly urged to meet these requirements by September 15, 2021; and
 - ii. require any unvaccinated exempt Personnel to:
 1. get tested for COVID-19 at least once a week using either a nucleic acid (including polymerase chain reaction (PCR)) or antigen test; AND
 2. at all times at the worksite in the High-Risk Setting wear a Well-Fitted Mask meeting the requirements described below, except for limited periods while actively eating, drinking, or engaged in other activities (such as showering) where it is not possible or safe to do so.

Because of the COVID-19 risks to any unvaccinated exempt Personnel, the High-Risk Setting must provide such Personnel, on request, with a



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well-fitting non-vented N95 respirator and strongly encourage such Personnel to wear that respirator at all times when working with patients, residents, clients, or incarcerated people. For operators of any High-Risk Setting with access to respirator fit-testing services, “well-fitting non-vented N95 respirator” means a fit-tested N95 respirator. For all other operators of High-Risk Settings, the operator must (i) attempt to obtain fit-testing from other sources such as their Workers Compensation insurance carrier and (ii) otherwise provide Personnel with a minimum of two different brands or sizes of a non-vented N95 respirator and allow the unvaccinated, exempt Personnel to choose what they believe to be the best fitting respirator when the wearer of the respirator performs a seal check (for information about use of N95 respirators, see <https://www.sfdph.org/dph/files/ig/Tips-COVID-19-N95instructions.pdf>);

- iii. consistent with applicable privacy laws and regulations, maintain records of employee vaccination or exemption status; and
- iv. provide these records to the Health Officer or other public health authorities promptly upon request, and in any event no later than the next business day after receiving the request.

For clarity, this requirement applies to Personnel in other buildings in a site containing a High-Risk Setting, such as a campus or other similar grouping of related buildings, where such Personnel do any of the following: (i) access the acute care or patient, resident, client, or incarcerated person areas of the High-Risk Setting; or (ii) work in-person with patients, residents, clients, or incarcerated people who visit those areas. All people in San Francisco who work in a clinical setting with a population that is more vulnerable to COVID-19 are strongly urged to be fully vaccinated against COVID-19.

- b. Limited Exemptions. Personnel in High-Risk Settings are exempt from the vaccination requirements under this section upon providing the requesting Business or governmental entity a declination form, signed by the individual under penalty of perjury stating either of the following: (1) the individual is declining vaccination based on Religious Beliefs or (2) the individual is excused from receiving any COVID-19 vaccine due to Qualifying Medical Reasons. As to declinations for Qualifying Medical Reasons, to be eligible for this exemption Personnel must also provide to their employer or the Business a written statement signed by a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician stating that the individual qualifies for the exemption (but the statement should not describe the underlying medical condition or disability) and indicating the probable duration of the individual’s inability to receive the vaccine (or if the duration is unknown or permanent, so indicate). A sample ascertainment and declination form is available online at www.sfdph.org/dph/covid-19/files/declination.pdf. Personnel who qualify for an exemption due to Religious



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Beliefs or Qualifying Medical Reasons, as provided above, must still follow the requirements in subpart 6.a.ii, above.

- c. Record Keeping Requirements. Businesses or governmental entities that operate in High-Risk Settings subject to this section must maintain records with following information:
 - i. For vaccinated Personnel: (1) full name and date of birth; (2) vaccine manufacturer; and (3) date of vaccine administration (for first dose and, if applicable, second dose). Nothing in this subsection is intended to prevent an employer from requesting additional information or documentation to verify vaccination status, to the extent permissible under the law.
 - ii. For unvaccinated Personnel: signed declination forms with written health care provider's statement where applicable, as described in subsection b above.
 - d. Cooperation with Public Health Authorities. Businesses or governmental entities with Personnel subject to this Section 6 must cooperate with Health Officer or DPH requests for records, documents, or other information regarding the Business or governmental entity's implementation of these vaccination requirements. This cooperation includes, but is not limited to, identifying all jobs or positions within the organization and describing: (1) whether a given job or position is subject to the vaccination requirements of this Section 6, (2) how the Business or governmental entity determined a job or position is subject to vaccination requirements of this Section 6, and (3) how the Business or governmental entity is ensuring full compliance with the vaccination requirements set forth in this Section 6. Complete responses to these requests must be provided to the Health Officer or DPH promptly upon request, and in any event within three business days after receiving the request.
7. Mega-Events. All Businesses, governmental entities, and other organizations must comply with the requirements in the State's Post-Blueprint Guidance for indoor Mega-Events and are urged to follow the recommendations in the State's Post-Blueprint Guidance for outdoor Mega-Events.

For indoor Mega-Events, Personnel and patrons age 12 and up are required to show proof, before entering the facility, that they are Fully Vaccinated or Tested. A written self-attestation of vaccination signed (including an electronic signature) under penalty of perjury and containing the name of the person vaccinated, type of vaccine taken, and date of last dose administered is acceptable as proof of full vaccination only if all Personnel and patrons two-years-old and older wear a Well-Fitted Mask at all times other than while actively eating or drinking.

The host or organizer of an indoor or outdoor Mega-Event or series of Mega-Events must submit to the Health Officer a proposed plan detailing the procedures that will be implemented to minimize the risk of transmission among patrons and Personnel. Specifically, the proposed plan should include to following:



ORDER OF THE HEALTH OFFICER No. C19-07y (updated)

- Description of event details (date/time; expected capacity; location; and type of event).
- Contact name for the event (*i.e.*, a person who can be reached in the event of an outbreak and/or who can be contacted to discuss the proposed plan).
- An explanation of how the host or organizer will have attendees meet requirements for providing their vaccination and/or testing status (if applicable).
- An explanation of how the host or organizer will communicate/message:
 - Information to ensure that guests are aware of testing and vaccination requirements (indoors)/recommendations (outdoors);
 - Encouragement for attendees to have completed their vaccination at least 2 weeks before the event; and
 - The safety measures being taken.
- If the Mega-Event is being held indoors, an explanation of how the host or organizer will address face coverings.
- A description of the strategies that will be implemented to avoid stagnant crowds (this can include traffic flow, advanced ticketing, touchless payment, etc.).

Plans must be submitted to HealthPlan@sfcityattys.org at least ten business days before the planned event or, if earlier, ten business days before the date on which tickets will begin to be sold or offered to the public. If tickets are already on sale as of the date of this Order, the host or organizer must submit the plan within 30 days of the date of this Order. The host or organizer does not need advance written approval of the Health Officer or the Health Officer's designee to proceed with the Mega-Event consistent with the plan. But in the event the Health Officer identifies deficiencies in the plan, DPH will contact the host or organizer, and the host or organizer is required to work with DPH to address any and all deficiencies.

8. COVID-19 Health Indicators. The City will continue to make publicly available on its website updated data on COVID-19 case rates, hospitalizations and vaccination rates. That information can be found online at data.sfgov.org/stories/s/San-Francisco-COVID-19-Data-and-Reports/fjki-2fab/. The Health Officer will monitor this data, along with other data and scientific evidence, in determining whether to modify or rescind this Order, as further described in Section 2.a above.
9. Incorporation of State and Local Emergency Proclamations and Federal and State Health Orders. The Health Officer is issuing this Order in accordance with, and incorporates by reference, the emergency proclamations and other federal, state, and local orders and other pandemic-related orders described below in this Section. But this Order also functions independent of those emergency proclamations and other actions, and if any State, federal, or local emergency declaration, or any State or federal order or other guidance, is repealed, this Order remains in full effect in accordance with its terms (subject to Section 13 below).
 - a. State and Local Emergency Proclamations. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by the Governor, the February 25, 2020 Proclamation by the



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Mayor Declaring the Existence of a Local Emergency, and the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, as each of them have been and may be supplemented.

- b. State Health Orders. This Order is also issued in light of the various Orders of the State, including, but not limited to, those of the State's Public Health Officer and Cal/OSHA. The State has expressly acknowledged that local health officers have authority to establish and implement public health measures within their respective jurisdictions that are more restrictive than those implemented by the State Public Health Officer.
- c. Federal Orders. This Order is further issued in light of federal emergency declarations and orders, including, but not limited to, the January 20, 2021 Executive Order on Protecting the Federal Workforce and Requiring Mask-Wearing, which requires all individuals in Federal buildings and on Federal land to wear masks, maintain physical distance, and adhere to other public health measures, and the February 2, 2021 Order of the CDC, which requires use of masks on public transportation, as such orders are amended, extended or supplemented.

10. Obligation to Follow Stricter Requirements of Orders.

Based on local health conditions, this Order includes a limited number of health and safety restrictions that are more stringent than those contained under State orders. Where a conflict exists between this Order and any state or federal public health order related to the COVID-19 pandemic, the most restrictive provision (*i.e.*, the more protective of public health) controls. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except where the State Health Officer may issue an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in this County.

11. Obligation to Follow Health Officer Orders and Directives and Mandatory State Guidance.

In addition to complying with all provisions of this Order, all individuals and entities, including all Businesses and governmental entities, must also follow any applicable orders and directives issued by the Health Officer (available online at www.sfdph.org/healthorders and www.sfdph.org/directives) and any applicable mandatory guidance issued by the State Health Officer or California Department of Public Health. To the extent that provisions in the orders or directives of the Health Officer and the mandatory guidance of the State conflict, the more restrictive provisions (*i.e.*, the more protective of public health) apply. In the event of a conflict between provisions of any previously-issued Health Officer order or directive and this Order, this Order controls over the conflicting provisions of the other Health Officer order or



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directive. And to the extent the continuing term of another order of the Health Officer is tied to the duration of the Stay-Safer-At-Home Order, this Order shall be deemed a continuation of the Stay-Safer-At-Home Order for those purposes only.

12. Enforcement.

Under Government Code sections 26602 and 41601 and Health and Safety Code section 101029, the Health Officer requests that the Sheriff and the Chief of Police in the County ensure compliance with and enforce this Order. The violation of any provision of this Order (including, without limitation, any health directives) constitutes an imminent threat and immediate menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both. DPH is authorized to respond to such public nuisances by issuing Notice(s) of Violation and ordering premises vacated and closed until the owner, tenant, or manager submits a written plan to eliminate all violations and DPH finds that plan satisfactory. Such Notice(s) of Violation and orders to vacate and close may be issued based on a written report made by any City employees writing the report within the scope of their duty. DPH must give notice of such orders to vacate and close to the Chief of Police or the Chief's designee to be executed and enforced by officers in the same manner as provided by San Francisco Health Code section 597. As a condition of allowing a Business to reopen, DPH may impose additional restrictions and requirements on the Business as DPH deems appropriate to reduce transmission risks, beyond those required by this Order and other applicable health orders and directives.

13. Effective Date.

This Order becomes effective at 12:01 a.m. on June 15, 2021 and will continue, as updated, to be in effect until the Health Officer rescinds, supersedes, or amends it in writing.

14. Relation to Other Orders of the San Francisco Health Officer.

As of the effective date and time in Section 13 above, this Order revises and entirely replaces Health Officer Order No. C19-07y (the "Stay-Safer-At-Home Order") issued May 20, 2021. Leading up to and in connection with this Order, the Health Officer has rescinded or is rescinding a number of other orders and directives relating to COVID-19, including those listed in the Health Officer's Omnibus Rescission of Health Officer Orders and Directives, dated June 11, 2021. On and after the effective date of this Order, the following orders and directives of the Health Officer shall continue in full force and effect: Order Nos. C19-11 (Laguna Honda Hospital protective quarantine), C19-16 (hospital patient data sharing), C19-18 (vaccine data reporting), and C19-19 (minor consent to vaccination); and the directives that this Order references in Sections 3.e and 5, as the Health Officer may separately amend or later terminate any of them. Also, this Order also does not alter the end date of any other Health Officer order or directive having its own end date or that continues indefinitely.



**City and County of
San Francisco**

**Department of Public Health
Order of the Health Officer**

ORDER OF THE HEALTH OFFICER No. C19-07y (updated)

15. Copies.

The County must promptly provide copies of this Order as follows: (1) by posting on the DPH website (www.sfdph.org/healthorders); (2) by posting at City Hall, located at 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102; and (3) by providing to any member of the public requesting a copy.

16. Severability.

If a court holds any provision of this Order or its application to any person or circumstance to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read "Susan Philip", written over a horizontal line.

Susan Philip, MD, MPH,
Health Officer of the
City and County of San Francisco

Dated: July 20, 2021



Certification of Employee COVID-19 Vaccination Status

Since the start of the COVID-19 pandemic, more than 3 million Californians have contracted COVID-19. More than 3 million have died. With the availability of COVID-19 vaccines, case rates have dropped significantly but risks remain.

The California's Department of Industrial Relations ("DIR") requires employers to take significant steps to protect their employees' health and safety. To best protect its employees and fulfill its obligations under the new DIR rules, the City requires you to verify your vaccination status.

Answers to some questions you may have:

- **Is it legal for the City to require employees to provide information about their vaccination status?** Yes. The U.S. Equal Employment Opportunity Commission and the California Department of Fair Housing and Employment have confirmed that an employer may legally require its employees to disclose their vaccination status.
- **How will the City use this information?** The City uses this information to enforce workplace health and safety requirements. For example, under the current DIR rules, if the City has verified that employees are fully vaccinated, then the City may allow those employees to work indoors without a mask. Also, an employee's vaccination status will determine whether that employee must quarantine after a close contact with a person infected with COVID-19.
- **How will the City protect this information?** The City will maintain information about vaccination status in the same manner that it maintains your confidential personnel record. Only you and individuals authorized to view your personnel information will have access to the medical portion of your file.

Because of this, all employees are required to provide the City with accurate information about their vaccination status by filling out the form below and submitting it to your Departmental Personnel Officer. If you are already vaccinated, you must provide a copy of your documentation. Documentation can include a copy of the CDC Covid-19 Vaccination Record Card, documentation of vaccine from your healthcare provider, or documentation issued by the State of California by going to: <https://myvaccinerecord.cdph.ca.gov/>



Certification of Employee COVID-19 Vaccination Status

Type of Vaccine Received:
<input type="checkbox"/> Pfizer
<input type="checkbox"/> Moderna
<input type="checkbox"/> Johnson & Johnson/Janssen
I received the first dose of Pfizer or Moderna on _____
I received the second dose of Pfizer or Moderna on _____
I received the single dose of Johnson & Johnson/Janssen on _____
<input type="checkbox"/> I am not vaccinated.

Employee Attestation: *I understand that I am required to provide the City with accurate information about my vaccination status and that failure to be truthful can subject me to discipline, up to and including termination of employment. I hereby certify that I have provided accurate and truthful information about my vaccination status in my answer to the questions above.*

Name: _____ Date: _____

Signature: _____

DSW Number: _____

Department: _____

Employees-

Thank you to those who have reported their COVID-19 vaccination status. Employees who have not yet had an opportunity to report their vaccination status **must do so by Thursday, July 29th** per [City policy](#).

We understand that you may have questions regarding the CCSF vaccination policy or the vaccine itself, [click here for Vaccination Policy frequently asked questions](#). We are actively working with City partners to address employee concerns around the vaccination requirement. The July 29th deadline is a **reporting deadline**, not a deadline for vaccination completion.

Our department's vaccination status data will inform these discussions and is necessary to comply with Cal/ OSHA workplace safety requirements. Whether you are fully vaccinated, partially vaccinated, or not vaccinated understanding the vaccination status of our workplace is incredibly important to keeping each other as well as the public we serve safe.

If you are having difficulty uploading your vaccination status, please [click here for detailed instructions](#) or contact **(insert name and email of department human resources contact)**.

From: [Ng, Wilson \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [BOS-Operations](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Updated Health Order and Required Vaccination Deadlines
Date: Thursday, July 22, 2021 2:21:10 PM
Attachments: [image001.png](#)
[2021.07.20 FINAL Signed Health Officer Order No. C19-07y \(updated\).pdf](#)
[Paper Vaccine Certification.6.29.21.pdf](#)
[Template_Employee_Message_Vaccine_Reporting.docx](#)
[image002.png](#)

Please see below and attached for the latest Health Order No. C19-07y and updates from DHR.

Wilson L. Ng

Deputy Director of Operations

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244
 San Francisco, CA 94102

Web: www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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

[...]

From: Tugbenyoh, Mawuli (HRD) <mawuli.tugbenyoh@sfgov.org>
Sent: Wednesday, July 21, 2021 2:28:59 PM
Cc: Howard, Kate (HRD) <kate.howard@sfgov.org>; Tugbenyoh, Mawuli (HRD) <mawuli.tugbenyoh@sfgov.org>
Subject: Updated Health Order and Required Vaccination Deadlines

Department Heads and DPOs-

The highly transmissible Delta variant of COVID-19 is quickly spreading in the community and now makes up over 80% of new infections in the United States. While San Francisco has fortunately not seen any deaths among fully vaccinated individuals, we have seen a significant increase in

hospitalizations amongst unvaccinated people. COVID-19 vaccines are extraordinarily effective, making hospitalizations and death nearly entirely preventable. Vaccinating as many people as possible, as soon as possible, is our best defense against COVID-19, the delta variant, and the harm it can do to our communities.

With this in mind, the Health Officer has updated the July 8, 2021 Safer Return Together Health Order No. C19-07y (Health Order) making several assertions about masking requirements and clarifications about the scope of who is required to be vaccinated based on their job duties. Please see a summary of the updates below.

1. Urging as many people as possible, regardless of vaccination status, to wear a well-fitting mask when indoors.
2. Personnel who enter high-risk settings as defined by the Health Order, such as jails, shelters and skilled nursing facilities, in the course of their work, even on an intermittent or occasional basis are now required to receive a COVID-19 vaccine. At minimum, this is likely to include personnel in the **Fire, Police, Sheriff, District Attorney, Public Defender, Health, Adult and Juvenile Probation and Homelessness and Supportive Housing Departments**. Departments will have until **October 13, 2021** to meet all requirements of the vaccination requirement for these personnel.
3. Businesses and governmental entities with personnel who are permanently stationed or regularly assigned to High-Risk Settings must still meet the original **September 15, 2021** deadline for these personnel.
4. Businesses and governmental entities that are subject to the vaccination requirement for their personnel have a duty to cooperate with public health requests for records, documents, or other information regarding implementation of the requirement. Cooperation may include identifying jobs or positions in the organization, describing whether each position is subject to the vaccination requirement, and verifying how the organization is complying with the requirement.

Experts predict that we can prevent 300 extra deaths this year in San Francisco if everyone who is eligible gets vaccinated. Please work with your managers and supervisors to identify which of your employees will be impacted by this new Health Officer Health Order and inform them of this obligation that is an enforceable legal mandate with which the City must comply.

Finally, please also work you're your staff to remind them of the requirement to complete the vaccination status survey through the employee portal by **July 29, 2021**. We will continue to send direct messaging to employees but direct messaging from the departments is also necessary. We have drafted a template message to employees for your use. Electronic submissions of vaccination status is highly preferable but paper submissions are also acceptable. If needed, employees may submit photos of their vaccination card (front and

back) or their [state digital vaccine verification](#) via City email to department HR personnel. HR representatives who receive paper submissions with verification from employees are responsible for updating the electronic employee record in People and Pay by within one week of receipt.

Thank you for your collaboration and as always, please do not hesitate to reach out with questions.

Best,



Carol Isen (she, her, hers)
Human Resources Director
Department of Human Resources
One South Van Ness Ave., 4th Floor
San Francisco, CA 94103
Website: www.sfdhr.org



LONDON N. BREED
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California, 94158



WILLIAM SCOTT
CHIEF OF POLICE

July 15, 2021

The Honorable Ahsha Safai
Supervisor, District 11
1 Dr. Carlton B. Goodlett Place,
City Hall, Room 244
San Francisco, Ca. 94102-4689

Dear Supervisor Safai:

Re: Organized Crime Retail Theft

This information is being provided per your request for more information on our Department's efforts on organized crime and retail theft.

What strategies are being used to stop organized criminal retail theft?

The Department currently relies on district-level deployment and investigative strategies to mitigate organized crime retail theft. At the district level, Captains assign foot patrols to high impacted areas, along with dedicated sector car assignments to address immediate calls for service. These can change week by week, depending on crime trends and community public safety needs.

The Department's Investigations Bureau implements comprehensive and operational strategies through the Organized Retail Crime (ORC) Task Force and collaborates with local and regional law enforcement partners to solve major crimes. Internally, investigators use law enforcement sensitive crime bulletins to assist solving crimes. This information informs district station officers and other unit investigators of the crime, providing pertinent information about the incident. Crime bulletins are also shared with other law enforcement agencies, as oftentimes crimes have cross jurisdictional elements that can impact the case. This level of communication between investigations and patrol often lead to the identification and arrest of suspects.

Currently, the Department partners with a regional taskforce and several groups that focus on organized retail crime groups:

- Bay Area Organized Retail Crime Association (ORCA),
- California ORCA,
- National Retail Federation
- California High Patrol (CHP) ORC Task Force
- Loss Prevention and Asset Protection teams for different retail stores

SFPD also engages with the Business Improvement Districts (BIDs) and Community Benefit Districts (CBDs) throughout the city to address concerns and collaboratively problem-solve. Through these partnerships, an Ambassador Program through SFPD was developed to support residents and businesses in navigating safety and receiving public safety resources. Community

Ambassadors are civilian retired sworn members who serve to supplement foot beat patrol presence in business and commercial corridors. The goal is to bridge the gap between officers and the community, along with deterring crime with high visibility presence. Union Square was the first area selected to implement the pilot program, in partnership with the Union Square BID, launched in November 2020.

Does the Police Department have a special division to address organized crime retail theft/ commercial shoplifting? How successful has it been?

SFPD began an Organized Retail Crime (ORC) Unit in October of 2019 as a portion of the Burglary Unit. The ORC investigators handle large series cases within the SF jurisdiction and provide additional resources and investigative assistance to the CHP ORC Task Force. The SFPD ORC unit consists of two full time investigators that hold the rank of Sergeant.

The ORC unit has been successful in the arrest of suspects for organized retail crimes. The unit also collaborated in a large-scale fencing operation with the CHP Task Force, assisting with operations that took down fencing rings in San Francisco as well as other Northern CA cities.

Provide the number of arrests for organized crime retail theft for 2018, 2019, 2020.

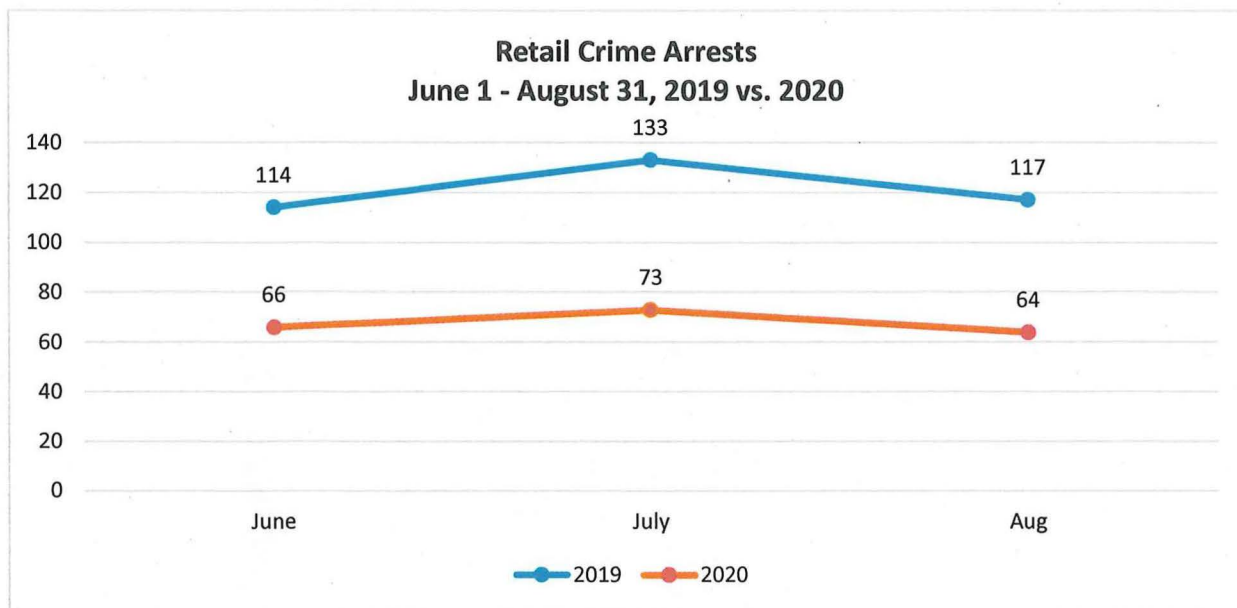
The Department does not have the means or technology to track organized crime cases due to the nature of these crimes. Most often, these crimes involve different jurisdictions, who capture and track cases differently. Moreover, these collaborations can have different department leads, resulting in SFPD's participation but not formal case tracking for the Department's numbers. As previously stated, our technology cannot accurately categorize or extract organized crime cases/arrests from general theft crime codes. Our ORC team does track repeat offenders, which is used to investigate associations and crimes committed by these individuals, including organized retail theft crime.

Is SFPD tracking the number of repeat shoplifting offenders?

The Department does keep a record of repeat shoplifting offenders. The following depicts this information.

Repeat Offenders Rearrested			
Year	# Repeat Offenders	Rearrested	Percentage
2018	238	48	20%
2019	219	63	29%
2020	116	38	33%

Please provide a Snapshot of June 2019 to August 2019 and June 2020 to August 2020 on the number of Shoplifting/ Commercial Theft/ Retail Theft arrest.



Thank you for your time on this matter and we look forward to working closely with you.

Sincerely,


WILLIAM SCOTT
Chief of Police



Chesa Boudin
District Attorney

July 16, 2021

Supervisor Ahsha Safai
San Francisco Board of Supervisors
City Hall, Second Floor
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Response to May 28, 2021 inquiry entitled, 'Data on San Francisco Organized Crime Retail Theft and Charging Standards, Conviction Standards, and When Offenses Have Been Aggregated on Commercial Shoplifting and Organized Retail Theft.'

Dear Supervisor Safai,

This letter is in response to your inquiry regarding efforts by San Francisco's law enforcement agencies to combat organized retail theft. As San Francisco's elected District Attorney, I take all crime very seriously. I appreciate the opportunity to share more about my office's work to fight organized retail theft.

Framing the Issue

During the Public Safety and Neighborhood Services (PSNS) Committee hearing on May 13, 2021, my office, the San Francisco Police Department, and the loss prevention teams from San Francisco's retailers described how the primary issue driving shoplifting and retail theft in San Francisco occurs as part of large-scale organized retail theft operations. Although the individuals who steal items from retail businesses are the most visible and attention-garnering component of these operations, they are also just the tip of the iceberg. The vast majority of harm stems from the much less visible components of the operations that acquire these stolen items and resell them across the city, state, and country, often via well-established non-criminal venues such as Amazon Marketplace, Craigslist, and eBay.

San Francisco District Attorney's Office's Leadership in Combatting Retail Theft

The San Francisco District Attorney's Office (SFDA) is a leader in efforts to disrupt, dismantle, and deter organized retail theft. This is rooted in our awareness of the damage incurred by retail outlets and need for a coordinated response.

In 2018, SFDA was the catalyst for obtaining funds through legislation for the creation of the California Highway Patrol (CHP) Organized Retail Crime Task Force, which grew out of the SFDA's Regional Organized Crime Task Force ("the ROC"). Governor Jerry Brown, who sought to address the Union Square Business Improvement District (BID) and other complaints about the increases in organized retail crimes, recognized that these crimes were driven by upstream criminal networks rather than low-level shoplifters. As a result, the Governor's office requested a "Proof of Concept" for investigating and prosecuting ORC's before agreeing to

legislation for the funding of a statewide task force and the implementation of a new Penal Code Section devoted to organized retail theft: Penal Code § 490.4: Theft: aggregation: organized retail theft.

This state funding supported the establishment of the SFDA's Organized Retail Crimes ("ORC") Unit, with the following mission statement: "The mission of the SFDA ORC Unit is to work with our private and public law enforcement partners to DISRUPT, DISMANTLE & DETER organized retail crimes."

SFDA's Organized Retail Crime Unit: Strategies and Tactics

The ORC Unit—composed of crime analysts, investigators, and attorneys—works closely with both law enforcement partners and retail sector investigators including, but not limited to, the IRS Criminal Investigation Division; the United States Postal Intelligence Service ("USPIS"); the Northern California Regional Intelligence Center ("NCRIC"); the California Department of Justice ("CalDOJ"); CHP; Bay Area Rapid Transit ("BART"); the San Francisco Police Department ("SFPD"); the San Francisco Sheriff's Office ("SFSO"); as well as district attorneys' offices, sheriffs' offices, and local law enforcement agencies from across California and the West Coast. SFDA staff assisted in the training of CHP Task Force Officers assigned to the state ORC Task Force and continue to lead training and other collaboration efforts with retailers and major retail store ORC investigators.

Consistent with our mission to disrupt, dismantle, and deter organized retail crimes, much of the work of the ORC Unit is investigative in nature. The ORC Unit attacks the drivers of organized retail crimes by investigating money laundering, tax evasions, and other tax law violations. It also focuses on collecting evidence that can maximize leverage for federal or state-level prosecutions, which can better target the upper echelons of these enterprises. Federal prosecution is particularly important as this is the vehicle through which federal criminal conduct such as mail fraud and violations of the Federal Revenue and Tax Code §7153.5 can be prosecuted. Even cases that do not include federal criminal charges tend to be prosecuted by the CalDOJ rather than by SFDA or our partners from other DA's offices, given CalDOJ's increased resources and its ability to focus on higher-level prosecution. As a general matter, the more upstream a case goes, the more likely it is that SFDA will not be the prosecuting agency even where SFDA plays a central role in the investigation that leads to arrest and prosecution.

In the past few years, the San Francisco District Attorney's Office has been a critical partner in a number of successful multijurisdictional operations, including [Operation Wrecking Ball](#), [Operation Focus Lens](#), [Operation Shattered Glass](#), and [Operation Proof of Purchase](#). Our work on these operations has been recognized by the CHP Governor's Protective Detail and the California Organized Retail Crimes Association (CalORCA). Thanks to this great work, we currently have more than half-a-dozen additional active confidential operations.

The SFDA ORC cases are time intensive and complex. These cases can include multiple incidents and defendants. For example, one recent case included twenty-four incidents involving eight defendants. We are committed to continuing to use all available tools to dismantle organized retail crime networks.

Prosecutions of Organized Retail Theft Crime Cases

In addition to the ORC Unit's investigative work, SFDA prosecutes retail theft cases when it is the appropriate prosecuting agency. To do so, the San Francisco District Attorney's Office relies on the investigative work of many partner law enforcement agencies, of which the primary arresting agency is the San Francisco Police Department. A law enforcement agency makes arrests of people suspected of criminal conduct. Those arrests are presented to the District Attorney's Office for review; charges can only be filed if the evidence supports proving the alleged conduct beyond a reasonable doubt. The standard for a prosecution is a much higher standard than the standard for arrest.

The wide variety of criminal law violations that can result in a retail theft arrest and prosecution makes it difficult to provide exact statistics for these cases. The California Penal Code (PC) sections that can be used in the arrest and prosecution of retail theft perpetrators include the following:

- PC 182 - Conspiracy
- PC 186.2 - Criminal Profiteering
- PC 186.10 - Money Laundering
- PC 459.5 - Larceny
- PC 463 - Looting
- PC 466 - Burglary tools
- PC 487 - Grand Theft
- PC 490.2 - Petty Theft
- PC 490.4 - Organized Retail Theft
- PC 496(a) - Possession of Stolen Property
- PC 485 - Theft/Appropriation of Lost Property
- PC 666 - Petty Theft with a Prior

In addition, if any theft involving force or fear occurs, the case may be prosecuted under PC 211 (robbery). This can happen in organized retail theft cases when, for example, someone stealing from a store uses force against store security when trying to escape.

It is important to note that these same statutes can also be used for a wide variety of alleged criminal conduct that is *not* related to organized retail theft. For example, someone could possess stolen property (a violation of PC 496(a)) that was stolen from someone's car or house and would have nothing to do with retail theft. Unfortunately, we cannot distinguish from the charge whether the case would have involved retail theft or not. The same is true for other Penal Code sections, like burglary (PC 459) and grand theft (PC 487) and other common charges.

Moreover, [PC 490.4](#), the most appropriate statute for prosecuting these cases, was a time-limited statute that sunset on January 1, 2021. That means no cases can be prosecuted under that statute since 2021.

In order to present the most accurate, reliable statistics on organized retail theft arrests and prosecutions while minimizing the potential for over- or under-reporting these cases, the statistics presented below include *all* cases presented to my office for any of the following charges from 2018 through June 30, 2021:

- PC 490.4 – Organized Retail Theft

- PC 490.2 *and* PC 182 – Petty Theft and Conspiracy, indicating that a suspect is not acting alone in the theft
- PC 666 *and* PC 182 – Petty Theft with a Prior Theft Conviction and Conspiracy, again indicating that a suspect is not acting alone in the theft.

Table 1. Arrests for Organized Retail Theft (Under PC 490.4; PC 490.2 and PC 182; PC 666 and PC 182)

	2018	2019	2020	2021
Total Arrests Presented by Law Enforcement to the SFDA	11	25	43	26
Criminal Charges Filed	6	21	35	21
Request for Further Investigation	2		2	
Motion to Revoke or Referred to other CJ Agency	2	2		1
Discharged without Further Action	1	2	6	4

Table 2. below presents the current status for those cases in which our office filed charges in each year. Although the summary represents outcomes organized by the year the case was filed, note that cases frequently resolve in subsequent years. For example, a case filed in 2018 may resolve in 2019 or 2020.

It is also important to note that in 2020 and 2021, due to the pandemic, courts in San Francisco were largely closed or limited, so it was more difficult, if not altogether impossible, to bring cases to trial or even to advance them. The backlog in the courts—which are still operating at a limited capacity—continues to affect the pace of cases and we are continuing to advocate for full reopening of the courts so we can clear the backlog of cases.

Table 2. Status of Organized Retail Theft Cases Filed (Under PC 490.4; PC 490.2 and PC 182; PC 666 and PC 182)

	2018	2019	2020	2021	Total
Total Cases Filed	6	21	35	21	83
Conviction		7	15		22
Pending	3	11	16	20	50
Dismissed Post-Filing	2	1	4	1	8
Other (Warrant, Diversion, etc.)	1	2			3

Prosecution of “Shoplifting” from June-August 2010 and June-August 2020

Your letter requested snapshots of data around prosecutions of shoplifting cases between June-August 2019 and June-August 2020. It is difficult to provide summary statistics on conduct commonly referred to as “shoplifting,” because other than the now sunset Penal Code 490.4 for Organized Retail Theft, there is no statute in the California Penal Code that specifically refers to retail theft or shoplifting. Moreover, the California Penal Code section that most often indicates a shoplifting arrest is also used for other kinds of theft and, as discussed above, incidents that involve shoplifting can be charged in a variety of ways based on the specific characteristics of the alleged conduct. The statistics presented below include all cases in which an arrest was made for PC 490.2 Petty Theft during the requested time periods (June – Aug 2019 and June – Aug

2020) since this is the penal code most likely to be used for shoplifting and least likely to include other forms of theft. It is important to note that, by definition, this only includes misdemeanor theft charges. For each time period, we are including statistics for all arrests involving a petty theft charge and for arrests in which the most serious charge was for petty theft. As the table shows, the number of arrests presented to my office decreased dramatically during the pandemic.

Table 3. Arrests for Petty Theft

	Any Charge for Petty Theft		Most Serious Charge for Petty Theft	
	June - Aug 2019	June - Aug 2020	June - Aug 2019	June - Aug 2020
Total Arrests Presented by Law Enforcement to the SFDA	160	29	141	19
Filed	107	13	93	5
Request for Further Investigation	3	4	3	4
Motion to Revoke or Referred to other CJ Agency	20	2	18	1
Discharged	30	10	27	9

The table below presents the status of all cases in which our office filed charges. As with Table 2, the summary represents outcomes organized by the year the case was filed; cases frequently resolve in subsequent years.

Table 4. Status of Petty Theft Cases Filed

	Any Charge for Petty Theft		Most Serious Charge for Petty Theft	
	June - Aug 2019	June - Aug 2020	June - Aug 2019	June - Aug 2020
Total Cases Filed	107	13	93	5
Conviction	25	5	20	
Pending	60	7	56	5
Dismissed	13	1	9	
Other (Warrant, diverted, etc.)	9		8	

Aggregated Charges

Your letter inquired about how if and when charges can be aggregated. Under California law, a simple petty theft of less than \$950 worth of merchandise can only be charged as a misdemeanor and typically is eligible for diversion under a newly enacted state law. When any amount of force or fear is used, it can be charged as a felony, regardless of the value (this would elevate it to a robbery). However, a petty theft without force can also be elevated to a felony grand theft in certain limited circumstances. To do so requires proof beyond a reasonable doubt of each of the following: that the theft took place as part of a series of thefts from the same owner/store; the combined total of items taken was \$950 or more; and that the thefts occurred as part of a single overall plan or objective. These cases are charged as felony theft and are not included in Tables 3 and 4, since the penal code does not differentiate these felony thefts from non-retail felony theft.

Partnerships with Retailers and Businesses

In addition to our proactive investigative work and our work to hold those who commit retail theft crimes accountable, we also work to support businesses directly. Our office has an ongoing close partnership with ALTO, an international organization that coordinates the loss prevention efforts of retailers, police, and prosecutors and works to break the cycle of recidivism, hold people who commit these crimes accountable, and, where appropriate, address the root causes of these crimes.

ALTO represents stores like Walgreens and has worked closely with the District Attorney's Office. ALTO representatives serve as victim advocates for the businesses they represent, and coordinate with the District Attorney's Office—sometimes even attending court. ALTO representatives have recently praised the responsiveness of the San Francisco District Attorney's Office and the proactive approach our office has taken.

Working with Other Agencies to Combat Retail Theft

Every day my office works with law enforcement partners to disrupt, dismantle and deter organized retail theft. We are actively engaged with and supporting our community members, our retailers and those exploited by these organized networks.

No business should have to suffer from organized retail theft. Moreover, San Franciscans deserve to walk into a store without worrying they will witness a brazen crime. I remain committed to dedicating significant investigative and prosecutorial resources toward combating organized retail theft crimes.

Should you have additional questions please feel free to contact me.

Sincerely yours,

A handwritten signature in blue ink, reading "Chesa Boudin". The signature is fluid and cursive, with the first name "Chesa" and last name "Boudin" clearly distinguishable.

Chesa Boudin
District Attorney



Member, Board of Supervisors
District 11

City and County of San Francisco

AHSHA SAFAÍ

安世輝

MEMORANDUM

DATE: May 25, 2021

TO: San Francisco Police Department and District Attorney Office

FROM: Supervisor Ahsha Safai

CC: Board of Supervisors

SUBJECT: Data on San Francisco Organized Crime Retail Theft and Charging Standards, Conviction Standards, and When Offenses Have Been Aggregated on Commercial Shoplifting and Organized Crime Retail Theft

On May 13, 2021, I called a hearing that was focused on “Addressing Commercial Shoplifting in Neighborhood Small Businesses and Anchor Stores.”

During this meeting, Walgreens and CVS exposed the exorbitantly high levels of organized crime retail theft that is occurring in San Francisco. A CVS representative called “San Francisco the Epic Center for Organized Crime Retail Theft.” The representative stated 85 percent of the company’s profit loss was occurring from organized crime retail theft.

As a result of this hearing, I am officially requesting further data to be produced to my office and to my colleagues at the Board of Supervisors regarding the state of organized criminal theft in San Francisco and to better understand what measures our Police Department and District Attorney’s Office are taking to deter and eliminate this type of organized criminal retail theft. I am seeking data from San Francisco’s Police Department and District Attorney Office:

- **SFPD:** Number of arrests for organized crime retail theft from 2018, 2019, 2020
- **DA:** Number of convictions for organized crime retail theft from 2018, 2019, 2020
- **SFPD and DA:** What strategies are being used to stop organized criminal retail theft?

- Does the District Attorney's Office have a special division to address organized crime retail theft/ commercial shoplifting? How successful has it been?
- Does the Police Department have a special division to address organized crime retail theft/ commercial shoplifting? How success has it been?
- Is the District Attorney's Office working with Federal prosecutors to prosecute these organized criminal rings engaging in commercial retail theft?
- **District Attorney Office Inquiry Only:** Please provide the standard prosecutors used in order to determine aggregate offenses for shoplifting in San Francisco. Example- Is each Walgreens store considered a different victim? or Is Walgreens as a company considered a victim? Do shoplifting offenses have to happen in one day in order to be aggregated or can it be a series of days of shoplifting to be aggregated. Example someone steals from Walgreens on Monday and then steals from Walgreens on Thursday, can Monday and Thursday shoplifting offenses value be aggregated or is your office considering these acts of shoplifting as two separate incidents if they are committed by the same offender?
- **SFPD Inquiry Only:** Is SFPD tracking the number of repeat shoplifting offenders?
- **DA and SFPD:** Please provide a Snapshot of June 2019 to August 2019 and June 2020 to August 2020. Please provide data on the number of Shoplifting/ Commercial Theft/ Retail Theft arrest and convictions.

I am is requesting this analysis and information by Friday, July 16, 2021 at 5:00pm. If you have any questions, please contact my public safety aide, Geoffrea (Jah-free-ah) Morris, geoffrea.morris@sfgov.org.

Sincerely,



Ahsha Safai

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☐ 3. Request for hearing on a subject matter at Committee.
- ☒ 4. Request for letter beginning : "Supervisor inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

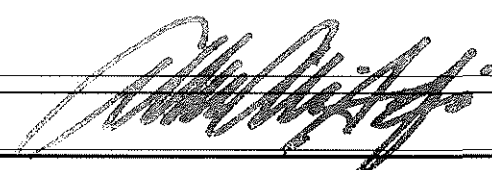
- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor: 

For Clerk's Use Only

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: 8 letters regarding File No. 210763
Date: Thursday, July 22, 2021 1:51:00 PM
Attachments: [8 letters regarding File No. 210763.pdf](#)

Hello Supervisors,

Please see attached 8 letters regarding File No. 210763

File No. 210763 - Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development with 2550 Irving Associates, L.P. to execute loan documents relating to a loan to provide financing for the acquisition of real property located at 2550 Irving Street, and predevelopment activities for a 100% affordable multifamily rental building, in an aggregate amount not to exceed \$14,277,516; approving the form of the loan agreement and ancillary documents; ratifying and approving any action heretofore taken in connection with the property; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and finding that the loan is consistent the General Plan, and the priority policies of Planning Code, Section 101.1.

Thank you,

Jackie Hickey
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-5184 | Direct: (415) 554-7701
jacqueline.hickey@sfgov.org | www.sfbos.org

From: [jerry motaka](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: oppose 2550 Irving
Date: Tuesday, July 20, 2021 3:12:27 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

1) Toxic cleanup necessary, Hazardous waste.
2) No environmental impact report.
3) 100 units and only 10 parking spaces.
4) Parking in the neighborhood is always a problem.
Thank You for your attention.
Cordially
Jeremiah motak

From: [jerry motaka](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: OPPOSE 2550 high rise
Date: Tuesday, July 20, 2021 3:25:53 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

- 1) NO environmental impact report in this development.
 - 2) Toxic waste clean up whos paying for this, the city.
 - 3) 100 unit and only 10 parking spaces.
 - 4) To noisy, over congested, parking is zero and the middle sunset is a family neighborhood.
- Cordially
Jerry Motak

From: [Steve Gehrman](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Resolution number #210763 - 7/20/21 BOS meeting
Date: Tuesday, July 20, 2021 5:40:26 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I **oppose** this crazy plan.

Haven't you idiots learned after **60 years of complete failure**?

You have **destroyed** the city!!!

Your **wacko liberal utopian dreams** are things children think up. Wake up from your delusions.

1250 27th Ave
Steve Gehrman

From: [Amy Yu](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Fwd: Fw: Ma
Date: Tuesday, July 20, 2021 6:48:30 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset merchant and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable

Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents and merchants like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Also, I want to know if our city officials have any plan to save our city from being destroyed by the skyrocketing crime.

Sincerely,

District 4 Merchant
Amy Yu

From: [Katie Lan](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Please vote for affordable housing!
Date: Tuesday, July 20, 2021 1:57:35 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and Board of Supervisors,

My name is Katie Lan, a proud member of the Westside Community Coalition. I am a resident of District 4 and a community member of the Sunset. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to **pass the funding resolution for affordable housing on 2550 Irving St** on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Katie Lan
Westside Community Coalition
94122

From: [Francisco Saldana](#)
To: [Melgar, Myrna \(BOS\)](#)
Cc: [Board of Supervisors \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Tuesday, July 20, 2021 1:41:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Melgar and Board of Supervisors,

My name is Francisco Saldana. I live in District 7 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I've been renting for four years now here in what seems like some of the only intentionally-designed multifamily housing in the district. I'm seeking ownership but even with my salary as a software engineer the housing on offer is both prohibitively expensive and of poor quality. Houses with multi-million dollar asking prices with "units" in closets, basements, garages and crawl spaces.

This past month you saw San Francisco standing on its own as an island of moderate temperature in a region facing increasingly extreme heat and drought. We need to take our role in the region seriously and step up to house people seeking refuge from this in decent conditions. An underinvestment in the affordable space creates predatory conditions all the way up the housing ladder.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to add your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with maximum number of units and designation for families at the lower end of area median income. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Francisco Saldana
725 Taraval St
San Francisco, CA 94116

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Vote for Affordable Housing Today!
Date: Tuesday, July 20, 2021 2:44:53 PM

From: kar yin <thamkaryin@gmail.com>
Sent: Tuesday, July 20, 2021 1:13 PM
To: Preston, Dean (BOS) <dean.preston@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: Vote for Affordable Housing Today!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston and Board of Supervisors,

My name is KarYin and I live in District 5 and am a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable, and livable homes for working families, young people experiencing homelessness (who are often LGBTQI+), SRO residents, and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

While there may be many differing views about the causes of homelessness and the design or suitability of a new housing complex in the Sunset, one thing is crystal clear: we cannot stand by and do nothing while thousands are without shelter and tens of thousands more are on the waitlist for affordable housing. Housing IS a human right and San Francisco needs to summon the political courage to stand with its people on the margins who are actually working hard to hold the seams of this city together. Stand with the working mothers, and toiling fathers, who are this city's cleaners, child care providers, dishwashers, wait staff, hotel workers, ushers, and yes, even teachers. It is nearly impossible to earn a livable wage in San Francisco, much less rent an apartment.

I join the Westside Community Coalition in urging you to add your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with designation for those at the lower end of area median income.

Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue today!

Sincerely,

Kar Yin Tham
District 5, 94122

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Tuesday, July 20, 2021 2:45:18 PM

From: Beth Coffelt-Roth-Barreiro <bethcrb@gmail.com>
Sent: Tuesday, July 20, 2021 1:48 PM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and Board of Supervisors,

My name is Beth Coffelt-Roth-Barreiro. I live in District 4 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

This project is important to me because I am a mother of a young child who lives in close proximity to the housing development. I want to see my child grow up in a diverse neighborhood that is accessible to everyone regardless of socioeconomic status, but a lack of affordable housing threatens this ideal.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution.** We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income.** Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,

Beth Coffelt-Roth-Barreiro

1202 38th Avenue (38th Ave & Lincoln Way)

San Francisco, CA 94122

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: 187 letters regarding File No. 210763, Item 43 on today's agenda
Date: Tuesday, July 20, 2021 3:05:00 PM
Attachments: [187 letters regarding File No. 210763 Part 1.pdf](#)
[187 letters regarding File No. 210763 Part 2.pdf](#)

Hello Supervisors,

Please see attached 187 letters regarding File No. 210763.

File No. 210763 - Resolution approving and authorizing the Director of the Mayor's Office of Housing and Community Development with 2550 Irving Associates, L.P. to execute loan documents relating to a loan to provide financing for the acquisition of real property located at 2550 Irving Street, and predevelopment activities for a 100% affordable multifamily rental building, in an aggregate amount not to exceed \$14,277,516; approving the form of the loan agreement and ancillary documents; ratifying and approving any action heretofore taken in connection with the property; granting general authority to City officials to take actions necessary to implement this Resolution, as defined herein; and finding that the loan is consistent the General Plan, and the priority policies of Planning Code, Section 101.1.

Regards,

Jackie Hickey
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-5184 | Direct: (415) 554-7701
jacqueline.hickey@sfgov.org | www.sfbos.org

From: [Steve Leeds](#)
To: [Preston, Dean \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [Westside Community Coalition](#)
Subject: The Sunset District NEEDS .Affordable Housing - Vote YES!
Date: Tuesday, July 20, 2021 11:10:02 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston and the Board of Supervisors:

My name is Steve Leeds, a resident of the Sunset District for 43+ years, and a member of the Westside Community Coalition and the West Side Tenants Association. Having watched over many years how Sunset residents have been priced out of the neighborhood due to rising rents, gentrification, and building “flipping” to name a few, it’s truly tragic and a troubling representation of housing in our city.

I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving today, July 20th, 2021.

I want to reiterate what I said when providing public comment to the Budget and Finance Committee hearing on July 14: A very important question for me is **what kind of city will SF be in our future?** Our city is in need of deeply affordable housing and 2550 Irving is a start when a significant number of vulnerable Sunset residents are struggling to pay their rent and stay housed. Deeply affordable housing is needed in every district and every neighborhood of this city to make SF a more just and caring community for all of us. Supervisors, I urge you to reflect in your deliberations about the the question above. San Francisco can and must do better!

We urgently need to address the Sunset’s underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition and many residents of the Sunset in urging you to **vote YES** on the funding resolution. Our Sunset community needs your support to ensure that 2550 Irving is built to truly meet the needs of current

and future Sunset residents with a maximum number of units and designation for families most in need and at the lower end of area median income.

Thank you, Supervisor Preston and other members of the Board for advocating for affordable housing on the Westside and 2550 Irving. I look forward to your leadership on this issue on July 20th

Sincerely,

Steve Leeds

Sunset District Resident - 94122

Member, Westside Community Coalition

From: [kar_yin](#)
To: [Preston, Dean \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Vote for Affordable Housing Today!
Date: Tuesday, July 20, 2021 1:13:36 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston and Board of Supervisors,

My name is KarYin and I live in District 5 and am a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable, and livable homes for working families, young people experiencing homelessness (who are often LGBTQI+), SRO residents, and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

While there may be many differing views about the causes of homelessness and the design or suitability of a new housing complex in the Sunset, one thing is crystal clear: we cannot stand by and do nothing while thousands are without shelter and tens of thousands more are on the waitlist for affordable housing. Housing IS a human right and San Francisco needs to summon the political courage to stand with its people on the margins who are actually working hard to hold the seams of this city together. Stand with the working mothers, and toiling fathers, who are this city's cleaners, child care providers, dishwashers, wait staff, hotel workers, ushers, and yes, even teachers. It is nearly impossible to earn a livable wage in San Francisco, much less rent an apartment.

I join the Westside Community Coalition in urging you to add your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with designation for those at the lower end of area median income.

Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue today!

Sincerely,

Kar Yin Tham
District 5, 94122

From: [Leena Yin](#)
To: [Walton, Shamann \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Vote for Affordable Housing!
Date: Tuesday, July 20, 2021 10:50:00 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Walton and Board of Supervisors,

My name is Leena Yin, a proud member of the Westside Community Coalition. As an advocate, community member, and former resident who had to move from the Sunset because of rising housing costs, I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to **pass the funding resolution for affordable housing on 2550 Irving St** on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Leena Yin
Westside Community Coalition
94107

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Vote for Affordable Housing!
Date: Tuesday, July 20, 2021 11:01:10 AM

From: Leena Yin <yin.leena@gmail.com>
Sent: Tuesday, July 20, 2021 10:49 AM
To: Walton, Shamann (BOS) <shamann.walton@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: Vote for Affordable Housing!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Walton and Board of Supervisors,

My name is Leena Yin, a proud member of the Westside Community Coalition. As an advocate, community member, and former resident who had to move from the Sunset because of rising housing costs, I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to **pass the funding resolution for affordable housing on 2550 Irving St** on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Leena Yin
Westside Community Coalition
94107

From: [Thryn](#)
To: [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 3:14:09 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

Dear Supervisor Gordon Mar and Board of Supervisors,

My name is Thryn Cornell. I live in Outer Sunset in District 15 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add**

your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,

Thryn Cornell

1889 28th Avenue SFCA 94122

1889 28th Avenue SFCA 94122

--

Thank you,

Thryn Cornell
thryn_11@sonic.net

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 4:56:25 PM

From: Thryn <thryn_11@sonic.net>
Sent: Monday, July 19, 2021 3:13 PM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

Dear Supervisor Gordon Mar and Board of Supervisors,

My name is Thryn Cornell. I Outer Sunset in District 15 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in

affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,

Thryn Cornell

1889 28th Avenue SFCA 94122

1889 28th Avenue SFCA 94122

--

Thank you,

Thryn Cornell
thryn_11@sonic.net

From: [Matthew Tom](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Tuesday, July 20, 2021 10:52:18 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and Board of Supervisors,

My name is Matthew Tom in District 4 and am a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you **to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Matthew Tom
Westside Community Coalition
94116

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Letter for File# 210763, BOS meeting 7/20/21. from immediate neighbor of 2550 Irving project
Date: Tuesday, July 20, 2021 9:48:36 AM

From: Christy Tam <christystam@yahoo.com>
Sent: Sunday, July 18, 2021 10:28 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Lew, Lisa (BOS) <lisa.lew@sfgov.org>; Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Letter for File# 210763, BOS meeting 7/20/21. from immediate neighbor of 2550 Irving project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

July 18, 2021

Dear Supervisors:

My name is Zhao K Liang, I live within 1000 ft from the proposed project of 2550 Irving. I am writing on behalf of my family of 5 to oppose as proposed. We support 4 stories, but 7 stories is too high and does NOT fit the character of this neighborhood.

I am extremely upset for TNDC and Supervisor Mar for not been transparent about this project to the direct impact neighbors. Our voices were never been heard and never been respected. During Zoom meeting hosted by TNDC, every meeting was like a lecture, there was no two way communication between neighbors and developer TNDC or Mr. Mar. Tons of concerns bring up in meeting, none of them were answered. We were muted it after 2 meeting and chat box was closed due to high volume of concerns/questions. Again, TNDC did NOT want to hear from us, so they muted everyone.

I also attended the 6/30/21 community meeting at St Anne, over 170 people attend. Supervisor Mar was there only 40 minutes during the 2 hours meeting. Many neighbors got very upset and shout out to recall him because his did NOT do his job by bring our voices to the city hall.

This project is lack of transparency and lack of community engagement from the direct impact neighbors. Our family oppose as proposed!

Best

Zhao K Liang

From: [Narissa](#)
To: [Board of Supervisors, \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Cc: westsidecommunitycoalition@gmail.com
Subject: VOTE YES - AFFORDABLE HOUSING IN THE SUNSET 2550 Irving St.
Date: Tuesday, July 20, 2021 10:18:14 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston and Board of Supervisors,

My name is Narissa Lee and I am a member of the Westside Community Coalition. I strongly urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I was raised in and still live in the Inner Sunset. The Sunset District and the west side of San Francisco direly need more affordable housing units. Through my experience supporting a friend who survived an attempt on his life, who is now a paraplegic and also grew up in the Sunset, I am all too familiar with, not only the lack of affordable housing, but the lack of affordable ADA housing, particularly in the west side of the city. There are NO housing options for him in the west side where his relatives and community resides. This greatly impacts his standard of living as a disabled person who depends on his community for support.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the west side. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Thank you,
Narissa Lee
1332 15th Ave.
San Francisco, CA 94122

From: [Pornvilai Buckter](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: OPPOSE 2550 IRVING PROJECT!
Date: Monday, July 19, 2021 4:40:37 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.

It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.
- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of

local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.
- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident,
Pornvilai Buckter
1369 29th Ave

Sent from my iPhone

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: OPPOSE 2550 IRVING PROJECT!
Date: Tuesday, July 20, 2021 9:48:20 AM

From: Pornvilai Buckter <bklalit@aol.com>
Sent: Monday, July 19, 2021 4:41 AM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: OPPOSE 2550 IRVING PROJECT!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- TOO OUT OF SCALE - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.
It should be right-sized to 4 stories.

- TOO EXPENSIVE - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other

proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- PARKING - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- ENVIRONMENTAL CONCERNS - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.
- CONSTRUCTION IMPACT - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident,
Pornvilai Buckter
1369 29th Ave

Sent from my iPhone

From: [Rosa Malone](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: OPPOSE Resolution number #210763, and "7/20/21 BOS meeting" - OPPOSE!!!
Date: Monday, July 19, 2021 6:35:51 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors

Please, please, please consider a smaller building. The proposed size is huge and there will be a wall of shade for those who live behind it. And a wall in general. We don't need more eyesores in this city!

This is going in the wrong direction.....San Francisco was known for it's beautiful size (and scale) and livability. People come and go, but this out-of-scale building will remain.

Thank you for your consideration.

Rosa Malone
1234 27th Avenue
SF 94122

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: OPPOSE Resolution number #210763, and "7/20/21 BOS meeting" - OPPOSE!!!
Date: Monday, July 19, 2021 8:23:11 AM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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

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

From: Rosa Malone <ggchica1234@gmail.com>
Sent: Monday, July 19, 2021 6:42 AM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: OPPOSE Resolution number #210763, and "7/20/21 BOS meeting" - OPPOSE!!!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms Lew,

Please, please, please consider a smaller building. The proposed size is huge and there will be a wall of shade for those who live behind it. And a wall in general. We don't need more eyesores in this city!

This is going in the wrong direction.....San Francisco was known for it's beautiful

size (and scale) and livability. People come and go, but this out-of-scale building will remain.

Thank you for your consideration.

Rosa Malone
1234 27th Avenue
SF 94122

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: OPPOSE Resolution number #210763, and "7/20/21 BOS meeting" - OPPOSE!!!
Date: Tuesday, July 20, 2021 9:47:32 AM

From: Rosa Malone <ggchica1234@gmail.com>
Sent: Monday, July 19, 2021 6:39 AM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: OPPOSE Resolution number #210763, and "7/20/21 BOS meeting" - OPPOSE!!!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Wong,

Please, please, please consider a smaller building. The proposed size is huge and there will be a wall of shade for those who live behind it. And a wall in general. We don't need more eyesores in this city!

This is going in the wrong direction.....San Francisco was known for it's beautiful size (and scale) and livability. People come and go, but this out-of-scale building will remain.

Thank you for your consideration.

Rosa Malone
1234 27th Avenue
SF 94122

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: Resolution number #21073 and 6/20/21 BOS meeting
Date: Monday, July 19, 2021 1:36:29 PM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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From: Isadore Rosenthal <isadore.rosenthal@gmail.com>
Sent: Monday, July 19, 2021 1:29 PM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: Re: Resolution number #21073 and 6/20/21 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

On Mon, Jul 19, 2021, 1:20 PM Isadore Rosenthal <isadore.rosenthal@gmail.com> wrote:

I am a Sunset resident and I OPPOSE the approval for the development loan for 2550 Irving Affordable Housing development and I OPPOSE the project as currently proposed.

Our city and the Sunset desperately need more affordable housing but as proposed, 2550 Irving is not the solution. Here are more concerns: TOO EXPENSIVE - This proposal comes with \$1 million/unit price tag and this is 60% over the average for new Affordable Housing in San

Francisco. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabilitating other buildings and building ADU's to ultimately house even more families in D4.

ENVIRONMENTAL CONCERNS - PCE vapors have been found underground at 2550 Irving site as well the south side of 2450 Irving St. Before adding more new residents, the toxic plume on both sides need to be remediated.

PARKING - I am disabled and often require a DISABLED BLUE parking space. Finding a designated BLUE PARKING space on Irving St. is already difficult, With only 11% parking ratio proposed, this will mean that the difficulty in finding parking for every Sunset resident and business, including me, will be compounded. A 25% parking ratio is needed.

I urge you to listen to the D4 residents like myself and OPPOSE this loan and this project in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St. for the benefit of new as well as existing residents and businesses.

Sincerely,

Isadore Rosenthal, District 4 resident

From: [Carroll, John \(BOS\)](#)
To: [Isadore Rosenthal](#); [Board of Supervisors, \(BOS\)](#)
Subject: RE: Resolution number #21073 and 6/20/21 BOS meeting
Date: Monday, July 19, 2021 2:39:33 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll

Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Isadore Rosenthal <isadore.rosenthal@gmail.com>
Sent: Monday, July 19, 2021 1:26 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Re: Resolution number #21073 and 6/20/21 BOS meeting

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 I urge you to listen to the D4 residentsts like myself and OPPOSE this loan and this project in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St. for the benefit of new as well as existing residents and businesses.

Sincerely,

Isadore Rosenthal, District 4 resident

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Resolution number #21073 and 6/20/21 BOS meeting
Date: Monday, July 19, 2021 4:01:00 PM
Attachments: [image001.png](#)

For File No. 210763.

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

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From: Isadore Rosenthal <isadore.rosenthal@gmail.com>
Sent: Monday, July 19, 2021 1:24 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Re: Resolution number #21073 and 6/20/21 BOS meeting

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Sincerely,

Isadore Rosenthal, District 4 resident

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Resolution number #21073 and 6/20/21 BOS meeting
Date: Tuesday, July 20, 2021 9:44:39 AM

From: Isadore Rosenthal <isadore.rosenthal@gmail.com>
Sent: Monday, July 19, 2021 1:25 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Re: Resolution number #21073 and 6/20/21 BOS meeting

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On Mon, Jul 19, 2021, 1:20 PM Isadore Rosenthal <isadore.rosenthal@gmail.com> wrote:

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Sincerely,

Isadore Rosenthal, District 4 resident

From: knittyme@yahoo.com
To: [Board of Supervisors, \(BOS\)](#)
Subject: Resolution number #210763, and "7/20/21 BOS meeting"
Date: Monday, July 19, 2021 2:09:13 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Thank you for your time.

Sincerely,
Judy Yee
1511 27th Avenue
District 4 Resident

Sent from my iPhone

From: [Carroll, John \(BOS\)](#)
To: knittyme@yahoo.com; [Board of Supervisors, \(BOS\)](#)
Subject: RE: Resolution number #210763, and "7/20/21 BOS meeting"
Date: Monday, July 19, 2021 2:38:58 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll

Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
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From: knittyme@yahoo.com <knittyme@yahoo.com>
Sent: Monday, July 19, 2021 2:12 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Resolution number #210763, and "7/20/21 BOS meeting"

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear John Carroll,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Thank you for your time.

Sincerely,
Judy Yee
1511 27th Avenue
District 4 Resident

Sent from my iPhone

From: [Miho Gehrman](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Resolution number #210763, and "7/20/21 BOS meeting"
Date: Monday, July 19, 2021 10:15:07 PM
Attachments: [Community Update 2550 Irving \(7-2-21 final\).pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.
- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.
- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

- INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident,[Miho Gehrman 1250 27th Ave SF CA, 94122]

COMMUNITY UPDATE

Department of Toxic Substances Control – Our mission is to protect the people, communities, and environment of California from harmful chemicals by cleaning up contaminated sites, enforcing hazardous waste laws, and compelling the development of safer products.

Public Comment Period for 2550 Irving Street Draft Response Plan Available for Review

The California Department of Toxic Substances Control (DTSC) invites you to review and comment on the draft Response Plan for 2550 Irving Street, San Francisco, CA 94122 (Site). The Tenderloin Neighborhood Development Corporation (TNDC) is proposing to build an affordable housing complex on the property. TNDC is responsible for addressing on-site contamination to support future property redevelopment. The draft Response Plan proposes the installation of a vapor intrusion mitigation system underneath the proposed building. This vapor mitigation system is a barrier that is installed as part of the building foundation to prevent tetrachloroethylene (PCE) found in soil vapor (spaces between soil particles) at the Site from entering the indoor air.

PUBLIC COMMENT PERIOD July 12, 2021 TO August 13, 2021

DTSC invites you to review and comment on the draft Response Plan for the 2550 Irving Street. All comments must be mailed or emailed by **August 13, 2021** to:

Arthur Machado

DTSC Project Manager

700 Heinz Avenue

Berkeley, CA 94710

Arthur.Machado@dtsc.ca.gov

REMOTE PUBLIC MEETING: DTSC will host a remote public meeting to provide information on the draft Response Plan, answer questions and receive public comments:

Date: Thursday, July 22, 2021

Time: 6:30 to 8:30 p.m.

Link: <https://tinyurl.com/2550Irving>

Phone Number: Call 1-669-900-9128 and enter Meeting ID 849 7778 3128#

Contact Asha Setty, DTSC Public Participation Specialist, at (510) 540-3910, toll-free at (866) 495-5651 or Asha.Setty@dtsc.ca.gov for assistance.

Site History and Environmental Investigations

The 0.44-acre Site housed several businesses from 1895 to 1946, including a drugstore, two gas stations, and a dry cleaner. In 1966, the property was used as a mortuary and funeral chapel. The funeral business operated until 1985, when the building was modified for its current use as a bank.

The property has been owned by The Police Credit Union since 1987. Environmental investigations conducted in 2019 and 2020 found PCE above environmental screening levels in soil vapor at the Site, at the adjacent parking lot, and along Irving Street. PCE was not detected above screening levels in soil or groundwater on-site. PCE is a volatile organic compound that is commonly used in dry-cleaning operations and in household products such as cleaning supplies, paints, adhesives and air fresheners. The California Air Resources Board is phasing PCE out of dry-cleaning operations by 2023. Sampling results indicate that the indoor air of The Police Credit Union is acceptable for workers and customers.

The levels of PCE at the Site are suitable for commercial/industrial use. Action is needed in order to ensure the Site is suitable for residential use. Environmental investigations for areas along Irving Street indicate that PCE in soil vapor is within the acceptable risk range for residential use. The Police Credit Union is responsible for monitoring off-site contamination. DTSC will prepare a separate mailer to update the community about this monitoring. In addition, DTSC will be providing oversight for the investigation of the former Albright Cleaners located across the street (2511 Irving Street) and will prepare an additional mailer for this process.

Draft Response Plan

The draft Response Plan evaluates engineering controls and recommends a preferred method to address on-Site contamination. The proposed remedy includes:

- Incorporating a vapor intrusion mitigation system under the foundation of the future building. This system consists of an engineered barrier and piping that allows contaminants in soil vapor to be vented into the atmosphere above the building where they will naturally dissipate.
- Installing plugs along underground utility corridors and sealing utility piping to prevent vapors from travelling into or off-site.
- Collecting samples to confirm the vapor intrusion mitigation system is operating as designed prior to building occupancy.
- Recording a land use covenant to allow residential use of the property with a vapor intrusion mitigation system.
- Monitoring and maintaining the system to ensure it remains effective.

If the draft Response Plan is approved, it is anticipated that the demolition of the existing building and construction of the new building would begin in 2023. A work notice would be mailed to the community prior to the start of work.

Safety Measures

The vapor intrusion mitigation system would be installed at the same time the building is constructed. To protect the health of the community during this work, the following engineering controls and safety measures would be used:

- Active work areas would be fenced off and include Site signage with a phone number to report any concerns.

- Dust monitoring would occur upwind and downwind of excavation areas and along the Site perimeter.
- Various methods would be used to control dust including water, spray foam, and plastic sheeting.

California Environmental Quality Act (CEQA)

DTSC will prepare a Notice of Exemption for this affordable housing project because it is exempt from CEQA under California Senate Bill 35. The Notice of Exemption would be filed with the State Clearinghouse after project approval.

Next Steps

DTSC will review and consider all public comments before making a decision on the draft Response Plan for the project. At the end of the public comment period, DTSC will evaluate all comments received and make any necessary changes to these documents. DTSC will send a Response to Comments document to all those who submit comments and provide their contact information.

Information Repositories

You can review a hard copy of the draft Response Plan at the following location:

- DTSC Berkeley Office, located at 700 Heinz Avenue, Berkeley, CA 94710. Please call the office at (510) 540-2122 to make an appointment to view the documents.
- To review the draft Response Plan and related documents online, please visit: <https://www.envirostor.dtsc.ca.gov/public/> (type site code 60003063 and select from the drop-down menu)
- For air monitoring results and additional technical documents online, please visit: <https://www.envirostor.dtsc.ca.gov/public/> (type site code 60003000 and select from the drop-down menu)

DTSC Contact Information

- Arthur Machado, Project Manager at (415) 723-0792 or Arthur.Machado@dtsc.ca.gov
- Asha Setty, Public Participation Specialist at (510) 540-3910, toll-free at (866) 495- 5651 or Asha.Setty@dtsc.ca.gov
- For Media Inquiries: Russ Edmondson, Public Information Officer, (916) 323-3372 or Russ.Edmondson@dtsc.ca.gov



Figure 1: Site Location and Soil Vapor Sampling Locations



Hearing impaired individuals may use the California Relay Service at 711 or 800-735-2929 TTY/VCO/HCO to voice.



Additional information on DTSC sites can be found through our [EnviroStor](#). (rev. 5-2020)

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Resolution number #210763, and "7/20/21 BOS meeting"
Date: Tuesday, July 20, 2021 9:36:58 AM

From: knittyme@yahoo.com <knittyme@yahoo.com>
Sent: Monday, July 19, 2021 2:11 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Resolution number #210763, and "7/20/21 BOS meeting"

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Dear Linda Wong,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

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Thank you for your time.

Sincerely,
Judy Yee
1511 27th Avenue
District 4 Resident

Sent from my iPhone

From: [Hal Silk](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Re: Fw:BOS file No.210763(Relating 2550 Irving St loan "7/20/21 BOS meeting" OPPOSE
Date: Monday, July 19, 2021 2:48:51 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor,

I am writing to ask you to vote no at this time on the \$14 million pre-development loan that would authorize TNDC to buy the 2550 Irving site for affordable housing. I support building affordable housing, but this location poses a serious issue that needs to be investigated and resolved before the City underwrites this project.

PCE toxins have been found at the site and are currently being monitored by the California State DTSC. Their process for public comment has just begun, and if a hazardous condition is determined to exist, and could be exacerbated by construction, remediation could be required, which could alter the feasibility of the project.

Being direct neighbors of the proposed site, we, of course, are genuinely concerned about the release of toxins during construction, are eager to see the results of the State's investigation and hope that the Board of Supervisors will postpone a decision on the predevelopment funding until the report is issued.

Respectfully,

Doreen and Hal Silk
1270 26th Ave. 415 566-0492

415 519-8037

From: [Carroll, John \(BOS\)](#)
To: [Hal Silk](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: RE: Fw:BOS file No.210763(Relating 2550 Irving St loan "7/20/21 BOS meeting" OPPOSE
Date: Monday, July 19, 2021 3:00:56 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Hal Silk <halsilk@gmail.com>
Sent: Monday, July 19, 2021 2:56 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Re: Fw:BOS file No.210763(Relating 2550 Irving St loan "7/20/21 BOS meeting" OPPOSE

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor,

I am writing to ask you to vote no at this time on the \$14 million pre-development loan that would authorize TNDC to buy the 2550 Irving site for affordable housing. I support building affordable housing, but this location poses a serious issue that needs to be investigated and resolved before the City underwrites this project.

PCE toxins have been found at the site and are currently being monitored by the California State DTSC. Their process for public comment has just begun, and if a hazardous condition is determined to exist, and could be exacerbated by construction, remediation could be required, which could alter the feasibility of the project.

Being direct neighbors of the proposed site, we, of course, are genuinely concerned about the release of toxins during construction, are eager to see the results of the State's investigation and hope that the Board of Supervisors will postpone a decision on the predevelopment funding until the report is issued.

Respectfully,

Doreen and Hal Silk

1270 26th Ave. 415 566-0492

415 519-8037

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: Fw:BOS file No.210763(Relating 2550 Irving St loan "7/20/21 BOS meeting" OPPOSE
Date: Monday, July 19, 2021 3:21:32 PM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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From: Hal Silk <halsilk@gmail.com>
Sent: Monday, July 19, 2021 2:59 PM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: Re: Fw:BOS file No.210763(Relating 2550 Irving St loan "7/20/21 BOS meeting" OPPOSE

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Dear Supervisor,

I am writing to ask you to vote no at this time on the \$14 million pre-development loan that would authorize TNDC to buy the 2550 Irving site for affordable housing. I support building affordable housing, but this location poses a serious issue that needs to be investigated and resolved before the City underwrites this project.

PCE toxins have been found at the site and are currently being monitored by the California State DTSC. Their process for public comment has just begun, and if a hazardous condition is determined to exist, and could be exacerbated by construction, remediation could be required, which could alter

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Respectfully,

Doreen and Hal Silk

1270 26th Ave. 415 566-0492

415 519-8037

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Fw:BOS file No.210763(Relating to 2550 Irving St loan "7/20/21 BOS meeting" OPPOSE
Date: Tuesday, July 20, 2021 9:35:47 AM

From: Hal Silk <halsilk@gmail.com>
Sent: Monday, July 19, 2021 2:51 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Re: Fw:BOS file No.210763(Relating to 2550 Irving St loan "7/20/21 BOS meeting" OPPOSE

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Dear Supervisor,

I am writing to ask you to vote no at this time on the \$14 million pre-development loan that would authorize TNDC to buy the 2550 Irving site for affordable housing. I support building affordable housing, but this location poses a serious issue that needs to be investigated and resolved before the City underwrites this project.

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Being direct neighbors of the proposed site, we, of course, are genuinely concerned about the release of toxins during construction, are eager to see the results of the State's investigation and hope that the Board of Supervisors will postpone a decision on the predevelopment funding until the report is issued.

Respectfully,

Doreen and Hal Silk
1270 26th Ave. 415 566-0492

415 519-8037

From: [Phoebe Kuong](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Comment for file#210763
Date: Monday, July 19, 2021 1:15:29 PM

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I live in 28 ave and Layton?I oppose the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving St project ,I concern the parking toxic density community safety unsolved issues , thanks

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: Comment for file#210763
Date: Monday, July 19, 2021 1:35:30 PM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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From: Phoebe Kuong <kuong1628@gmail.com>
Sent: Monday, July 19, 2021 1:21 PM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: Comment for file#210763

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I live in 28 ave and Layton?I oppose the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving St project ,I concern the parking toxic density community safety unsolved issues , thanks

From: [Kit Chong](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Fwd: Comment for file#210763
Date: Monday, July 19, 2021 3:21:23 PM

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

From: **Kit Chong** <kittsechong@gmail.com>
Date: Mon, Jul 19, 2021, 3:14 PM
Subject: Comment for file#210763
To: <Gorden.Mar@sfgov.org>

Dear superior ,

I live at 26th Ave , between Irving and Lincoln. I strongly oppose the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving Street project.. I concern the parking, increasing crimes ,toxic ,community safety those unsolved issue.

Sincerely,

Kit

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Comment for file#210763
Date: Monday, July 19, 2021 4:03:31 PM
Attachments: [image001.png](#)

For File No. 210763.

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

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From: Kit Chong <kittsechong@gmail.com>
Sent: Monday, July 19, 2021 3:20 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Fwd: Comment for file#210763

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

From: **Kit Chong** <kittsechong@gmail.com>

Date: Mon, Jul 19, 2021, 3:14 PM

Subject: Comment for file#210763

To: <Gorden.Mar@sfgov.org>

Dear superior ,

I live at 26th Ave , between Irving and Lincoln. I strongly oppose the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving Street project.. I concern the parking, increasing crimes ,toxic ,community safety those unsolved issue.

Sincerely,

Kit

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Comment for file#210763
Date: Monday, July 19, 2021 4:03:55 PM
Attachments: [image001.png](#)

For File No. 210763.

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

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From: Kit Chong <kittsechong@gmail.com>
Sent: Monday, July 19, 2021 3:30 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Fwd: Comment for file#210763

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From: **Kit Chong** <kittsechong@gmail.com>

Date: Mon, Jul 19, 2021, 3:14 PM

Subject: Comment for file#210763

To: <Gorden.Mar@sfgov.org>

Dear superior ,

I live at 26th Ave , between Irving and Lincoln. I strongly oppose the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving Street project.. I concern the parking, increasing crimes ,toxic ,community safety those unsolved issue.

Sincerely,

Kit

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: Comment for file#210763
Date: Monday, July 19, 2021 5:03:09 PM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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From: Kit Chong <kittsechong@gmail.com>
Sent: Monday, July 19, 2021 3:23 PM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: Fwd: Comment for file#210763

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

From: **Kit Chong** <kittsechong@gmail.com>
Date: Mon, Jul 19, 2021, 3:14 PM
Subject: Comment for file#210763
To: <Gorden.Mar@sfgov.org>

Dear superior ,

I live at 26th Ave , between Irving and Lincoln. I strongly oppose the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving Street project.. I concern the parking, increasing crimes ,toxic ,community safety those unsolved issue.

Sincerely,

Kit

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Comment for file#210763
Date: Tuesday, July 20, 2021 9:34:53 AM

From: Kit Chong <kittsechong@gmail.com>
Sent: Monday, July 19, 2021 3:26 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Fwd: Comment for file#210763

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From: **Kit Chong** <kittsechong@gmail.com>
Date: Mon, Jul 19, 2021, 3:14 PM
Subject: Comment for file#210763
To: <Gorden.Mar@sfgov.org>

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Sincerely,

Kit

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Resolution # 210763 to be voted on at the 7/20/21 Board of Supervisor's Meeting
Date: Tuesday, July 20, 2021 9:34:04 AM

From: Bronwyn Gundogdu <brongun9@gmail.com>
Sent: Monday, July 19, 2021 3:54 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Re: Resolution # 210763 to be voted on at the 7/20/21 Board of Supervisor's Meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Linda Wong,

I write today to express my **OPPOSITION** to the planned construction of a seven story building on 2550 Irving Street, San Francisco.

The proposed building is completely out of proportion for that neighborhood. I can only imagine the distress the building's immediate neighbor's are feeling now contemplating the thought of a 7 story high rise being constructed next to them, completely blocking out the sun except for perhaps a few hours of sun at the height of summer - perhaps!

I applaud the plan to build affordable housing - obviously we badly need it. But this should not come at the expense of tearing a neighborhood apart and ruining the homes of the neighbors, as this mammoth project threatens to do.

I strongly recommend the Board of Supervisors reconsider this proposed building and limit the building to a height that blends in with the neighborhood - that is of no more than 3 stories, or 4 at the absolute maximum.

Proposing housing for the "homeless" is always a delicate issue. The City's Supervisors are responsible for dealing with the many challenges that face this city. But they are also responsible to ALL the city's constituents - including supporting the needs of the majority of San Franciscans who pay taxes and who have worked hard and saved hard to live in a specific neighborhood. Instead of railroading over the legitimate objections of neighbors, creating resentment both to city government as well as the proposed low income tenants in the process, the City would do a much better job by providing low income housing that fits in with the local community. Housing for "the poor" shouldn't be made to look like that - it should blend in and become virtually indistinguishable from its neighbors. This proposed plan for a 7 story building does not fit in with the low rise buildings of the Sunset and is causing much neighborhood outrage. (Some may respond that a high rise building already exists immediately opposite this planned construction, but that high rise along with a few others in the Sunset district, were build many years ago and none have been built since that initial

construction).

To offer some alternatives - I propose the following:

1. Seriously look at the buildings downtown to review current vacancies following the exodus of companies and people out of San Francisco as a possible sight for housing - in already constructed buildings.
2. Seriously look at under-developed land already owned by the City and County of San Francisco - eg the currently boarded up Juvenile Hall, or the site of the third tower that was originally planned for the new Laguna Honda Hospital but was never built. That land already exists and is free from toxic waste. Both of these sites would lend themselves to construction of high(er) rise buildings as their construction would not interfere with sunlight to neighbors and they would fit in with currently built high rises.

It has become apparent that many residents of San Francisco are becoming increasingly angry with "City Hall" for the relentless rising crime, the filth, increasing lack of parking, etc and the apparent inability of the Board of Supervisors to deal with this. I strongly recommend that the Board of Supervisors stop only responding to a minority of "activists" and respond to the legitimate concerns of the Sunset community and **OPPOSE the construction of the massive seven story development at 2550 Irving Street.**

Respectfully,

Bronwyn Gundogdu
1458 11th Ave
San Francisco

From: [Terry Clothe](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: 2550 Irving Street Project
Date: Monday, July 19, 2021 5:47:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

I'm writing to you today to let you know how I feel as a neighbor of Irving St. I OPPOSE the 7 storage project by TNDC, but will support the 4 or 5 storage project modification plan by MSNA for 2550 Irving St Project. Please vote NO on the 14 million dollar loan and No on this proposal while there are still so many unsolved concerns like toxicity, community safety, density and parking.

Thank you!
Jennifer Li

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: 2550 Irving Street Project
Date: Tuesday, July 20, 2021 9:27:31 AM

From: Terry Clothe <jenniferl7366@gmail.com>
Sent: Monday, July 19, 2021 6:00 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Fwd: 2550 Irving Street Project

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Dear Ms. Wong:

I'm writing to you today to let you know how I feel as a neighbor of Irving St. I OPPOSE the 7 storage project by TNDC, but will support the 4 or 5 storage project modification plan by MSNA for 2550 Irving St Project. Please vote NO on the 14 million dollar loan and No on this proposal while there are still so many unsolved concerns like toxicity, community safety, density and parking.

Thank you!
Jennifer Li

From: [mei.chen](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Oppose 2550 Irving building project
Date: Monday, July 19, 2021 7:26:52 PM

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I'm oppose 2550 Irving building project !

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From: [mei.chen](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Oppose 2550 Irving building project
Date: Monday, July 19, 2021 7:48:15 PM

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Hi my name is Mei , I live on 23rd Irving street, I am oppose 2550 Irving building project!!!
Too high!
Traffic problems always here on Irving street!!
Toxic will spread to our neighborhood! It well effect our health and our children's health!!!!
Thank you!
Get [Outlook for iOS](#)

From: [Carroll, John \(BOS\)](#)
To: [mei chen](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Oppose 2550 Irving building project
Date: Tuesday, July 20, 2021 8:28:57 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: mei chen <hmei1234@hotmail.com>
Sent: Monday, July 19, 2021 7:28 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Oppose 2550 Irving building project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I'm oppose 2550 Irving building project!

Get [Outlook for iOS](#)

From: [Carroll, John \(BOS\)](#)
To: [mei chen](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Oppose 2550 Irving building project
Date: Tuesday, July 20, 2021 8:29:30 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: mei chen <hmei1234@hotmail.com>
Sent: Monday, July 19, 2021 7:52 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Oppose 2550 Irving building project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi my name is Mei, I live on 23rd Irving, I am oppose 2550 Irving building project!!

Too high!

Always traffic problems on Irving street!

Toxic spread to our neighborhood, it will effect our health and our children's health!!!!!!!

thank you!

Get [Outlook for iOS](#)

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Oppose 2550 Irving building project
Date: Tuesday, July 20, 2021 9:26:41 AM

From: mei chen <hmei1234@hotmail.com>
Sent: Monday, July 19, 2021 7:50 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Oppose 2550 Irving building project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi my name is Mei, I live on 23rd Irving street, I oppose 2550 Irving building project!
Too high!
Always traffic problems on Irving street!
Toxic spread to our neighborhood, it will effect our health and our children's health!!!!
thank you!
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From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Oppose 2550 Irving building project
Date: Tuesday, July 20, 2021 9:26:57 AM

From: mei chen <hmei1234@hotmail.com>
Sent: Monday, July 19, 2021 7:27 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Oppose 2550 Irving building project

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I'm oppose 2550 Irving building project

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From: [Martin Diky](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Subject: Resolution number #210763 oppose letter for 7/20/21 BOS meeting
Date: Monday, July 19, 2021 12:01:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I OPPOSE the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s. Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.
- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.
- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.
- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

● INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools. This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement. I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident, Martin Diky, 1615 30th ave san francisco CA 94122

From: [Tina Cen](#)
To: [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Mar, Gordon \(BOS\)](#)
Cc: [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Subject: Re: Resolution number #210763 oppose letter for 7/20/21 BOS meeting
Date: Monday, July 19, 2021 4:35:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors:

My family and I have been homeowners in the Central Sunset District since 1971. I'm also a Realtor working in District 4 since 2004.

I **"Oppose"** the building of a seven story structure on unstable ground that is toxic. I **"Oppose"** adding 100 units and/or 300 families with only 11 parking spaces to live in already congested Irving Street.

I support Affordable Housing but I do not support destroying the livelihood of neighboring communities. As a veteran real estate consultant, I can tell you that the houses adjacent to the proposed out of place building will lose hundreds of thousand dollars in equity value. How can people who support this building sleep at night knowing that this will happen to these long time residents?

Here are my suggestions:

1. The Police Credit Union should clean up the toxic site and or reimburse the new owner for the clean up.
2. Build a 4 story building with 50 percent parking for the number of units.
3. Purchase already vacant properties in the Sunset and add ADU's. This is a better way to diversify District 4 and spend less than 1M per door. Local real estate companies can manage the properties at the minimum and therefore saving more funds for the truly needy.
4. Build affordable housing on the Ocean Beach parking lots or at the edge/Lincoln Avenue side of Golden Gate Park . These areas are rarely used except by the homeless and coyotes.

Please build and or purchase affordable housing but **DO NOT destroy our neighborhood.**

Sincerely,

Tina Cen-Camarao
1559 21st Avenue
San Francisco, CA 94122

From: [Susan Tam](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Resolution number #210763 oppose letter for 7/20/21 BOS meeting
Date: Monday, July 19, 2021 8:46:07 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

***** Oppose *****

I'm writing to oppose the plan to build a seven story, 100-unit low income housing project at 2550 Irving St. As a resident in the sunset neighborhood for 25+ years, I think this project is out of place and bad for the sunset district.

Our main concerns will be the increase in crime, burglaries, loitering, parking problems, increased homeless presence, loss of home value, noise, increases of trash, drug use, and many more. Please STOP this project immediately and please respect all the residents/homeowners in this neighborhood.

Thank you for your time and understanding.

Susan Tam
1270 25th Avenue
San Francisco, CA 94122

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Board of Supervisors,

I strong OPPOSE the housing project at 2550 Irving.

Traffic along Lincoln Way is bad enough during peak hour in morning and evening. Residents in Sunset District cannot tolerate more vehicles in the 2500 living neighborhood.

Please take into consideration the feeling of local residents and stop this project.

Thy,
Karrho Lee
1423 21st Ave
San Francisco, CA 94122

[illegible]

From: [Carroll, John \(BOS\)](#)
To: [Susan Tam](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: RE: Resolution number #210763 oppose letter for 7/20/21 BOS meeting
Date: Tuesday, July 20, 2021 8:31:48 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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From: Susan Tam <smjue@yahoo.com>
Sent: Monday, July 19, 2021 8:49 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Resolution number #210763 oppose letter for 7/20/21 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

***** Oppose *****

I'm writing to oppose the plan to build a seven story, 100-unit low income housing project at 2550 Irving St. As a resident in the sunset neighborhood for 25+ years, I think this project is out of place and bad for the sunset district.

Our main concerns will be the increase in crime, burglaries, loitering, parking problems, increased homeless presence, loss of home value, noise, increases of trash, drug use, and many more. Please STOP this project immediately and please respect all the residents/homeowners in this neighborhood.

Thank you for your time and understanding.

Susan Tam
1270 25th Avenue
San Francisco, CA 94122

From: [Carroll, John \(BOS\)](#)
To: kamho_lee@juno.com
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: RE: Resolution number #210763 Oppose Letter for 7/20/21 BOS meeting
Date: Tuesday, July 20, 2021 8:34:57 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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

From: kamho_lee@juno.com <kamho_lee@juno.com>
Sent: Monday, July 19, 2021 10:45 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Resolution number #210763 Oppose Letter for 7/20/21 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi John,

I strong OPPOSE the housing project at 2550 Irving.

Traffic along Lincoln Way is bad enough during peak hour in morning and evening. Residents in Sunset District cannot tolerate more vehicles in the 2500 Irving neighborhood.

Please take into consideration the feeling of local residents and stop this project.

Thx,

Kamho Lee

1423 21st Ave

San Francisco, CA 94122

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Fig 210763

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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BOS Legislation.

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Please take into consideration the feeling of local residents and stop this project

Thx,
Kamho Lee
1423 21st Ave
San Francisco, CA 94122

[illegible]

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Resolution number #210763 oppose letter for 7/20/21 BOS meeting
Date: Tuesday, July 20, 2021 8:48:21 AM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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From: Susan Tam <smjue@yahoo.com>
Sent: Monday, July 19, 2021 8:46 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Resolution number #210763 oppose letter for 7/20/21 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

***** Oppose *****

I'm writing to oppose the plan to build a seven story, 100-unit low income housing project at 2550 Irving St. As a resident in the sunset neighborhood for 25+ years, I think this project is out of place and bad for the sunset district.

Our main concerns will be the increase in crime, burglaries, loitering, parking problems, increased homeless presence, loss of home value, noise, increases of

trash, drug use, and many more. Please STOP this project immediately and please respect all the residents/homeowners in this neighborhood.

Thank you for your time and understanding.

Susan Tam
1270 25th Avenue
San Francisco, CA 94122

-----Original Message-----
From: karnho_lee@juno.com <karnho_lee@juno.com>
Sent: Monday, July 19, 2021 10:44 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Resolution number #280763 Oppose Letter for 7/20/21 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Linda,

I strong OPPOSE the housing project at 2550 Irving.

Traffic along Lincoln Way is bad enough during peak hour in morning and evening. Residents in Sunset District cannot tolerate more vehicles in the 2500 Irving neighborhood.

Please take into consideration the feeling of local residents and stop this project.

Thx,
Kamho Lee
1423 21st Ave
HSan Francisco, CA 94122

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Get Norton 360 with LifeLock starting at \$9.95/month. * https://avanan.url-protection.com/v1/url?o=https%3A%2F%2Fstore.norton.com%2Faccount%2FshowService.do%3FserviceId%3DOnLifeLock%26utm_source%3Dnorton%26utm_medium%3Ddisplay%26utm_campaign%3Dnorton_launch%26utm_content%3Dnorton%26promoCode%3DA21457&gclid=ON

From: [Wong, Linda \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: FW: Resolution number #210763 oppose letter for 7/20/21 BOS meeting
Date: Tuesday, July 20, 2021 9:26:18 AM

From: Susan Tam <smjue@yahoo.com>
Sent: Monday, July 19, 2021 8:48 PM
To: Wong, Linda (BOS) <linda.wong@sfgov.org>
Subject: Resolution number #210763 oppose letter for 7/20/21 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

***** Oppose *****

I'm writing to oppose the plan to build a seven story, 100-unit low income housing project at 2550 Irving St. As a resident in the sunset neighborhood for 25+ years, I think this project is out of place and bad for the sunset district.

Our main concerns will be the increase in crime, burglaries, loitering, parking problems, increased homeless presence, loss of home value, noise, increases of trash, drug use, and many more. Please STOP this project immediately and please respect all the residents/homeowners in this neighborhood.

Thank you for your time and understanding.

Susan Tam
1270 25th Avenue
San Francisco, CA 94122

From: [Lily S Woo](#)
To: [Board of Supervisors, \(BOS\)](#)
Date: Monday, July 19, 2021 5:53:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Dear this whow it may concern,

I m lily ,i am a sunset district resident.

I oppose the 7 floor project plan by TNDC and pupport the 4
floor project modify plan byMSNA for2550

Irving st project ,i concern that the parking Toxic density community safety unsolved is issues.Thank you for the
time.

Sent from my iPhone

From: [Don Misumi](#)
To: [Chan, Connie \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Date: Tuesday, July 20, 2021 9:18:58 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Chan and Board of Supervisors,

As a member of Richmond District Rising and the Westside Community Coalition, I'd like to acknowledge your support for affordable housing in this city and also the advocacy of Supervisors Mar, Haney, and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving St.

As a second generation San Franciscan, my family has experienced the displacement from the racist US concentration camps and then the second displacement due to the destruction of our historic community in Japantown - along with thousands of Black neighbors in the Western Addition. We organized our communities to fight redevelopment in organizations like the Committee Against Nihonmachi Eviction and the International Hotel Support Committee. Although our efforts eventually led to the demise of the Redevelopment Agency, this only happened after the utter devastation of our once vibrant communities.

Although the city is no longer directly involved in leveling great swaths from our neighborhoods and selling off the land to developers, the less blatant city-policy-enabled gentrification of San Francisco in the ensuing decades has accomplished almost the same thing and forced thousands of working class people and people of color out of the city in search of an affordable place to live.

The city has a debt to pay to those it has displaced and the communities it has destroyed. As far as I am concerned, ALL housing should be affordable. The very least that can be done is to ensure that all new housing is affordable and to financially support developments like 2550 Irving St. ALL of our neighborhoods need affordable housing, in particular the Sunset, which has lagged behind most other areas. I urge you and the rest of the board to also sign on as co-sponsors of the funding resolution. Let us begin to repair the damage that has been done and address the current needs of the people of San Francisco. Thank you again for your ongoing advocacy.

Sincerely,
Don Misumi
Richmond District Rising
Westside Community Coalition

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW:
Date: Tuesday, July 20, 2021 9:20:26 AM

From: Don Misumi <don.misumi@gmail.com>
Sent: Tuesday, July 20, 2021 9:18 AM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject:

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Dear Supervisor Chan and Board of Supervisors,

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Sincerely,
Don Misumi
Richmond District Rising
Westside Community Coalition

From: [Eric Mar](#)
To: [Chan, Connie \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: 7/20 BOS Mtg - Support for item 43 - 2550 Irving St Affordable Family Housing Funding Resolution
Date: Monday, July 19, 2021 9:32:34 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Chan and Board of Supervisors,

My name is Eric Mar, a member of Richmond District Rising and the Westside Community Coalition.

Thank you for your courageous support for housing justice! I join Supervisor Gordon Mar, affordable housing & social justice advocates and many District 4 residents and organizations in support of the proposed 2550 Irving Street Affordable Family Housing project. Please move it forward without delay. Thank you also for your strong support of the 100% affordable senior housing project at 4200 Geary (at 6th Ave) in our district as well!

The Mayor's Office of Housing and Community Development and City urgently needs to do much more to address the Sunset's and Westside's gross underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition and housing justice groups in urging you to **vote to pass the funding resolution and add your name as a co-sponsor**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Eric Mar
825 La Playa St, #130
San Francisco, CA 94121

--

—
Eric Mar (Pronouns: he/him)
ericmar@sfsu.edu
Emeritus Professor, Asian American Studies,
San Francisco State University
—

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: 7/20 BOS Mtg - Support for item 43 - 2550 Irving St Affordable Family Housing Funding Resolution
Date: Tuesday, July 20, 2021 9:14:22 AM

From: Eric Mar <emailericmar@gmail.com>
Sent: Monday, July 19, 2021 9:32 PM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: 7/20 BOS Mtg - Support for item 43 - 2550 Irving St Affordable Family Housing Funding Resolution

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Dear Supervisor Chan and Board of Supervisors,

My name is Eric Mar, a member of Richmond District Rising and the Westside Community Coalition.

Thank you for your courageous support for housing justice! I join Supervisor Gordon Mar, affordable housing & social justice advocates and many District 4 residents and organizations in support of the proposed 2550 Irving Street Affordable Family Housing project. Please move it forward without delay. Thank you also for your strong support of the 100% affordable senior housing project at 4200 Geary (at 6th Ave) in our district as well!

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Sincerely,
Eric Mar

825 La Playa St, #130
San Francisco, CA 94121

--

—-

Eric Mar (Pronouns: he/him)

ericmar@sfsu.edu

Emeritus Professor, Asian American Studies,
San Francisco State University

—-

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: Public Correspondences for File No. 210763
Date: Tuesday, July 20, 2021 8:56:51 AM
Attachments: [Oppose 2550 Irving building project .pdf](#)
[image001.png](#)

For File No. 210763.

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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From: [mei.chen](#)
To: [Lew, Lisa \(BOS\)](#)
Subject: Oppose 2550 Irving building project
Date: Monday, July 19, 2021 7:29:27 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I'm oppose 2550 Irving building project!

Get [Outlook for iOS](#)

From: [mei.chen](#)
To: [Lew, Lisa \(BOS\)](#)
Subject: Oppose 2550 Irving building project
Date: Monday, July 19, 2021 7:53:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi my name is Mei, I live on 23rd Irving street, I am oppose 2550 Irving building project!!
Too high!
Always traffic problems on Irving street!!
Toxic spread to our neighborhood, it will effect our health and our children's health!!!!!!
thank you
Get [Outlook for iOS](#)

From: [Susan Tam](#)
To: [Lew, Lisa \(BOS\)](#)
Subject: Resolution number #210763 oppose letter for 7/20/21 BOS meeting
Date: Monday, July 19, 2021 8:49:23 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

***** Oppose *****

I'm writing to oppose the plan to build a seven story, 100-unit low income housing project at 2550 Irving St. As a resident in the sunset neighborhood for 25+ years, I think this project is out of place and bad for the sunset district.

Our main concerns will be the increase in crime, burglaries, loitering, parking problems, increased homeless presence, loss of home value, noise, increases of trash, drug use, and many more. Please STOP this project immediately and please respect all the residents/homeowners in this neighborhood.

Thank you for your time and understanding.

Susan Tam
1270 25th Avenue
San Francisco, CA 94122

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Lisa,

I strong OPPOSE the housing project at 2550 Irving.

Traffic along Lincoln Way is bad enough during peak hour in morning and evening. Residents in Sunset District cannot tolerate more vehicles in the 2500 Irving neighborhood.

Please take into consideration the feeling of local residents and stop this project.

Thx,
Kunho Lee
1423 21st Ave
San Francisco, CA 94122

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https://avanan.url-protection.com/v1/url/normal/lifelock%26form_source%3Ddrake%26

PLHLOCK%2000m_source%20medium%20medium%20campaign%20medium_launch%2000m_

From: [Regina Islas](#)
To: [Chan, Connie \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Your VOTE urgently needed FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 9:16:43 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisor Chan and Board of Supervisors,

I'm writing in support of the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

Our City is long overdue for affordable housing development generally and the Sunset district particularly-the proposal for 2550 Irving is a critical opportunity to correct this egregious oversight. It is deeply important to me that our city seize opportunities such as this project to do the right thing and create affordable housing. Given the severe and deleterious impacts on working families, renters, and our homeless who've been priced out of any adequate housing this TNDC project expands access and creates safe and stable homes in our community; this benefits our entire city.

More than 10% of Sunset residents were living in poverty before the pandemic. Housing insecurity has worsened. With hundreds of rent-controlled apartments having lost protected status, rising housing prices, and the continued displacement of Sunset families we must act now to staunch this gaping wound.

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for advocating for affordable housing on the Westside.

I look forward to your leadership on this critical issue at the July 20, 2021 session.

Onward together,

Regina S Islas
[she/her]
regina.islas@gmail.com
650.484.7706

Sí se puede.
Dolores Huerta

the personal is political
Carol Hanisch

Celebrate Black Excellence, Celebrate Women Everyday, 2021

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Your VOTE urgently needed FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Tuesday, July 20, 2021 6:08:23 AM

From: Regina Islas <regina.islas@gmail.com>
Sent: Monday, July 19, 2021 9:16 PM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: Your VOTE urgently needed FOR AFFORDABLE HOUSING IN THE SUNSET!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisor Chan and Board of Supervisors,

I'm writing in support of the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

Our City is long overdue for affordable housing development generally and the Sunset district particularly-the proposal for 2550 Irving is a critical opportunity to correct this egregious oversight. It is deeply important to me that our city seize opportunities such as this project to do the right thing and create affordable housing. Given the severe and deleterious impacts on working families, renters, and our homeless who've been priced out of any adequate housing this TNDC project expands access and creates safe and stable homes in our community; this benefits our entire city.

More than 10% of Sunset residents were living in poverty before the pandemic. Housing insecurity has worsened. With hundreds of rent-controlled apartments having lost protected status, rising housing prices, and the continued displacement of Sunset families we must act now to staunch this gaping wound.

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution.** We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income.** Thank you for advocating for affordable housing on the Westside.

I look forward to your leadership on this critical issue at the July 20, 2021 session.

Onward together,

Regina S Islas
[she/her]
regina.islas@gmail.com
650.484.7706

Sí se puede.

Dolores Huerta

the personal is political

Carol Hanisch

Celebrate Black Excellence, Celebrate Women Everyday, 2021

From: [Katherine Fong](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Oppose The Approval of Loan For 2550 Irving
Date: Monday, July 19, 2021 10:15:52 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors

I am a sunset resident who live 8 blocks away and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I opposed the project as currently proposed

Our city and the sunset district need more affordable housing but as proposed, 2550 Irving Street is not the solution.

My main concern is the N line. There are 2 housing are by N Judah, one is at 3601 Lawton and one at 1360 43rd with 135 units which is low income housing for teachers. TDNC is trying to add another low income housing at 2550 Irving with 100 units and only 11 parking spaces. How is muni going to handle the increase of passengers who will use N during the rush hour.

Before the pandemic, I was already having problems with N no show. During the rush hour after work, I would be pushed into the N and being sardine with jam packed with passengers. I am short and have no place to hold on. At times, I can't even get on. How is muni going to handle additional 300 to 400 passengers? N is busier than L. Even Joel Ramos with Local Government Affairs Manager agrees that N is lot busier than L. Why can't we have the TDNC low income housing move to Parkside by L line and still in the District 4. Parkside location is also convenient with shopping and better location for families with children.

I urged you to listen to the D4 residents like myself who is aware of the surroundings and oppose this loan and this project. There are no low income housing by L line. Please have TDNC find another piece of land by the L line. Thank you.

Sincerely,

District 4 resident, Kathy Fong

From: [linda tang](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Fw: Oppose The Approval of Loan For 2550 Irving
Date: Monday, July 19, 2021 11:41:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors

I am a sunset resident who lives 31st Ave & Irving street and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I opposed the project as currently proposed

Our city and the sunset district need more affordable housing but as proposed, 2550 Irving Street is not the solution.

There are so many empty building in San Francisco, it is much easy to convert these business empty building to Affordable housing instead spending so much money to build a new building.

Sincerely,

Linda

-

From: [Kelly Pan](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: Resolution number# 210763 oppose letter for 07/20/21
Date: Monday, July 19, 2021 11:39:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

My name is Kelly Pan, and I am **oppose** to the 2550 Irving affordable housing development program.

Currently, Irving street is very crowded as is. There are many people jay walking, double parking, causing traffic jams, littering, and extremely hard to find parking.

If the affordable housing project is approved, then it will only add more and more problems to everything I mentioned above.

My address is 1867 34th Ave, San Francisco, CA 94122

Just wanted to voice my opinion.

thank you.

Kelly

From: [BARBARA ECKART](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Cc: [Barbara Eckart](#)
Subject: Opposing 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 2:46:41 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

While I support building low income housing in the Sunset district I oppose the current proposal of the high-rise structure being proposed — a Four story building with adequate parking should be built in this neighborhood - we need affordable housing - the current proposal is costly and does not make sense. You need to rethink how you are spending funds for affordable housing - purchase land which is market value and not inflated pricing — renegotiate the purchase price and hire designers and architects who have knowledge and experience in building affordable housing. Our city and our district deserve knowing that city funds are being invested appropriately and not being wasted. Do not let politics play a role in this important and much needed housing project.

Barbara Eckart

From: [GK](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Cc: nbr5@pm.me
Subject: Opposing 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 4:22:42 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

My wife and I are seniors. Both of us need our cars and due to previous injuries plus our age need to be able to park within what for us is a walkable distance. Because our building does not have parking, this is a critical issue. Due to our fixed income, we cannot possibly afford uber, etc. The responses we have gotten to our questions nobody cares at all. Incredibly thoughtless and will have a big effect on how I have vote in the future.

TOO OUT OF SCALE - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

TOO EXPENSIVE - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

PARKING - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

ENVIRONMENTAL CONCERNS - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of

the project should be conducted.

CONSTRUCTION IMPACT - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Residents, Greg Kricheff and Judy Fleischer

1300. 26th Ave., Apt. 305
415-987-9449

From: [Lyndon Chow](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 5:10:00 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

We are very grateful to all our Supervisors for making our San Francisco residents safe and a peaceful living standard. Please keep up the good work.

As Sunset residents we humbly want to **oppose** building of **seven-story** affordable housing on 2550 Irving Street. The reason of our opposing the proposal are as follows:

- a) lack of community engagement
- b) lack of transparency
- c) toxic issue unresolved
- d) overburden community resources and parking difficulties

Thank you very much for your kind consideration before deciding to vote on this important matter.

Sincerely,

Lyndon & Jacintha Chow
1326 22nd Avenue
San Francisco, CA 94122

From: [Katie Calhoun](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Opposing 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 10:07:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and Mayor Breed,

My family bought our home on 28th Avenue and Irving in 1994. We have loved the diversity of our neighborhood, our Outer Sunset quirks and quietness. Our kids can't afford to live here, we could never afford to live here now.

Change is inevitable and our need for affordable housing is critical. If this location is a location you have thoughtfully considered, I am not qualified to argue with that for this low income housing purpose.

However, I do argue with the size, number of units, height and parking. Irving is a small, narrow, 1-2 story max street. Dropping a massive 7 story building there is totally out of character, inappropriate and wrong for the neighborhood. It's not about who will live there, it's about those residents joining our community, our neighborhood and including them in our wonderful environment. Wrecking it for all of us with a starkly wrong structure, just because you can, is thoughtless, inconsistent with the purpose of you bringing new neighbors to join us and forcing all of us to hate it before you start.

Already the N Judah is the most congested muni line, it doesn't pick us up (yes, all the way out at 28th Avenue stop it's already full and pulls past us) and the City is about to close MLK and/or Middle Drive in GG Park---pushing traffic onto Lincoln. Lincoln is incredibly congested. Have you tried driving kids to school and getting down Lincoln, Irving or Judah at 8am? We used to move all the way over to Kirkham (now closed for slow streets too) just to get to school on time.

My point is, unless you live and drive and park and move in the outer Sunset, it's not as easy as you think and the services do not accommodate us now.

Please allow us to welcome these new residents in this new Irving low income housing building with welcome open arms. YOU have the power by accommodating our request to lower the height and add parking.

I know you are busy "listening" to the Sunset neighbors. My question is are you "DOING" anything? I have not seen that yet. Listening is only useful if you HEAR us.

Thank you. Katie Calhoun

Katie Calhoun | President
CALHOUN & COMPANY COMMUNICATIONS
415-346-2929, office | 415-225-2062, cell | calhounwine.com

From: [MA Z](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Cc: [MA Z](#)
Subject: Opposing 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 11:27:59 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisor Mar and Board of Supervisors:

I was born in San Francisco and reared in the Sunset, ALL my education was in the City. I attended nursery school, kindergarten, grammar school, high school, and university, all while living in the Sunset. I have worked in the City and County of San Francisco for the last fifty (50) years. I am 'still' a resident in the Sunset and I **strongly oppose** the approval of the pre-development loan for 2550 Irving Affordable Housing development. Additionally, I **strongly oppose** the project *as currently proposed*.

- This building is not aligned w/the fabric of our neighborhood.
- This building directly impacts the existing residents of our neighborhood
- To impact our parking, which is already at a premium exemplifies just how much we, as constituents, have absolutely no say regarding the quality of our lives
- The Cost is greater than sixty (60) percent of the City's new Affordable Housing. How many bids were considered? How many Sunset residents were directly involved in the review?
- PCE vapors emitting, not remediated, endangering all residents, specifically those who will be housed in this seven (7) story building, i.e., expectant mothers, infants, children, elders, those w/medical conditions. This is beyond irresponsible and knowingly inhumane.

There needs to be more studies of the potential harm emitting from the area/site; a greater, more creative, and informed 'think tank' on how to mitigate the construction of said building as well as the parking/traffic impact on 'our' neighborhood.

Above ALL else, I, a home owner, of the Sunset, need to be heard.

As w/all of us, I

- pay my mortgage

- shop in our neighborhood stores

- send my children and grandchildren, to our neighborhood schools

- volunteer to 'work' on projects such as our 'Sunset Blvd'

- plant trees for our neighborhood environment

and, and, and...

It is vital that you not only hear us, it is vital that you *listen*.

I urge you to not approve the pre-development loan, for
2550 Irving St.

District 4 Resident

Mary Anne Zamarripa, RN, PHN

3138 Moraga St

San Francisco, CA 94122

From: [Oleg Osipoff](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Subject: Resolution number #210763
Date: Monday, July 19, 2021 10:32:39 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Sirs and Madams,

Thank you for viewing my note **Opposing** the Resolution number #210763.

Building a massive 7-story housing project right into this neighborhood will affect negatively the lives of every local resident forever for numerous reasons, and most, I'm sure you've heard. But for the sake of argument I can say that it's not affordable housing that is the problem here, most of us in the Sunset support it, but it's the people that are in charge of pushing the project through as it is, as quickly as possible regardless of the impact it has. It's understood that there is a financial incentive at play, and I think everyone can agree that money dictates in our society. It would be unfortunate if it does so in this critical decision to allow 2550 Irving to receive the City funds to start the building without full analysis and sensible reduction of those impacts. It must be the responsibility of our elected leaders to insure the proper mitigation of hazardous conditions that exist within the site. The sheer dimension and weight of a 7-story monolith will not hide the effects of toxic plume, but will surely expand it. It's unacceptable to allow the Police Credit Union to walk away from all responsibility for clean up and they should not be given the chance to do so. I urge you to think about the long term health of the community and vote for the safety and quality of life that you yourselves would expect and deserve as residents and taxpayers of San Francisco. Let's do affordable housing right - oppose resolution #210763.

Thank you,
Oleg Osipoff
1221 29th Ave.
City

From: [David Gasser](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Cc: [terrilee](#)
Subject: Opposing 2550 Irving St. Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 10:34:51 PM
Attachments: [f033eb_072933c778b7498189f078745d01b8fa_mv2.webp](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I and my wife are Sunset residents and we **OPPOSE** the approval of the pre-development loan for 2550 Irving Affordable Housing development and we **OPPOSE** the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are our concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.
- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.
- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement. Attached is a picture to show how out of place the proposed building is compared to the rest of our community.

We urge you to listen to the D4 residents like us and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Residents,
David Gasser and Terri Lee
1342 26th Ave.

From: [Joan Barkan](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#)
Subject: BOS 7/20/21 meeting, file # 210763, 2550 Irving Street Loan
Date: Monday, July 19, 2021 10:45:37 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I'm writing to ask you to vote no on the \$14M predevelopment loan that allows TNDC to buy 2550 Irving Street for 100% affordable housing. While I support affordable housing in District 4, there are many reasons this project concerns me. The key reason to vote no now is it's premature to approve the loan when DTSC has only just begun the public comment period on the draft toxic remediation plan, and we already have new information that tells us this draft plan is insufficient to keep current and new neighbors safe from PCE contamination.

I am very concerned about the health of myself and my neighbors who live just north of the site. Thank you for considering giving this remediation plan a more thorough review before a decision is made.

Sincerely,
Joan Barkan
1221 27th Avenue

From: [Clifford Lowell](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: BOS 7/20/21 meeting, file # 210763, 2550 Irving Street Loan
Date: Monday, July 19, 2021 10:10:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Mar and fellow Supervisors,

As a resident of the outer Sunset, I am writing to ask that you decline the pre-development loan for the 2550 Irving Affordable Housing development.

While I agree that SF and the Sunset district clearly needs more affordable housing options for our citizens, the proposal for 2550 Irving is simply the wrong way to go.

The 7 story building proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times the size of the biggest building in the area, which was built in the late 1920s. Nobody will want to live in a building that is out of character of the neighborhood. Affordable housing is most successful when the scale and design of the housing blends in with the surrounding neighborhood. Frankly, living in a structure that is so different from everything around it will stigmatize the residents and will certainly NOT engender pride of ownership or a sense of personal responsibility. The proposed building will reinforce the socio-economic isolation of tenants. Other proposed affordable housing units in the Sunset are all 4-5 stories high. A similar sized building at 2550 Irving would be much more successful and much more desirable. I would welcome an appropriate sized building. But building a 7 story structure, just because of economic pressure, will sully the neighborhood and fail the new residents. The TNDC should look for additional sites and build more appropriate sized affordable housing units.

Sincerely,

Clifford Lowell
1215 27th Ave
SF, CA

From: [Celeste Berry](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#)
Subject: OPPOSE 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763"
Date: Monday, July 19, 2021 9:39:07 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I hope you are very well. I am writing to **OPPOSE** the 2550 Irving Street Loan. While I think everyone is supportive of affordable housing, this project is not right for the Sunset without first taking into account the following

1) Reduce the height of the building from 7 stories to 4 stories and design an exterior in harmony with the distinctive Sunset style, particularly given the surrounding blocks' Parkway Terrace Historic District designation. The design should incorporate setbacks on the North side to reduce encroachment on immediately adjacent 1 and 2-story houses, and protect the solar rights of immediate neighbors, including those who already have solar panels. Other existing and proposed affordable housing units in the Sunset are 4-5 stories high, and are more consistent with what successful affordable housing in CA looks like according to research.

2) Guarantee a tenant mix that includes:
40% of residents are from the Sunset
50% of residents are families with children, in keeping with the stated intention of the developers and what has been advertised publicly.

3) Adding moderate/middle income to the proposed tenant mix in order to be more balanced and supportive of working families (including teachers, health-care workers, essential workers) and seniors, as these groups don't currently qualify for the majority of units skewed to special population/formerly homeless & extremely/very low income.

4) Increase the parking-to-unit ratio from 11% ratio to 25% (proposed 11 parking spots for 100 units/300+people).

5) Articulate a plan for how they will assess and support the needs of the 20% special population/formerly homeless and provide adequate social services, security & maintenance – both for their benefit and the surrounding community.

6) Conduct and pay for the necessary neighborhood impact studies to understand traffic, soil toxicity, public safety and MUNI impact and propose ways to mitigate any problems. A full Environmental Impact Review is necessary with such a large project.

7) Study the impacts of construction & development on immediate neighbors and propose ways to mitigate problems – including accommodations for shade, privacy, construction impact, etc.

By ignoring neighborhood input, this project is not truly helping the Sunset and ensuring that our neighbors can feel positive about affordable housing (and actually

housing our Sunset neighbors).

To that end, I OPPOSE the Irving Street loan tomorrow.

Thank you very much,

Celeste Berry
Sunset Resident

From: [Sebastian Babb](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#)
Subject: OPPOSE 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 10:09:09 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I hope you are very well. I am writing to **OPPOSE** the 2550 Irving Street Loan. While I think everyone is supportive of affordable housing, this project is not right for the Sunset without first taking into account the following

1) Reduce the height of the building from 7 stories to 4 stories and design an exterior in harmony with the distinctive Sunset style, particularly given the surrounding blocks' Parkway Terrace Historic District designation. The design should incorporate setbacks on the North side to reduce encroachment on immediately adjacent 1 and 2-story houses, and protect the solar rights of immediate neighbors, including those who already have solar panels. Other existing and proposed affordable housing units in the Sunset are 4-5 stories high, and are more consistent with what successful affordable housing in CA looks like according to research.

2) Guarantee a tenant mix that includes:
40% of residents are from the Sunset
50% of residents are families with children, in keeping with the stated intention of the developers and what has been advertised publicly.

3) Adding moderate/middle income to the proposed tenant mix in order to be more balanced and supportive of working families (including teachers, health-care workers, essential workers) and seniors, as these groups don't currently qualify for the majority of units skewed to special population/formerly homeless & extremely/very low income.

4) Increase the parking-to-unit ratio from 11% ratio to 25% (proposed 11 parking spots for 100 units/300+people).

5) Articulate a plan for how they will assess and support the needs of the 20% special population/formerly homeless and provide adequate social services, security & maintenance – both for their benefit and the surrounding community.

6) Conduct and pay for the necessary neighborhood impact studies to understand traffic, soil toxicity, public safety and MUNI impact and propose ways to mitigate any problems. A full Environmental Impact Review is necessary with such a large project.

7) Study the impacts of construction & development on immediate neighbors and propose ways to mitigate problems – including accommodations for shade, privacy, construction impact, etc.

By ignoring neighborhood input, this project is not truly helping the Sunset and ensuring that our neighbors can feel positive about affordable housing (and actually

housing our Sunset neighbors).

To that end, I OPPOSE the Irving Street loan tomorrow.

Thank you very much,

Sebastian Babb
Sunset Resident

From: [Paloma Hernandez](#)
To: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); [Westside Community Coalition](#); [Mar. Gordon \(BOS\)](#)
Subject: Say yes to affordable housing in the Sunset
Date: Monday, July 19, 2021 8:41:31 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

My name is Paloma Hernandez. I live in D4 (Parkside) and am a proud member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay.

I urge you to join Supervisors Mar, Haney, and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021. On July 14th, I gave public comment at the Budget and Finance Committee, sharing how the Sunset's racist past has had a lasting impact that we must work to undo - starting with 2550 Irving.

Supervisors, I urge you all to **add your names as co-sponsors and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**.

Thank you for your leadership on this crucial issue.

Sincerely,
Paloma Hernandez
Westside Community Coalition
94116, San Francisco

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Say yes to affordable housing in the Sunset
Date: Monday, July 19, 2021 8:57:26 PM

From: Paloma Hernandez <paloma.ale.hernandez@gmail.com>
Sent: Monday, July 19, 2021 8:41 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Westside Community Coalition <westsidecommunitycoalition@gmail.com>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Subject: Say yes to affordable housing in the Sunset

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

My name is Paloma Hernandez. I live in D4 (Parkside) and am a proud member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay.

I urge you to join Supervisors Mar, Haney, and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021. On July 14th, I gave public comment at the Budget and Finance Committee, sharing how the Sunset's racist past has had a lasting impact that we must work to undo - starting with 2550 Irving.

Supervisors, I urge you all to **add your names as co-sponsors and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**.

Thank you for your leadership on this crucial issue.

Sincerely,
Paloma Hernandez
Westside Community Coalition
94116, San Francisco

From: [andrew chow](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Cc: 2550irvingcommunity@gmail.com
Subject: #210763 oppose letter for 7/20/21 BOS meeting
Date: Monday, July 19, 2021 6:52:48 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

OPPOSE

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident, and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development, and I oppose the project as currently proposed. Our city and the Sunset desperately need more Affordable Housing, but 2550 Irving Street is not the solution as presented. Here are my concerns:

- **TOO OUT OF SCALE** - The seven-story building proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least three times that of the enormous building in the area built in the late 20s. Affordable housing is most successful when the scale and design blend in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building seven stories directly adjacent to the Sunset's tiniest homes not only rob neighbors of their privacy and solar rights but also reinforces tenants' socio-economic isolation. It should be right-sized to 4 stories.
- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site, including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings, and building ADUs to house even more families in D4 ultimately. Also, who's are oversee the project to ensure the money is appropriately used? How much is each organization (TNDC) going to receive for its operation?
- **PARKING** - Not enough Parking spaces, and with only 11 parking spaces added for additional 300+ people to this block.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated four-story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,
District 4 Resident, [Andrew Chow]
1257 27th AVE
San Francisco CA 94122

From: [Judi McManigal](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, London \(MYR\)](#)
Subject: OPPOSE resolution 210763; 7/20/21 BOS meeting
Date: Monday, July 19, 2021 8:14:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar, Board of Supervisors, Mayor Breed, and related parties,

I own my home at 1490 35th Avenue, in Sup. Mar's district. I have lived in SF my entire life except for college. I am a former social worker and attorney, and am in favor of affordable housing, including new housing built in the Sunset.

However, I strongly **OPPOSE** the 2550 Irving development as it is currently being proposed. It is ill-conceived and too large, without providing sufficient parking or public transportation. I know from personal and regular experience that Irving Street is already an overcrowded corridor with insufficient parking; I fear this hurts local small businesses. As a daily Muni rider, I am also keenly aware that there was dramatically insufficient space and service on the N Judah line prior to COVID. A housing development of the proposed size would exacerbate both problems. I also understand there may be some issues with toxins. I don't wish to comment on aspects about which I am not knowledgeable, so I would like to learn more about that.

Sup. Mar, I urge you to consider your voting constituents. Let's keep the conversation going. Let's get more affordable housing in the Sunset, but not this current project.

Respectfully,

Judi McManigal

From: [Elliot Helman](#)
To: [Haney, Matt \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Support for 2550 Irving Street affordable housing
Date: Monday, July 19, 2021 6:23:27 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Haney,

Although I live in District 6 and am not a resident of the Sunset, like you, I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I would like to explain a little about why I support this project.

I have lived in SF most of my life and have worked as a sign language interpreter, mostly with SFUSD for over 30 years. Four years ago my daughter, who was 16 at the time, and I were Ellis-acted out of our apartment in Bernal Heights where I had lived for over 20 years, and which was the only home my daughter had known. Our neighborhood was a wonderful, close community and it was hard to leave.

Luckily my daughter was getting ready to go off to college. While my work as an interpreter had always been enough for me to pay rent, support my kid and save enough for her college tuition, I found myself competing in the rental market for overpriced apartments against tech workers and others who were probably half my age and probably earned twice what I earned from my contract work with SFUSD. Even with excellent credit I wasn't able to get an apartment. Finding another apartment was an endeavor that ended up taking me 2 years.

Having been Ellis-acted and having limited income made me eligible for a housing preference with the Mayor's Office on Housing and Community Development. Through that program, I was able to move into a newly constructed building in Mission Bay, which is managed by TNDC. I know that without having had this opportunity, I would never have been able to stay in SF. I am still grateful every day for having a stable, affordable home. TNDC works hard both on upkeep and to make this apartment complex a real community. I know my neighbors. The building staff has arranged for us to have BBQs and potlucks, go to Giants games, and play miniature golf together (pre-COVID). We have come to generally look out for each other. I am sure that TNDC will similarly support the building in the Sunset and integrate it well into the neighborhood.

I know that I am not unique. I know there are many others who stand to benefit from this affordable housing option in the Sunset. This is not just about housing and it's not just about the Sunset. This is about saying NO to NIMBYism and saving the soul of our City.

Thank you.

Elliot Helman

626 Mission Bay Blvd North #210

94158

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Support for 2550 Irving Street affordable housing
Date: Monday, July 19, 2021 6:43:40 PM

From: Elliot Helman <muzungu_x@yahoo.com>
Sent: Monday, July 19, 2021 6:23 PM
To: Haney, Matt (BOS) <matt.haney@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: Support for 2550 Irving Street affordable housing

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Haney,

Although I live in District 6 and am not a resident of the Sunset, like you, I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I would like to explain a little about why I support this project.

I have lived in SF most of my life and have worked as a sign language interpreter, mostly with SFUSD for over 30 years. Four years ago my daughter, who was 16 at the time, and I were Ellis-acted out of our apartment in Bernal Heights where I had lived for over 20 years, and which was the only home my daughter had known. Our neighborhood was a wonderful, close community and it was hard to leave.

Luckily my daughter was getting ready to go off to college. While my work as an interpreter had always been enough for me to pay rent, support my kid and save enough for her college tuition, I found myself competing in the rental market for overpriced apartments against tech workers and others who were probably half my age and probably earned twice what I earned from my contract work with SFUSD. Even with excellent credit I wasn't able to get an apartment. Finding another apartment was an endeavor that ended up taking me 2 years.

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Thank you.

Elliot Helman
626 Mission Bay Blvd North #210
94158

From: [Helena Ribeiro](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: This is in reference to 7/20/21 BOS Meeting, File No. 210763
Date: Monday, July 19, 2021 5:31:20 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Vote No on the \$14 million loan.

Helena Ribeiro
1281 26th Ave

Sent from my iPad

On Jul 19, 2021, at 12:10 AM, Helena Ribeiro <helenaribeiro@me.com> wrote:

Dear Supervisors,

I do not want this large construction of the new building 2550 Irving next to my house. My elderly mother is to come live with me so I can take care of her. Construction will be a distress and disturbance to the whole family.

I fear all vibration problems during the lengthy construction period.

I dread having a few hundred new neighbors directly next door.

What happens when the large earthquake arrives, the new 7 storey will tumble onto my house. Earthquake-proof or not it will not withstand the large one. It could well collapse onto my house.

Mostly everyone in this district do not want this large building. Isn't that point important? Has anyone been listening to the district properly?

Most of the ones who point their finger or say to build it here and build it max are NOT living in this district. Why are they directly anything? So I'm afraid the real and true nimbys are those in other districts saying let's built it there, in that district. Labels are not right but have been used against us incorrectly so. So I turn it back to them who hands out the labels.

I know various people have their ideas or past experiences, but they don't understand this corner is already so dense and so busy and so noisy, it is not the place for more mass. I hear traffic all day long as it is. It's congested already with people and traffic.

This placement of a LARGE building 2550 Irving right next to my tiny old home is unethical. It's incorrect. You can't ethically put a train track or a river right next

to a small dwelling, how do you place a 7-story next to a tiny house. Just because it can be done does not mean it should be done.

All points on my previous email below stands. Helena

Begin forwarded message:

From: Helena Ribeiro <helenaribeiro@me.com>
Date: June 6, 2021 at 6:44:54 PM PDT
To: gordon.mar@sfgov.org
Cc: daisy.quan@sfgov.org
Subject: Building Scale and Location Selection

Supervisor Mar,

Large buildings should be built in either open areas or close to similar height buildings. Office skyscrapers are being built next to other office skyscrapers (as one being built on First and Market/Mission). Large condos are built around similar height existing building, as 181 Fremont is, and other large SoMa big new buildings.

And 2550 Irving - 70 feet is tall, 7 storey, and it is also going to be wide, being right next to a 20 foot house (mine). It not only brings shadows to yards, in addition, the height will shut out the light to the dining room and room window both directly facing 2550 bldg. The dining room faces the driveway now. This new taller building next to us could darken the house since we have windows facing it.

Then there is privacy, it's SO CLOSE, tenants looking out windows can practically eye ball our bedroom and sun room. We'll be in close and constant sight of these hundreds of neighbors. Why is this building appropriate next to my house? We know it's not. I've been negated, do we even exist? No one counted how it would be because if so they would say no it's not going to look good right here on this block. It isn't a good place to put this blockade.

Oh, it will be an eyesore in itself. It will be THE eyesore of 26th and 27th Avenue.

There is a reason the current 2550 Irving building is what it is, two storey, because that was equivalent, similar, fits in, and just a little over our house and there are no residents looking in on us. That was built in size to what was thought appropriate.

It seems "Building 101" says you don't build a multi window complex direct and close facing someone's home (or yard), you don't build a tall and wide blockhouse next to a single storey, it a privacy, light and shadow breach. To my many neighbors too. I'm not

speaking for myself. Of course there are the numerous other problems brought up by others for density, traffic, what about noise, trash, how about security. And there are more. This obviously is not where this should be. It needs to be away from small houses. We are too many families here with kids, parents in small houses which we love.

Helena Ribeiro
Direct Neighbor

Sent from my iPad

From: [Scarlett Hite](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: OPPOSE - Resolution number #210763 - 7/20/21 BOS meeting
Date: Monday, July 19, 2021 5:41:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am writing in opposition of the funding for the proposed oversized building at 2550 Irving Street for the following reasons:

- 1) Too big, too tall and oversized for the neighborhood and **built without community input.** it doesn't fit in, and destroys existing neighbors access to light as well as the character of the neighborhood.
- 2) Lack of parking. Obviously nobody involved with this takes the N Judah which is packed to capacity!
- 3) Toxic soils running into neighbors property that won't be remediated

Thank you,
Scarlett Hite
1493 17th Ave
SF, CA 94122

From: [Zed Millette](#)
To: [Chan, Connie \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#)
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Sunday, July 18, 2021 9:23:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Chan and Board of Supervisors,

My name is Zed, I live in district 1 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution.** We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income.** Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Zed
94118

From: [Anna Dagum](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 11:50:52 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Gordon Mar and Board of Supervisors,

My name is Anna Dagum. I live and work in District 4 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I gave public comment at the July 14th council meeting and was inspired by how many people showed up in support of this proposal. Please keep your constituents in mind as you move forward with your decision.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Anna Dagum
94122

From: [Lauren Chinn](#)
To: [Peskin, Aaron \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 1:14:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Peskin and Board of Supervisors,

My name is Lauren Chinn. I'm a 5th generation San Franciscan currently living in District 3 and a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I was proud to give public comment at the Budget and Finance Committee meeting on July 14 alongside dozens of other San Franciscans sharing about how important this is to us and why this is so urgent for our community. As someone who has lived in San Francisco my entire life and grew up spending a lot of time in the Sunset while attending school and hanging out with friends, I know how special the Sunset district is. I also know how hard it is for families to be able to move into the Sunset, or for people who have grown up in the Sunset to stay in their own neighborhood or even in San Francisco when starting their own families because of the lack of affordable housing in the district. I'm also heartbroken by how segregated San Francisco is and how opportunities for housing for people of color, especially black and brown folks, are generally limited to neighborhoods that have a history of disinvestment, and that's if they're able to stay in the city at all.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Lauren Chinn
[Pronouns: any](#)
Westside Community Coalition
946 Stockton St 94108

From: [Joseph Smooke](#)
To: [Chan, Connie \(BOS\)](#); [Fregosi, Ian \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); [Westside Community Coalition](#)
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 1:55:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Chan and the Board of Supervisors,

I'm a resident of the Richmond, District 1 and a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee who voted last week to recommend the funding resolution for 2550 Irving on July 20th, 2021 to the full Board which is on your agenda for a vote at tomorrow's Board of Supervisors hearing.

I was proud to give public comment at the Budget and Finance Committee meeting on July 14 alongside dozens of other San Franciscans sharing about how important this is to us and why this is so urgent for our community. As a former affordable housing developer, and the former program director for Housing Rights Committee's westside program, I know how special the Sunset district is. I also know how hard it is for families to be able to move into the Sunset, or for people who have grown up in the Sunset to stay in their own neighborhood or anywhere in San Francisco when starting their own families because of the lack of affordable housing in the district. I'm also heartbroken by how segregated San Francisco is and how opportunities for housing for people of color, especially black and brown folks, are generally limited to neighborhoods that have a history of disinvestment, and that's if they're able to stay in the city at all.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. A show of unified leadership is also important for the future of affordable housing on the westside.

Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on this issue at tomorrow's hearing!

Sincerely,
Joseph Smooke
[Pronouns: any](#)

Westside Community Coalition

--

co-founder [People Power Media](http://peoplepowermedia.org)
josephsmooke.photoshelter.com/archive

From: [Sam Lai](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 2:45:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

My name is aloe lai and I'm a tenant at 1300 26th Ave, right across from the proposed affordable housing building at 2550 Irving. Back in January 2021, someone distributed fliers with thinly veiled racist and classist language against 2550 Irving in my building, and I reached out to folks on the Westside to see how we could push back and show support. We called ourselves Westside Community Coalition and went on to hold a rally supporting 2550 Irving in May this year as well as draw dozens of public comments and emails in support of affordable housing.

I spoke at public comment at the Budget and Finance Committee meeting last Wednesday 7/14 in order to demonstrate that as an immediate neighbor to the development, I know 2550 Irving will benefit so many people in the area. Every day, so many people face displacement and evictions, or violence from being unhoused. I live at the intersections of being queer, transgender, and Asian, and know too many community members who've had to stay in abusive or dangerous situations with their family, roommates, or partners because they didn't know where else they could live as themselves freely AND afford rent.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to add your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with maximum number of units and designation for families at the lower end of area median income. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Very Truly,

aloe lai
1300 26th Ave, 94122
Westside Community Coalition

From: [Leslie Roffman](#)
To: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); [Westside Community Coalition](#); [Mar, Gordon \(BOS\)](#)
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 4:23:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and Board of Supervisors,

My name is Leslie Roffman. I'm a homeowner in D4 and a member of Faith in Action Bay Area and the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I enjoyed a 40 year career as an early childhood educator contributing to the well-being of children and families in SF, and even though it was (and is) such a low-paid profession, I could provide a decent home and quality of life for my daughter. Now, people can work hard, contribute much, at higher paying jobs than ECE, and can't afford a market rate apartment. Our best current solution is to provide stable, affordable housing in every part of the city, especially a great neighborhood and community like the Outer Sunset.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I want to thank you, Supervisor Mar, for recognizing the need for affordable housing in the Sunset and co-sponsoring this project. I join the Westside Community Coalition in urging all of the supervisors to **vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Leslie Roffman
FIABA/Westside Community Coalition
2067 44th Avenue
SF, CA

--

Leslie Roffman

leslier@littleschool.org

415-265-158

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 4:55:09 PM

From: Leslie Roffman <leslier@littleschool.org>
Sent: Monday, July 19, 2021 4:22 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Westside Community Coalition <westsidecommunitycoalition@gmail.com>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Dear Supervisor Mar and Board of Supervisors,

My name is Leslie Roffman. I'm a homeowner in D4 and a member of Faith in Action Bay Area and the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

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your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Leslie Roffman
FIABA/Westside Community Coalition
2067 44th Avenue
SF, CA

--

Leslie Roffman
leslier@littleschool.org
415-265-158

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 4:56:43 PM

From: Sam Lai <samanthalai456@gmail.com>
Sent: Monday, July 19, 2021 2:45 PM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Dear Supervisor Mar and the Board of Supervisors,

My name is aloe lai and I'm a tenant at 1300 26th Ave, right across from the proposed affordable housing building at 2550 Irving. Back in January 2021, someone distributed fliers with thinly veiled racist and classist language against 2550 Irving in my building, and I reached out to folks on the Westside to see how we could push back and show support. We called ourselves Westside Community Coalition and went on to hold a rally supporting 2550 Irving in May this year as well as draw dozens of public comments and emails in support of affordable housing.

I spoke at public comment at the Budget and Finance Committee meeting last Wednesday 7/14 in order to demonstrate that as an immediate neighbor to the development, I know 2550 Irving will benefit so many people in the area. Every day, so many people face displacement and evictions, or violence from being unhoused. I live at the intersections of being queer, transgender, and Asian, and know too many community members who've had to stay in abusive or dangerous situations with their family, roommates, or partners because they didn't know where else they could live as themselves freely AND afford rent.

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I join the Westside Community Coalition in urging you to add your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with maximum number of units and designation for families at the lower end of area median income. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Very Truly,

aloe lai
1300 26th Ave, 94122
Westside Community Coalition

From: [JAM C](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 5:06:22 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and Board of Supervisors,

My name is Jam, I live in District 4, and I'm a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge all supervisors to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I gave public comment at the Budget and Finance Committee meeting alongside dozens of other San Franciscans sharing about why this is so urgent for our community. I support 2550 Irving as someone who works in public health, with patients/clients who consistently cite housing instability in San Francisco as one of their biggest challenges. Public health is not possible without safe and stable housing for all - there's a dire need for deeply affordable housing all over the city, and the Sunset is no exception. And, as a Chinese-American renter in the Outer Sunset, my vision for this neighborhood is one that's livable, safe, and welcoming for working class families and families of color. Given the Sunset's troubling past of racist zoning laws and ongoing residential segregation in SF, 2550 Irving matters as one of many steps needed to build an inclusive neighborhood.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I thank Supervisor Mar for co-sponsoring the resolution, and urge all supervisors to **add your name as a co-sponsor and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Jam
Westside Community Coalition

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 5:14:34 PM

From: Joseph Smooke <josephsmooke@gmail.com>
Sent: Monday, July 19, 2021 1:54 PM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>; Fregosi, Ian (BOS) <ian.fregosi@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Westside Community Coalition <westsidecommunitycoalition@gmail.com>
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Dear Supervisor Chan and the Board of Supervisors,

I'm a resident of the Richmond, District 1 and a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee who voted last week to recommend the funding resolution for 2550 Irving on July 20th, 2021 to the full Board which is on your agenda for a vote at tomorrow's Board of Supervisors hearing.

I was proud to give public comment at the Budget and Finance Committee meeting on July 14 alongside dozens of other San Franciscans sharing about how important this is to us and why this is so urgent for our community. As a former affordable housing developer, and the former program director for Housing Rights Committee's westside program, I know how special the Sunset district is. I also know how hard it is for families to be able to move into the Sunset, or for people who have grown up in the Sunset to stay in their own neighborhood or anywhere in San Francisco when starting their own families because of the lack of affordable housing in the district. I'm also heartbroken by how segregated San Francisco is and how opportunities for housing for people of color, especially black and brown folks, are generally limited to neighborhoods that have a history of disinvestment, and that's if they're able to stay in the city at all.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote**

to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. A show of unified leadership is also important for the future of affordable housing on the westside.

Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on this issue at tomorrow's hearing!

Sincerely,

Joseph Smooke

[Pronouns: any](#)

Westside Community Coalition

--

co-founder [People Power Media](#)

josephsmooke.photoshelter.com/archive

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 5:15:37 PM

From: Lauren Chinn <l.j.chinn1@gmail.com>
Sent: Monday, July 19, 2021 1:14 PM
To: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Dear Supervisor Peskin and Board of Supervisors,

My name is Lauren Chinn. I'm a 5th generation San Franciscan currently living in District 3 and a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I was proud to give public comment at the Budget and Finance Committee meeting on July 14 alongside dozens of other San Franciscans sharing about how important this is to us and why this is so urgent for our community. As someone who has lived in San Francisco my entire life and grew up spending a lot of time in the Sunset while attending school and hanging out with friends, I know how special the Sunset district is. I also know how hard it is for families to be able to move into the Sunset, or for people who have grown up in the Sunset to stay in their own neighborhood or even in San Francisco when starting their own families because of the lack of affordable housing in the district. I'm also heartbroken by how segregated San Francisco is and how opportunities for housing for people of color, especially black and brown folks, are generally limited to neighborhoods that have a history of disinvestment, and that's if they're able to stay in the city at all.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and

designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,

Lauren Chinn

[Pronouns: any](#)

Westside Community Coalition

946 Stockton St 94108

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 5:21:07 PM

From: Anna Dagum <anna.dagum@gmail.com>
Sent: Monday, July 19, 2021 11:47 AM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Dear Supervisor Gordon Mar and Board of Supervisors,

My name is Anna Dagum. I live and work in District 4 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I gave public comment at the July 14th council meeting and was inspired by how many people showed up in support of this proposal. Please keep your constituents in mind as you move forward with your decision.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Anna Dagum

94122

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 5:21:41 PM

From: JAM C <jchen56172@gmail.com>
Sent: Monday, July 19, 2021 5:06 PM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Dear Supervisor Mar and Board of Supervisors,

My name is Jam, I live in District 4, and I'm a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge all supervisors to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I gave public comment at the Budget and Finance Committee meeting alongside dozens of other San Franciscans sharing about why this is so urgent for our community. I support 2550 Irving as someone who works in public health, with patients/clients who consistently cite housing instability in San Francisco as one of their biggest challenges. Public health is not possible without safe and stable housing for all - there's a dire need for deeply affordable housing all over the city, and the Sunset is no exception. And, as a Chinese-American renter in the Outer Sunset, my vision for this neighborhood is one that's livable, safe, and welcoming for working class families and families of color. Given the Sunset's troubling past of racist zoning laws and ongoing residential segregation in SF, 2550 Irving matters as one of many steps needed to build an inclusive neighborhood.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I thank Supervisor Mar for co-sponsoring the resolution, and urge all supervisors to

add your name as a co-sponsor and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Jam
Westside Community Coalition
94116

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 5:22:09 PM

From: JAM C <jchen56172@gmail.com>
Sent: Monday, July 19, 2021 5:06 PM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Dear Supervisor Mar and Board of Supervisors,

My name is Jam, I live in District 4, and I'm a member of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge all supervisors to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

I gave public comment at the Budget and Finance Committee meeting alongside dozens of other San Franciscans sharing about why this is so urgent for our community. I support 2550 Irving as someone who works in public health, with patients/clients who consistently cite housing instability in San Francisco as one of their biggest challenges. Public health is not possible without safe and stable housing for all - there's a dire need for deeply affordable housing all over the city, and the Sunset is no exception. And, as a Chinese-American renter in the Outer Sunset, my vision for this neighborhood is one that's livable, safe, and welcoming for working class families and families of color. Given the Sunset's troubling past of racist zoning laws and ongoing residential segregation in SF, 2550 Irving matters as one of many steps needed to build an inclusive neighborhood.

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I thank Supervisor Mar for co-sponsoring the resolution, and urge all supervisors to

add your name as a co-sponsor and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Jam
Westside Community Coalition
94116

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 5:25:53 PM

From: Zed Millette <zedzoz395@gmail.com>
Sent: Sunday, July 18, 2021 9:22 PM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Dear Supervisor Chan and Board of Supervisors,

My name is Zed, I live in district 1 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution.** We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income.** Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Zed
94118

From: [Simone Manganelli](#)
To: [Mandelman, Rafael \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Vote YES on 100% Affordable Housing in the Sunset
Date: Monday, July 19, 2021 5:22:44 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mandelman and Board of Supervisors,

My name is Simone Manganelli. I live in District 8 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

We also need to address the underinvestment in affordable housing *across the City*. Too often, land that is available for use gets snapped up for market-rate housing and only a couple units are designated for "below market rate". Even those supposedly BMR units are out of reach for people making the lowest incomes in San Francisco, who are at the highest risk of being pushed out. Here in the Castro, in District 8, there has been close to zero units of affordable housing created over the past few years I've lived here, and it's really distressing to see unhoused people constantly swept off the street to — where? Without affordable housing, where is the City asking these residents of San Francisco to go? Yes, unhoused people are our neighbors and SF residents. Projects like 2550 Irving Street will make much more of an impact, since 100% of the units are affordable, rather than getting a tiny trickle through BMR units in market-rate projects.

I join the Westside Community Coalition in urging you to add your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with maximum number of units and designation for families at the lower end of area median income. Please support 100% affordable housing on the Westside on July 20th.

Sincerely,

Simone Manganelli
Resident, District 8

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Vote YES on 100% Affordable Housing in the Sunset
Date: Monday, July 19, 2021 5:24:45 PM

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

From: Simone Manganelli <simx@me.com>
Sent: Monday, July 19, 2021 5:22 PM
To: Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: Vote YES on 100% Affordable Housing in the Sunset

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mandelman and Board of Supervisors,

My name is Simone Manganelli. I live in District 8 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

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I join the Westside Community Coalition in urging you to add your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with maximum number of units and designation for families at the lower end of area median income. Please support 100% affordable housing on the Westside on July 20th.

Sincerely,

Simone Manganelli
Resident, District 8

From: [Sarah Pelzner](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [Carroll, John \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: Board of Supervisor Meeting 7.20.21 - Resolution number #210763
Date: Monday, July 19, 2021 4:36:00 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a long time Sunset resident and I **oppose** the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution and I believe that this process has gone too quickly and should be put on hold in order to allow further discussions amongst environmental experts and in collaboration with the neighborhood the construction of this building will affect.

Here are my four main concerns:

- **TOO OUT OF SCALE FOR THE NEIGHBORHOOD** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s. Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be resized to be about 4 stories.
- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted. Frankly as a citizen I am surprised this is not being talked about more and I am disappointed that this issue doesn't seem to be as urgent for people who are saying that more affordable housing is needed, yet you are willing to let those who need the affordable housing the most (the families with young children, elderly, ect...) to live in a place that may not be safe and healthy to reside in long term, not to mention all the other families in the area already.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools. The N Judah pre pandemic was horrible at rush hour 4 PM thru 6:30 PM (not counting Baseball games and now Basketball Games days). Often our trains were switched to other Letters (L,M, or Ks) in the tunnel so 10+ minutes would go by before another arrived and usually it was already packed

(depending on where you get on). Or the trains were switched back at 19th Ave and another train wasn't scheduled to arrive for another 10+ minutes. I have never heard users of the L,M, and K complain as much as I have heard users of the N trains. For these switches, they never seemed to explain why they needed to switch back at that time and 9 out of 10 times it wasn't due to mechanical issues. Adding that significant amount of people to this area is going to put a strain on the N Judah (and other Muni Buses) and without collaboration with SFMTA it's going to become a nightmare for the residents, both new and old.

In conclusion this project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement. I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

Sarah Pelzner
1658 32nd Avenue
District 4 Resident,

From: [Judith Pelzner](#)
To: [Mar, Gordon \(BOS\)](#)
Cc: [Lew, Lisa \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#)
Subject: Board of Supervisor Meeting 7.20.21 - Resolution number #210763
Date: Monday, July 19, 2021 5:23:45 PM

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Dear Supervisor Mar and the Board of Supervisors,

I am a longtime Sunset resident/homeowner and I appose the approval of the pre-development loan for 2550 Irving Affordable Housing Development and I oppose the project as currently proposed. Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution.

One of my main concerns with this project is the Environmental impact that this will have on the neighborhood as well as the PCE vapors that have been found underground at 2550 Irving St site as well as south side of Irving St. Before adding more residents, the toxic plume on both sides of the street should and needs to be remediated. A full environmental review of the project should also be conducted to determine how this 7 story will impact the surrounding houses. Since this building is on the North side of Irving St., the other houses north of the building on 27th and 26th Avenues will have their Sun reduced significantly. Most of these Sunset houses have a center patio that allows for natural light to reach areas of the house that would not normally have this light, mainly the middle of the house. The original architectures built these houses this way because they were building them so close together, this center patio was the only way to allow these houses to have natural light at the middle of their homes otherwise they would only have light at the front and back of the houses. While we may all now have electricity, that does not make up for natural sun light that comes into our homes

Overall, I am also deeply concerned that there is a lack in interest and consideration for the concerns for the exiting homeowners that this project will affect the home values and the quality of life. It also appears to us that you may not be bringing the appropriate attention to the health and safety concerns by not addressing and pursuing remediation of the soil. There has also got to be more communication between the city and the residents of District 4, to say nothing of those families that live in the immediate area and who will be most affected by this project. The city needs to discuss now how it will increase its support in services for this neighborhood because as it stands currently, it seems that the city is ready to place more people in the area but not add additional services to support the increase neighborhoods needs.

Sincerely,

Judith Pelzner
1658 32nd Avenue
Resident of District 4.

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Support 100% Affordable Homes at 2550 Irving Street in The Sunset!
Date: Monday, July 19, 2021 4:56:34 PM

From: Leslie Bacho <info@email.actionnetwork.org>
Sent: Monday, July 19, 2021 2:55 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: Support 100% Affordable Homes at 2550 Irving Street in The Sunset!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisors Members of the San Francisco Board of Supervisors,

San Francisco's housing shortage and affordability crisis is more acute than ever, which is why I'm urging you to support bringing 100% affordable homes to 2550 Irving Street in SF's Sunset District.

Our city urgently needs more affordable housing on the Westside generally and in District 4 specifically. District 4, as you know, falls behind every other district when it comes to building affordable housing and has added only 17 new affordable homes over the last decade!

With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of longstanding families, it is long past time for the Board of Supervisors to take bold action to protect our community. Each year, thousands of Sunset residents submit applications for affordable housing but there are virtually no affordable housing opportunities in the Sunset to meet the needs of working families and renters. That's why it is imperative that we build more safe, stable, and affordable homes right now.

The 100% affordable homes at 2550 Irving Street will expand access and opportunities for working families and renters by creating safe and stable homes in a community with good access to schools, parks, and the Irving Street commercial district. They will also help address SF's staggering housing inequality, allow diverse families to remain in our Westside community, and support the urgent needs of our most vulnerable neighbors.

Again, I'm urging you to support bringing 100% affordable homes to 2550 Irving Street without delay so that more residents can call San Francisco home. Thank you.

Leslie Bacho
lesliebacho@gmail.com

San Francisco, California 94122

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Support 100% Affordable Homes at 2550 Irving Street in The Sunset!
Date: Monday, July 19, 2021 5:22:19 PM

From: Lukas Bacho <info@email.actionnetwork.org>
Sent: Monday, July 19, 2021 4:57 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: Support 100% Affordable Homes at 2550 Irving Street in The Sunset!

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Again, I'm urging you to support bringing 100% affordable homes to 2550 Irving Street without delay so that more residents can call San Francisco home. Thank you.

Lukas Bacho
lukashbacho@gmail.com

San Francisco, California 94122-2101

From: [Cole Rayo](#)
To: [Board of Supervisors \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com; [Mar, Gordon \(BOS\)](#); [Marstaff \(BOS\)](#)
Subject: Thank you for supporting affordable housing at 2550 Irving
Date: Monday, July 19, 2021 5:09:41 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello, my name is Cole Rayo and I've been a district 4 resident for nearly a decade.

I want to thank supervisor Mar for his support for and sponsorship of the proposed affordable housing project at 2550 Irving.

To the rest of the board, I join the Westside Community Coalition in urging you to add your name as a co-sponsor, and vote to pass the funding resolution. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with maximum number of units and designation for families at the lower end of area median income. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Sincerely,
Cole Rayo
94122

From: [Caitlin Olson](#)
To: [Mar. Gordon \(BOS\)](#)
Cc: [Board of Supervisors \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: PLEASE VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 1:49:43 PM

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Dear Supervisor Mar and Board of Supervisors,

My name is Caitlin Olson. I live in District 4 and am a supporter of the Westside Community Coalition. I support the proposed 100% affordable housing development at 2550 Irving Street and moving the project forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

We urgently need to address the Sunset's underinvestment in affordable housing and create safe, stable homes for working families and renters in the Westside. More than 10% of Sunset residents were living in poverty before the pandemic, and inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

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Sincerely,

Caitlin Olson
1436 20th Ave
San Francisco CA 94122

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: PLEASE VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!
Date: Monday, July 19, 2021 5:14:43 PM

From: Caitlin Olson <caitlinpatriciaolson@gmail.com>
Sent: Monday, July 19, 2021 1:49 PM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: PLEASE VOTE FOR AFFORDABLE HOUSING IN THE SUNSET!

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Sincerely,

Caitlin Olson
1436 20th Ave
San Francisco CA 94122

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Thank you for supporting affordable housing at 2550 Irving
Date: Monday, July 19, 2021 5:21:35 PM

From: Cole Rayo <cole.rayo@gmail.com>
Sent: Monday, July 19, 2021 5:09 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Marstaff (BOS) <marstaff@sfgov.org>
Subject: Thank you for supporting affordable housing at 2550 Irving

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Sincerely,
Cole Rayo
94122

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: Resolution 210763 to be Voted on at the 7/20/21 Board of Supervisor's Meeting
Date: Monday, July 19, 2021 5:03:23 PM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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From: Bronwyn Gundogdu <brongun9@gmail.com>
Sent: Monday, July 19, 2021 3:56 PM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: Re: Resolution 210763 to be Voted on at the 7/20/21 Board of Supervisor's Meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Lisa Lew,

I write today to express my **OPPOSITION** to the planned construction of a seven story building on 2550 Irving Street, San Francisco.

The proposed building is completely out of proportion for that neighborhood. I can only imagine the distress the building's immediate neighbor's are feeling now contemplating the thought of a 7 story high rise being constructed next to them, completely blocking out the sun except for perhaps a few hours of sun at the height of summer - perhaps!

I applaud the plan to build affordable housing - obviously we badly need it. But this should not come at the expense of tearing a neighborhood apart and ruining the homes of the neighbors, as this mammoth project threatens to do.

I strongly recommend the Board of Supervisors reconsider this proposed building and limit the building to a height that blends in with the neighborhood - that is of no more than 3 stories, or 4 at the absolute maximum.

Proposing housing for the "homeless" is always a delicate issue. The City's Supervisors are responsible for dealing with the many challenges that face this city. But they are also responsible to ALL the city's constituents - including supporting the needs of the majority of San Franciscans who pay taxes and who have worked hard and saved hard to live in a specific neighborhood. Instead of railroading over the legitimate objections of neighbors, creating resentment both to city government as well as the proposed low income tenants in the process, the City would do a much better job by providing low income housing that fits in with the local community. Housing for "the poor" shouldn't be made to look like that - it should blend in and become virtually indistinguishable from its neighbors. This proposed plan for a 7 story building does not fit in with the low rise buildings of the Sunset and is causing much neighborhood outrage. (Some may respond that a high rise building already exists immediately opposite this planned construction, but that high rise along with a few others in the Sunset district, were build many years ago and none have been built since that initial construction).

To offer some alternatives - I propose the following:

1. Seriously look at the buildings downtown to review current vacancies following the exodus of companies and people out of San Francisco as a possible sight for housing - in already constructed buildings.
2. Seriously look at under-developed land already owned by the City and County of San Francisco - eg the currently boarded up Juvenile Hall, or the site of the third tower that was originally planned for the new Laguna Honda Hospital but was never built. That land already exists and is free from toxic waste. Both of these sites would lend themselves to construction of high(er) rise buildings as their construction would not interfere with sunlight to neighbors and they would fit in with currently built high rises.

It has become apparent that many residents of San Francisco are becoming increasingly angry with "City Hall" for the relentless rising crime, the filth, increasing lack of parking, etc and the apparent inability of the Board of Supervisors to deal with this. I strongly recommend that the Board of Supervisors stop only responding to a minority of "activists" and respond to the legitimate concerns of the Sunset community and **OPPOSE the construction of the massive seven story development at 2550 Irving Street.**

Respectfully,

Bronwyn Gundogdu

1458 11th Ave

San Francisco

From: [Sheila Tully](#)
To: [Chan, Connie \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Please vote for affordable housing in the Sunset
Date: Monday, July 19, 2021 2:39:38 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Chan and Members of the Board,

I have lived as a renter in the Richmond District for more than 30 years. I teach at SFSU and my husband works as a stage hand with IATSE Local 16. Our daughter is a proud graduate of SFUSD. My family and I know first hand the desperate need for affordable housing on the westside of the city. We were evicted from the rent-controlled apartment where we had lived for decades. Searching for a new place to live that was safe and that we could afford on the west side was a very grim experience that I would not wish on anyone.

I work with Richmond District Rising and I support strongly the Westside Community Coalition. The proposed 100% affordable housing development at 2550 Irving Street is desperately needed. This project should move forward without delay. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021.

The city has a responsibility to address the historical underinvestment in affordable housing on the westside. We must create stable housing for working families and renters like me and my family on this side of the city. Before the pandemic, more than 10% of Sunset residents were living in poverty. Now more than 16 months later, inequality and housing insecurity have only gotten worse. With hundreds of rent-controlled apartments losing protected status, rising housing prices, and the continued displacement of Sunset families, the time to act is now!

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution**. Please ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on this issue on July 20th!

Sincerely,

Sheila R. Tully
1419 Balboa Street
SF 94118

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Please vote for affordable housing in the Sunset
Date: Monday, July 19, 2021 4:56:51 PM

From: Sheila Tully <tullyclaymor@sonic.net>
Sent: Monday, July 19, 2021 2:39 PM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: Please vote for affordable housing in the Sunset

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I join the Westside Community Coalition in urging you to **add your name as a co-sponsor, and vote to pass the funding resolution.** Please ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with **maximum number of units** and designation for families at the **lower end of area median income.** Thank you for your

advocating for affordable housing on the Westside, and I look forward to your leadership on this issue on July 20th!

Sincerely,

Sheila R. Tully
1419 Balboa Street
SF 94118

From: [MM](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Oppose 2550 Irving St. Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 4:55:52 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors:

I am a Sunset resident and a member of a Neighborhood Organization registered with the Planning Department. I have reviewed and evaluated dozens of proposed developments in the neighborhood and will categorically state that what is proposed for 2550 Irving St. is one of the most asinine, ill-conceived potential constructions that I have ever seen.

The potential adverse environmental impacts from this project clearly outweigh any potential good that might come out of the realization of this project. The Planning Department has failed miserably to comply with CEQA guidelines on similar proposals (though private and speculative) in the neighborhood and has proven to be both incompetent and foolish by acting like an enterprise agency, seeking revenue from developers in the form of fees and working hand-in-glove with them.

Before doling out taxpayer money, in the form of a loan, to "non-profit" developers, it would be wise to consider the sentiments of district residents, many of whom the City uses as an ATM when it comes to tax dollars.

A full environmental review of this site with a detailed plan for remediation should be undertaken prior to funding. No one wants to be sprayed with toxic airborne contaminants or have to suffer and pay for toxic groundwater in the blend.

In addition, it may be useful to consider the context; that is, if a taller than human-scale building (greater than 4 stories) is right for the neighborhood. A simple walkabout would indicate that it simply is not.

Given the well-publicized corruption in City government at present, with a perpetual Federal investigation, a proposed project like this one, so clearly inappropriate for the proposed site, does not pass the smell test. Unworthy of consideration, it should not even be at the Board. As it is,

please vote No on funding it.

Best regards,

Mike Murphy

Volunteer, Outlands Planning Council

Director, San Francisco Watershed Protection Alliance

From: [Meghan Warner](#)
To: [Mar, Gordon \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Ronen, Hillary](#); [Preston, Dean \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Cc: [Board of Supervisors, \(BOS\)](#); [BOS-Legislative Aides](#); westsidecommunitycoalition@gmail.com
Subject: Please support affordable housing in the Sunset
Date: Monday, July 19, 2021 3:33:09 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and Board of Supervisors,

My name is Meghan Warner. I live in District 4 and am a supporter of the Westside Community Coalition and SF YIMBY. I fully support the proposed 100% affordable housing development at 2550 Irving Street. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021, moving forward without delay.

I called into the Budget and Finance Committee meeting on July 14 to express my support for the affordable housing project in my neighborhood. As a recent homeowner who studies inequality in my PhD program, I am saddened by the extreme costs of housing in the city. The housing crisis pushes out people who cannot afford historically high rent and who do not have the benefit of locked-in rent or mortgages from decades prior. To start addressing this crisis, and uphold our values as San Franciscans, we must take immediate and bold action. 2550 Irving is the perfect start for the Sunset.

I join the Westside Community Coalition in urging you to **add your name as a co-sponsor and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with the **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Thank you,
Meghan Warner
D4

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Please support affordable housing in the Sunset
Date: Monday, July 19, 2021 4:55:24 PM

From: Meghan Warner <meghanowarner@gmail.com>
Sent: Monday, July 19, 2021 3:33 PM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; westsidecommunitycoalition@gmail.com
Subject: Please support affordable housing in the Sunset

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Dear Supervisor Mar and Board of Supervisors,

My name is Meghan Warner. I live in District 4 and am a supporter of the Westside Community Coalition and SF YIMBY. I fully support the proposed 100% affordable housing development at 2550 Irving Street. I urge you to join Supervisors Mar, Haney and Safai of the Budget and Finance Committee in voting to pass the funding resolution for 2550 Irving on July 20th, 2021, moving forward without delay.

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I join the Westside Community Coalition in urging you to **add your name as a co-sponsor and vote to pass the funding resolution**. We need your support to ensure that 2550 Irving is built to truly meet the needs of current and future Sunset residents - with the **maximum number of units** and designation for families at the **lower end of area median income**. Thank you for your advocating for affordable housing on the Westside, and I look forward to your leadership on the issue on July 20th!

Thank you,
Meghan Warner
D4

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: For File #210763
Date: Monday, July 19, 2021 4:02:31 PM
Attachments: [image001.png](#)

For File No. 210763.

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services



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From: Sherry Lau <slaufu@yahoo.com>
Sent: Monday, July 19, 2021 3:00 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: For File #210763

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Hi all,

I live at 41st Avenue, between Noriega n Ortega. I opposed the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for [2550 Irving St.](#) project.. I concern the parking, toxic, density, community safety those unsolved issues.

Thanks,

Sherry
Sent from my iPad

From: [BOS Legislation \(BOS\)](#)
To: [Board of Supervisors \(BOS\): Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation \(BOS\)](#)
Subject: FW: The Loan is inconsistent with the General Plan
Date: Monday, July 19, 2021 4:03:02 PM
Attachments: [Screen Shot 2021-07-19 at 3:06:39 PM.png](#)
[Screen Shot 2021-06-20 at 12:44:08 PM.png](#)
[image001.png](#)

For File No. 210763.

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

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From: Adam Michels <adamgmichels@yahoo.com>

Sent: Monday, July 19, 2021 3:18 PM

To: BOS Legislation (BOS) <bos.legislation@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Enoch Wang <enochwang@fflawlp.com>; San Francisco Mid-Sunset Neighborhood Association Board <msna-board@googlegroups.com>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Garavaglia <mike@garavaglia.com>

Subject: The Loan is inconsistent with the General Plan

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors and Mayor Breed,

This is notice that MSNA and its attorney and architect (and expert on neighborhood character) have found the loan to be inconsistent with the General Plan of San Francisco, and since a General Plan Referral was issued, you must hold a public hearing before approving the loan or you will be out of compliance with the San Francisco Administrative Code.

Recently the Mid Sunset Neighborhood Association's attorney has brought to the attention of the Planning Department that the General Plan Referral was improperly issued because before such a referral is issued, SF Administrative Code section **2A.53 requires a public hearing** and determination by the Planning Commission for any proposal which is complex, is inconsistent with the General Plan, or has generated public controversy. Each of these is applicable to the proposed project that the loan would be financing. At minimum, the proposed project is inconsistent with Priority General Plan Policies, No. 2 and 4. The Planning Department has yet to respond. The proposed building is out of scale with surrounding building and inconsistent with the neighborhood character. Supervisor Mar, Eric Shaw, and Mayor Breed conceded these points when we met with them. (No. 2 Is that existing housing and neighborhood character be conserved and protected.) (No. 4 is that traffic not overburden the streets or parking)

Points from San Francisco's General Plan

Visual Harmony (3.1)

1. New buildings should be made sympathetic to the scale, form and proportion of older development.

2. Much effort has been made in the past to relate each new building to its neighbors at both upper and lower levels, and to **avoid jarring contrasts** that would upset the city pattern.

3. A building at **the wrong location** can be utterly disruptive.

I

I have presented this to the Mayor, Supervisor Mar, and Eric Shaw. None of them were able to contest the point that the loan is for a building that is out of scale and jarring in contrast. Also, the building will likely cause a significant impact on traffic and parking.

In fact, every architect and project manager I have consulted agrees that this building is out of scale.

“Significant impacts to the Parkway Terrace Historic District will result from the presence of the proposed, overpowering, 7-story structure at the edge of the district. It will be a significant change to the setting and feeling of the neighborhood. This will reduce the historical integrity of the historic resource and should be considered for further environmental review. There is no way, except through massing & height reductions, to lessen the effect of a 75' tall, block-wide, wall. Not only is there an effect on the historic resource, but it is also a very poor urban design response for a precedent setting affordable housing project.”

-- Mike Garavaglia, San Francisco Architect



"This is a renderings created by an architect. It shows my house, my neighbors' houses, and the proposed building. It is not showing the actual design or color, but just the mass of the building."

Adam Michels
1275 26th Ave.

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Resolution # 210763 to be voted on at the 7/20/21 Board of Suervsior"s Meeting
Date: Monday, July 19, 2021 4:04:17 PM
Attachments: [image001.png](#)

For File No. 210763.

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

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From: Bronwyn Gundogdu <brongun9@gmail.com>
Sent: Monday, July 19, 2021 3:35 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Re: Resolution # 210763 to be voted on at the 7/20/21 Board of Suervsior's Meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board of Supervisors,

I write today to express my **OPPOSITION** to the planned construction of a seven story building on 2550 Irving Street, San Francisco.

The proposed building is completely out of proportion for that neighborhood. I can only imagine the distress the building's immediate neighbor's are feeling now contemplating the thought of a 7 story high rise being constructed next to them, completely blocking out the sun except for perhaps a few hours of sun at the height of summer - perhaps!

I applaud the plan to build affordable housing - obviously we badly need it. But this should not come at the expense of tearing a neighborhood apart and ruining the homes of the neighbors, as this mammoth project threatens to do.

I strongly recommend the Board of Supervisors reconsider this proposed building and limit the building to a height that blends in with the neighborhood - that is of no more than 3 stories, or 4 at the absolute maximum.

Proposing housing for the "homeless" is always a delicate issue. As Supervisors, you are responsible for dealing with the many challenges that face this city. But you are also responsible to ALL your constituents - including supporting the needs of the majority of San Franciscans who pay taxes and who have worked hard and saved hard to live in a specific neighborhood. Instead of railroading over the legitimate objections of neighbors, creating resentment both to City government as well as the proposed low income tenants in the process, the City would do a much better job by providing low income housing that fits in with the local community. Housing for "the poor" shouldn't be made to look like that - it should blend in and become virtually indistinguishable from its neighbors. This proposed plan for a 7 story building does not fit in with the low rise buildings of the Sunset and is causing much neighborhood outrage. (Some may respond that a high rise building already exists immediately opposite this planned construction, but that high rise along with a few others in the Sunset district, were built many years ago and none have been built since that initial construction).

To offer some alternatives - I propose the following:

1. Seriously look at the buildings downtown to review current vacancies following the exodus of companies and people out of San Francisco as a possible sight for housing - in already constructed buildings.
2. Seriously look at under-developed land already owned by the City and County of San Francisco - eg the currently boarded up Juvenile Hall, or the site of the third tower that was originally planned for the new Laguna Honda Hospital but was never built. That land already exists and is free from toxic waste. Both of these sites would lend themselves to construction of high(er) rise buildings as their construction would not interfere with sunlight to neighbors and they would fit in with currently built high rises.

It has become apparent that many residents of San Francisco are becoming increasingly angry with "City Hall" for the relentless rising crime, the filth, increasing lack of parking, etc and the apparent inability of the Board of Supervisors to deal with this. I strongly recommend that you stop only responding to a minority of "activists" and respond to the legitimate concerns of the Sunset community and **OPPOSE the construction of the massive seven story development at 2550 Irving Street.**

Respectfully,

Bronwyn Gundogdu
1458 11th Ave
San Francisco

From: [Sh H](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: 7/20/21 BOS meeting, File No. 210763, Regarding 2550 Irving St loan
Date: Monday, July 19, 2021 4:07:53 PM
Attachments: [2550Irving_neighbor_impact.png](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Gordon Mar and the San Francisco Board of Supervisors,

My family, which includes 2 adults, 2 elementary school children and 2 senior grandparents, lives immediately near the proposed 2550 Irving Development. Our house is one of the 2-story buildings right next to the Police Credit Union.

I oppose this loan approval for the project as it is currently proposed and urge the Board and our D4 supervisor Mar to vote no or postpone the vote on this loan until all of the issues around it are resolved including:

- The lack of neighboring community support for the project as it is currently proposed. Start over and make sure a compromise is reached to ensure that this affordable housing development is a success for D4 and ultimately the city.
- PCE vapors and remediation plan by DTSC still being in review - postpone until DTSC has finished its process and all of the environmental issues have been reviewed and addressed.
- Exorbitant costs per unit compared to alternative options - review alternative options for this neighborhood that can bring more affordable housing to D4 cheaper and faster.
- No traffic or transportation study or investment while providing almost no parking for this family oriented development on this already extremely busy stretch of Irving. My family frequently takes the N Judah and from our experience getting around the city with kids on public transportation is currently very problematic and unreliable.
- **No comprehensive plan on how to remedy the impact on immediate neighbors**

like us. This includes shadows (some of neighbors have solar panels or were planning to install them), loss of sunshine and natural light, especially during the “sunnier” fall/winter months in the Sunset, significant loss of privacy (hundreds of windows will now be looking into our bedroom windows), loss of property value as a result.

And very importantly, the construction impact on our 100 year old small homes with old foundations that are very close to this proposed 7 story development being built on sand dunes. There is no precedent in SF of a building this tall being built right next to 2-story 100 year old homes on top of fine grain sand.

There is currently no plan on how the potential damages will be assessed and dealt with.

We understand the urgent need for San Francisco to build affordable housing. All we are asking is that our family be considered just as much as the families and individuals that will live at 2550 Irving St. The goal here should be a win-win for the people joining our community and the current neighboring families, who, as currently proposed, will be negatively impacted by the size and density of the building. The goal should be to get this project right so it can serve as an example of what successful community supported affordable housing in the Sunset can look like.

It is easy for people from other districts or people who don't live nearby and won't be impacted to call for the tallest building at 2550 Irving without any regard for the concerns and impact on the immediate neighbors. Most of the callers in support of this loan during the recent Budget Committee meeting were not even from our district. They call themselves YIMBYs but this is not happening in their backyard but in ours and our neighbors'.

That said, us and most of the immediate neighbors support affordable housing development at 2550 Irving St provided that the issues and concerns are addressed and there is a compromise on the height and density.

Please put yourself in our position and oppose the loan for this development as it is currently proposed until the issues described above are addressed.

Thank you,

Shane H.



"This is a renderings created by an architect. It shows my house, my neighbors' houses, and the proposed building. It is not showing the actual design or color, but just the mass of the building."

From: [Valerie Schmalz](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: "Regarding 2550 Irving St loan (BOS file No. 210753)"
Date: Monday, July 19, 2021 4:25:48 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Please vote no on the \$14 million predevelopment loan that allows the Tenderloin Neighborhood Development Corporation to buy 2550 Irving Street for 100 percent affordable housing.

I support affordable housing in the Sunset District and believe there are already housing developments in the works that demonstrate that it is possible to build affordable housing in keeping with the neighborhood.

A key reason to vote no on this is because the DTSC has only begun the public comment period on the draft remediation plan and the MSNA has new information that the draft plan is insufficient to keep current and new neighbors safe from PCE contamination.

Sincerely,

Valerie Schmalz
1277-28th Avenue
San Francisco, CA 94122

From: [Judy Strachan](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Resolution number #210763, and "7/20/21 BOS meeting" - Approve!
Date: Monday, July 19, 2021 4:25:58 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I think this development is exactly what we need in the Sunset! There is a shortage of housing in SF and this looks like a good Sunset neighborhood contribution towards reducing the shortage.

Judy Strachan
2720 Judah Street

Judy Strachan (she/her)
Sent from [Mail](#) for Windows 10

From: [Carroll, John \(BOS\)](#)
To: [Bronwyn Gundogdu](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: RE: Resolution #210763 to be voted on at the 7/20/21 Board of Supervisors" meeting
Date: Monday, July 19, 2021 4:32:20 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Bronwyn Gundogdu <brongun9@gmail.com>
Sent: Monday, July 19, 2021 3:50 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Re: Resolution #210763 to be voted on at the 7/20/21 Board of Supervisors' meeting

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Dear John Carroll.

I write today to express my **OPPOSITION** to the planned construction of a seven story building on 2550 Irving Street, San Francisco.

The proposed building is completely out of proportion for that neighborhood. I can only imagine the distress the building's immediate neighbor's are feeling now contemplating the thought of a 7 story high rise being constructed next to them, completely blocking out the sun except for perhaps a few hours of sun at the height of summer - perhaps!

I applaud the plan to build affordable housing - obviously we badly need it. But this should not come at the expense of tearing a neighborhood apart and ruining the homes of the neighbors, as this mammoth project threatens to do.

I strongly recommend the Board of Supervisors reconsider this proposed building and limit the building to a height that blends in with the neighborhood - that is of no more than 3 stories, or 4 at the absolute maximum.

Proposing housing for the "homeless" is always a delicate issue. The City's Supervisors are responsible for dealing with the many challenges that face this city. But they are also responsible to ALL the city's constituents - including supporting the needs of the majority of San Franciscans who pay taxes and who have worked hard and saved hard to live in a specific neighborhood. Instead of railroading over the legitimate objections of neighbors, creating resentment both to city government as well as the proposed low income tenants in the process, the City would do a much better job by providing low income housing that fits in with the local community. Housing for "the poor" shouldn't be made to look like that - it should blend in and become virtually indistinguishable from its neighbors. This proposed plan for a 7 story building does not fit in with the low rise buildings of the Sunset and is causing much neighborhood outrage. (Some may respond that a high rise building already exists immediately opposite this planned construction, but that high rise along with a few others in the Sunset district, were build many years ago and none have been built since that initial construction).

To offer some alternatives - I propose the following:

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built high rises.

It has become apparent that many residents of San Francisco are becoming increasingly angry with “City Hall” for the relentless rising crime, the filth, increasing lack of parking, etc and the apparent inability of the Board of Supervisors to deal with this. I strongly recommend that the Board of Supervisors stop only responding to a minority of “activists” and respond to the legitimate concerns of the Sunset community and **OPPOSE the construction of the massive seven story development at 2550 Irving Street.**

Respectfully,

Bronwyn Gundogdu
1458 11th Ave
San Francisco

From: [Annie Chu](#)
To: [Lew, Lisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Carroll, John \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: Content for file #210763 BOS meeting 7/20/2021
Date: Monday, July 19, 2021 4:36:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Re: Oppose the 7 floor project plan for 2550 Irving Street.

>

> I live at 21th Ave,between Judah and Irving Streets,I oppose the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving Street project ,I concern the parking,Toxic,Density,Community safety those unsolved issued.

>

>

> Annie Chu.

> Sent from my iPhone

From: [tina cen](#)
To: [Board of Supervisors \(BOS\)](#); [BOS Legislation \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Subject: Re: Fw: Resolution number #210763 oppose letter for 7/20/21 BOS meeting
Date: Monday, July 19, 2021 4:37:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors:

My family and I have been homeowners in the Central Sunset District since 1971. I'm also a Realtor working in District 4 since 2004.

I **"Oppose"** the building of a seven story structure on unstable ground that is toxic. I **"Oppose"** adding 100 units and/or 300 families with only 11 parking spaces to live in already congested Irving Street.

I support Affordable Housing but I do not support destroying the livelihood of neighboring communities. As a veteran real estate consultant, I can tell you that the houses adjacent to the proposed out of place building will lose hundreds of thousand dollars in equity value. How can people who support this building sleep at night knowing that this will happen to these long time residents?

Here are my suggestions:

1. The Police Credit Union should clean up the toxic site and or reimburse the new owner for the clean up.
2. Build a 4 story building with 50 percent parking for the number of units.
3. Purchase already vacant properties in the Sunset and add ADU's. This is a better way to diversify District 4 and spend less than 1M per door. Local real estate companies can manage the properties at the minimum and therefore saving more funds for the truly needy.
4. Build affordable housing on the Ocean Beach parking lots or at the edge/Lincoln Avenue side of Golden Gate Park . These areas are rarely used except by the homeless and coyotes.

Please build and or purchase affordable housing but **DO NOT destroy our neighborhood.**

Sincerely,

Tina Cen-Camarao
1559 21st Avenue
San Francisco, CA 94122

On Mon, Jul 19, 2021 at 4:36 PM Tina Cen <tinacentc@yahoo.com> wrote:

Tina Cen-Camarao
(415) 815-9518
tinacentc@yahoo.com

----- Forwarded Message -----

From: Tina Cen <tinacentc@yahoo.com>
To: board.of.supervisors@sfgov.org <board.of.supervisors@sfgov.org>; bos.legislation@sfgov.org <bos.legislation@sfgov.org>; Gordon Mar <gordon.mar@sfgov.org>
Cc: linda.wong@sfgov.org <linda.wong@sfgov.org>; john.carroll@sfgov.org <john.carroll@sfgov.org>; lisa.lew@sfgov.org <lisa.lew@sfgov.org>; aaron.peskin@sfgov.org <aaron.peskin@sfgov.org>
Sent: Monday, July 19, 2021, 04:35:30 PM PDT
Subject: Re: Resolution number #210763 oppose letter for 7/20/21 BOS meeting

Dear Board of Supervisors:

My family and I have been homeowners in the Central Sunset District since 1971. I'm also a Realtor working in District 4 since 2004.

I **"Oppose"** the building of a seven story structure on unstable ground that is toxic. I **"Oppose"** adding 100 units and/or 300 families with only 11 parking spaces to live in already congested Irving Street.

I support Affordable Housing but I do not support destroying the livelihood of neighboring communities. As a veteran real estate consultant, I can tell you that the houses adjacent to the proposed out of place building will lose hundreds of thousand dollars in equity value. How can people who support this building sleep at night knowing that this will happen to these long time residents?

Here are my suggestions:

1. The Police Credit Union should clean up the toxic site and or reimburse the new owner for the clean up.
2. Build a 4 story building with 50 percent parking for the number of units.
3. Purchase already vacant properties in the Sunset and add ADU's. This is a better way to diversify District 4 and spend less than 1M per door. Local real estate companies can manage the properties at the minimum and therefore saving more funds for the truly needy.

4. Build affordable housing on the Ocean Beach parking lots or at the edge/Lincoln Avenue side of Golden Gate Park . These areas are rarely used except by the homeless and coyotes.

Please build and or purchase affordable housing but **DO NOT destroy our neighborhood.**

Sincerely,

Tina Cen-Camarao
1559 21st Avenue
San Francisco, CA 94122

From: [Vonnie McGee](#)
To: [Mar. Gordon \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Board of Supervisors. \(BOS\)](#)
Subject: 2550 Irving Project Objection
Date: Monday, July 19, 2021 4:45:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.



Sample Letter To Gordon Mar and BOS

From: hobb2@juno.com
To: [Board of Supervisors, \(BOS\)](#)
Subject: Resolution #210763 July 20, 2021 BOS meeting
Date: Monday, July 19, 2021 2:37:26 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

My name is Sherri Samu, and I live in District 4 of San Francisco's Sunset neighborhood. **I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.**

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s. Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be done.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.
- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,
Sherri Samu, District 4 Resident
address: 1228 26th Avenue

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: Resolution #210763 July 20, 2021 BOS meeting
Date: Monday, July 19, 2021 2:54:01 PM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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From: hobb2@juno.com <hobb2@juno.com>
Sent: Monday, July 19, 2021 2:41 PM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: Resolution #210763 July 20, 2021 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

My name is Sherri Samu, and I live in District 4 of San Francisco's Sunset neighborhood. **I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.**

Our city and the Sunset desperately need more Affordable Housing, but as

proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s. Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be done.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.
- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,
Sherri Samu, District 4 Resident
address: 1228 26th Avenue

From: [Carroll, John \(BOS\)](#)
To: hobb2@juno.com
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: RE: Resolution #210763 July 20, 2021 BOS meeting
Date: Monday, July 19, 2021 3:01:18 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: hobb2@juno.com <hobb2@juno.com>
Sent: Monday, July 19, 2021 2:40 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Resolution #210763 July 20, 2021 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

My name is Sherri Samu, and I live in District 4 of San Francisco's Sunset neighborhood. **I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.**

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s. Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be done.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.
- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well

as existing residents and businesses.

Sincerely,
Sherri Samu, District 4 Resident
address: 1228 26th Avenue

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Resolution #210763 July 20, 2021 BOS meeting
Date: Monday, July 19, 2021 4:01:45 PM
Attachments: [image001.png](#)

For File No. 210763.

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

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From: hobb2@juno.com <hobb2@juno.com>
Sent: Monday, July 19, 2021 2:37 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Resolution #210763 July 20, 2021 BOS meeting

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

My name is Sherri Samu, and I live in District 4 of San Francisco's Sunset neighborhood. **I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.**

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s. Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.
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- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.
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I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well

as existing residents and businesses.

Sincerely,
Sherri Samu, District 4 Resident
address: 1228 26th Avenue

From: [Bronwyn Gundogdu](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Resolution #210763 to be voted on at 7/20/21 Board of Supervisor"s Meeting
Date: Monday, July 19, 2021 3:32:50 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I write today to express my **OPPOSITION** to the planned construction of a seven story building on 2550 Irving Street, San Francisco.

The proposed building is completely out of proportion for that neighborhood. I can only imagine the distress the building's immediate neighbor's are feeling now contemplating the thought of a 7 story high rise being constructed next to them, completely blocking out the sun except for perhaps a few hours of sun at the height of summer - perhaps!

I applaud the plan to build affordable housing - obviously we badly need it. But this should not come at the expense of tearing a neighborhood apart and ruining the homes of the neighbors, as this mammoth project threatens to do.

I strongly recommend the Board of Supervisors reconsider this proposed building and limit the building to a height that blends in with the neighborhood - that is of no more than 3 stories, or 4 at the absolute maximum.

Proposing housing for the "homeless" is always a delicate issue. As Supervisors, you are responsible for dealing with the many challenges that face this city. But you are also responsible to ALL your constituents - including supporting the needs of the majority of San Franciscans who pay taxes and who have worked hard and saved hard to live in a specific neighborhood. Instead of railroading over the legitimate objections of neighbors, creating resentment both to City government as well as the proposed low income tenants in the process, the City would do a much better job by providing low income housing that fits in with the local community. Housing for "the poor" shouldn't be made to look like that - it should blend in and become virtually indistinguishable from its neighbors. This proposed plan for a 7 story building does not fit in with the low rise buildings of the Sunset and is causing much neighborhood outrage. (Some may respond that a high rise building already exists immediately opposite this planned construction, but that high rise along with a few others in the Sunset district, were build many years ago and none have been built since that initial construction).

To offer some alternatives - I propose the following:

1. Seriously look at the buildings downtown to review current vacancies following the exodus of companies and people out of San Francisco as a possible sight for housing - in already constructed buildings.

2. Seriously look at under-developed land already owned by the City and County of San Francisco - eg the currently boarded up Juvenile Hall, or the site of the third tower that was originally planned for the new Laguna Honda Hospital but was never built. That land already exists and is free from toxic waste. Both of these sites would lend themselves to construction of high(er) rise buildings as their construction would not interfere with sunlight to neighbors and they would fit in with currently built high rises.

It has become apparent that many residents of San Francisco are becoming increasingly angry with "City Hall" for the relentless rising crime, the filth, increasing lack of parking, etc and the apparent inability of the Board of Supervisors to deal with this. I strongly recommend that you stop only responding to a minority of "activists" and respond to the legitimate concerns of the Sunset community and **OPPOSE the construction of the massive seven story development at 2550 Irving Street.**

Respectfully,

Bronwyn Gundogdu
1458 11th Ave
San Francisco

From: [Norbert Ching](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#)
Subject: Resolution number #210763, and "7/20/21 BOS meeting". Example subject line: "Opposing 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763"
Date: Monday, July 19, 2021 3:34:35 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the San Francisco Board of Supervisors,

We are long-time Sunset residents living within a few blocks of the proposed development and we oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and especially oppose the project as currently proposed.

Our city and the Sunset certainly need more affordable housing, but as proposed, 2550 Irving Street appears severely flawed. Here are some of my concerns:

- * Disproportionately oversized and out of scale - The 7 story building as proposed by the TNDC is out of scale with the neighborhood. Affordable housing should blend in with the surrounding neighborhood, and that would be in keeping with current, long standing policies effected to maintain the character of our neighborhood. Further, a 7-story structure directly adjacent to the Sunset's modest homes robs neighbors of their privacy and solar rights. It would be better sized and more readily assimilated into the neighborhood if limited to 4 stories.

- * Inadequate parking – Proposed parking is inadequate and will impact street parking within the community, as well as increasing traffic and congestion for both residents and local businesses.

- * A mix of unit sizes would more broadly address the potential needs of larger families, as opposed to having all units be studios or 1-BR.

- * Environmental hazards - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. If the site is toxic, seeking an exemption to rules restricting residence on a toxic site remains risky both to future residents as well as with future liability to San Francisco. A full environmental review of the project should be conducted, and appropriate (not most economical) mitigation methods need to be employed.

This project should be right-sized to no more than 4 stories instead of the proposed 7 with additional investment earmarked for thorough environmental impact and mitigation studies, and for maintenance and services for the public impact within the surrounding area and with more thorough and transparent community engagement.

I respectfully ask you to consider the many concerns of your constituents, represent the district residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Residents,
Norbert Ching and Winogene Gee
1329 29th Ave., SF, CA 94122

From: [Steve Ward](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Inappropriate Density Policy & Consequences Resolution number #210763, and "7/20/21 BOS meeting / "Oppose"
Date: Monday, July 19, 2021 3:49:31 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ladies and Gentlemen,

Defend against inappropriate density policy and its severe consequences for San Francisco in general and specifically as it applies to the Sunset District.

. San Francisco is the most dense major metropolitan area in the United States west of the Hudson River.

. The Sunset District is unique having an amphitheater layout which is destroyed by high buildings in the lower contours.

. Other alternatives for housing should be considered first before burdening neighborhoods and infrastructure with increased density. Examples:

- . Empty skyscrapers
- . Lower density areas outside the city especially those ravaged by fire.
- . Enact vacancy control to stop evictions.

In the most dense city other than Manhattan we should have a policy that respects and benefits the welfare of the majority of the people who live in the area where the development is going to rest first.

Please reject the loan to TNDC. It sets the wrong precedent.

Steve Ward
25 yr.s in D4

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#)
Subject: FW: Comment for file #21076
Date: Monday, July 19, 2021 4:00:34 PM
Attachments: [image001.png](#)

For File No. 210763.

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: Phoebe Kuong <kuong1628@gmail.com>
Sent: Monday, July 19, 2021 1:17 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Comment for file #21076

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I live in 28 ave and Layton?I oppose the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving St project ,I concern the parking toxic density community safety unsolved issues , thanks

From: [Larry Strandberg-Lau](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Resolution number #210763, 7/20/21 BOS meeting
Date: Monday, July 19, 2021 5:26:12 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I **oppose** the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- TOO OUT OF SCALE - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.
It should be right-sized to 4 stories.
- TOO EXPENSIVE - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.
- PARKING - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- ENVIRONMENTAL CONCERNS - PCE vapors have been found underground at

2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

- CONSTRUCTION IMPACT - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident, Larry Lau

From: [MLaffan](#)
To: [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Mar, Gordon \(BOS\)](#)
Subject: Resolution number #210763, 7/20/21 BOS meeting
Date: Monday, July 19, 2021 3:29:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident for the past 20 years and I **oppose** the approval of the pre-development loan for 2550 Irving Affordable Housing development and **I oppose the project as currently proposed.**

More Affordable Housing is badly needed however as **proposed**, 2550 Irving Street is not the solution. I have the following concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood.
- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF.
- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated.
- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

- INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as **proposed** in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

Marian Laffan

1458 26th Avenue , SF 94122.

District 4 Resident

Sent from my iPhone

From: [Marsha Grandchamp](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#)
Cc: [Wong, Linda \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: 2550 Irving St. Loan (BOS file #210763)
Date: Monday, July 19, 2021 3:26:04 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I'm writing to ask you to vote NO on the \$14M predevelopment loan that allows TNDC to buy 2550 Irving Street for 100% affordable housing. I am an avid supporter of affordable housing in District 4 but there are several reasons this project concerns me. The key reason to vote no now is it's premature to approve the loan when DTSC has only just begun the public comment period on the draft remediation plan, and we have already learned new information that tells us this draft plan is insufficient to keep current and new neighbors safe from PCE contamination.

I am very concerned about my health and that of my neighbors who are adjacent to the property. Thank you for considering giving this remediation plan a more thorough review before a decision is made about funding.

Sincerely,
Marsha Grandchamp
1281 27th Avenue

From: [Chris Choy](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: CJ
Date: Monday, July 19, 2021 3:26:13 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Comment for file#210763,I live at 30th avenue , I oppose the 7 floor project plan by TNDC and support the 4 Floor project modifying plan by MSNA for 2550 Irving st project, I concern the parking, toxic,density,community safety those unsolved issues.

Thank you
Jenny

Sent from my iPhone

From: [Sherry Lau](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: For File# 210763
Date: Monday, July 19, 2021 2:42:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi all,

I live at 41st Avenue, between Noriega n Ortega. I opposed the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for 2550 Irving St. project.. I concern the parking, toxic, density, community safety those unsolved issues.

Thanks,

Sherry

Sent from my iPad

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: For File# 210763
Date: Monday, July 19, 2021 3:21:51 PM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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From: Sherry Lau <slaufu@yahoo.com>
Sent: Monday, July 19, 2021 3:03 PM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: For File# 210763

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Lisa,

I live at 41st Avenue, between Noriega n Ortega. I opposed the 7 floor project plan by TNDC and support the 4 floor project modify plan by MSNA for [2550 Irving St.](#) project.. I concern the parking, toxic, density, community safety those unsolved issues.

Thanks,

Sherry

Sent from my iPad

From: [Nancy Lee](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Resolution #210763 - 2550 Irving Affordable Housing Dev
Date: Monday, July 19, 2021 1:45:12 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor London Breed, Supervisor Mar and the Board of Supervisors,

I grew up in the Sunset, and my family still resides at 1369 22nd Ave, San Francisco, CA. My husband and I now live in District 7, but we own a four-unit apartment building at 2650 Irving Street -- one block from the proposed 2550 Irving Affordable Housing development. My family **opposes** the approval of the pre-development loan for 2550 Irving Affordable Housing development, and we **oppose** the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDc is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Furthermore, the City should learn from past experience that massive low-income housing projects that are out-of-scaled from the surrounding neighborhood reinforces the socio-economic isolation of tenants and have failed in the past. Why does the City want to make the same mistake again?

Building 7 stories directly adjacent to the Sunset's tiniest homes robs neighbors of their privacy and solar rights. In addition, constructing the type of foundation required for a 7 story high building in the sandy soil conditions may pose risks to the adjacent foundations of existing single-family homes. The proposed project should be right-sized to no more than 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget

on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.
- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 stakeholders like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

Nancy Lee
District 7 Resident, District 4 Stakeholder

From: [Lisa Tsang](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Opposing Irving St. Loan, 7/20/21 BOS meeting File No. 210763
Date: Monday, July 19, 2021 2:34:32 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

I oppose 2550 Irving Street project as following

1. Natural resource environmental issue and sustainability
 - a. Water
 - b. Air and Sunshine
 - c. Infrastructure
2. Density increase are a bad idea
 - a. San Francisco is already the second most densely populated city in U.S. after NY
 - b. Density is a health Hazard in a Pandemic
 - c. "Units" is not the same as "People"
3. Earthquakes, Fires, AWSs and Public Safety

Thanks for your time and consideration in this matter!

Lisa Tsang
S.F. Voter

From: [ROZ LAW](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Resolution number #210763 on 7/20/21 BOS meeting to Opposing 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763 OPPOSE!
Date: Monday, July 19, 2021 2:38:42 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found

underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident, Rose Lau

From: [anita.asturias](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: OPPOSE: Resolution #210763; 7/20/21 BOS Meeting
Date: Monday, July 19, 2021 2:43:36 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors:

I am a Sunset resident and I OPPOSE the approval of the pre-development loan for 2550 Irving Affordable Housing development and I OPPOSE the project as currently proposed.

The proposed project at 2550 Irving St. is not the solution to the affordable housing problem. My concerns are as follows:

TOO OUT OF SCALE - The proposed 7-story building is at least three times larger than the biggest building in the area. The scale and design should fit in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. This project should be right-sized to four stories. This is a quality of life issue for everyone in the neighborhood.

TOO EXPENSIVE - This proposal will cost about \$1 million per unit - 60% over the average for new affordable housing in San Francisco. This loan is not a good deal for the taxpayers of San Francisco. The affordable housing crisis cannot be solved with one outrageously expensive building.

INFRASTRUCTURE - Adding over 300 residents to this block will have a significant impact on traffic, transit, water, sewer and schools. Shouldn't the city complete an impact study and address these problems before committing such a large amount of money to this project?

I was raised in the Sunset and my family is committed to making sure it is a desirable place to live. I support and patronize the shops on Irving and appreciate the hard work that the merchants and restaurateurs expend every day to keep their small businesses afloat. It isn't fair to them to force such a drastic change without at least attempting to investigate and address their concerns.

A huge part of the infrastructure concerns transit. I am speaking from experience when I say that MTA can NOT handle additional passengers (assuming the number of passengers rebounds after pandemic restrictions are lifted). Thirty years ago I rode the N Judah to work in the Civic Center area every day, and service was horrible then. I would wait for the "N" train every afternoon and watch as train after train would pass by, already too full to take on any more passengers. The situation has only gotten worse. Residents are forced to drive and are punished by dwindling parking options.

I am old enough to remember the old housing projects that were opened with great optimism and promise and which ended with blight and misery for the entire neighborhood and which were ultimately condemned (e.g., the "Pink Palace"). As elected officials, you are mandated to represent current residents. Please don't ignore and dismiss our concerns. We have the right to be heard with respect.

Please listen to Sunset residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated four-story development at 2550 Irving St. for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Residents,
Anita Asturias
Wayne Pickering, Jr.
2374 36th Avenue

Sent from my iPad

From: [Hanley Lau](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Oppose!! Resolution number #210763, and "7/20/21 BOS meeting. Opposing 2550 Irving St Loan, 7/20/21 BOS meeting, File No. 210763
Date: Monday, July 19, 2021 2:43:39 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.

It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at

2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.
- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and

reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident,
Hanley Lau

From: [Idalia Larsen](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: OPPOSING 2550 Irving St loan - Resolution 210763, 7/20/21 BOS meeting
Date: Monday, July 19, 2021 2:54:23 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

San Francisco desperately need more affordable housing, but as proposed 2550 Irving Street is not the solution. My concern are as follows:

- Too out of scale, the 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It should be right-sized to 4 stories.
- Parking. Only 11% parking ratio is proposed. It should be at least 25% ratio.
- Environment concerns. PCE vapors have been found underground in the site as well as the south site of Irving Street. The toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

I urge you to listen to the D4 residents and oppose the loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving Street for the benefit of new as well as existing residents and businesses.

Sincerely

District 5 resident, Idalia Fraga Larsen

From: [Celeste Marty](#)
To: [Board of Supervisors \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [BOS Legislation \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: File #210763
Date: Monday, July 19, 2021 3:07:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:-

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late '20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

We need Design with Dignity — I can't imagine the lack of quality of life for families living in a densified hotel development like this. There are many examples of affordable housing that offer much better choices for the families living in them. Please study them, so you can be accountable to the families who will eventually move in.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a

smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,
Celeste Marty
1273 28th Ave

From: [Adam Michels](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: BOS file No. 210753 (Regarding 2550 Irving St loan)
Date: Monday, July 19, 2021 9:14:45 AM
Attachments: [Screen Shot 2021-05-20 at 12.44.08 PM.png](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.



"This is a renderings created by an architect. It shows my house, my neighbors' houses, and the proposed building. It is not showing the actual design or color, but just the mass of the building."

Dear San Francisco Supervisors,

I urge you to vote no on the \$14 Million Loan, principally because the correct process has not been followed. One of you (a supervisor) told me that when a project is in one Supervisor's District, that the other Supervisors will follow his or her lead in going forward or not.

In the Budget and Finance Committee hearing on Wednesday, July 14th, Supervisor Mar clearly told the other two supervisors that he found it problematic to recommend the loan before DTSC public comment on the remediation plan by TNDC. Amy Chan, the finance representative from TNDC, made the egregious statement that there would be no new information from the public comment. In other words, Amy Chan was saying to recommend the loan, because it does not matter what the public thinks about the plan to remediate cancer and Parkinson-causing PCEs in the soil. The other two supervisors, in their blind enthusiasm for affordable housing at any cost, disregarded Mar's plea for the normal process to be followed. One of them even quoted erroneous and outdated data on the PCE levels.

If you vote to approve the loan, you will be sending a message that the public comment period in the DTSC process has no impact on political decisions. Supervisor Mar himself knew there was something terribly wrong with this rush to circumvent the process, and strangely said something to the effect of, "Well I guess I'm outvoted. If you can't fight 'em, join 'em" [in ignoring the process and jamming through the loan recommendation].

I live in the second house on 26th Ave. from the proposed project. I have an old foundation under my home; it is full of cracks where PCE soil vapor can escape from the soil and go into my home. Yet, no one has even bothered to test for PCEs in my home. Six or more of my immediate neighbors suffer from cancer or Parkinson's disease.

I urge you to vote no on the loan to give a clear message to developers and your fellow legislators. Just because San Francisco needs affordable housing and SB35 gives you a streamlined process, does not mean you can forego the normal processes and guidelines that protect the health of San Francisco residents and the beauty and the functionality of the city itself. MOHCD needs to know that it needs a proper market study of a piece of land, that includes the cost of removal or remediation of any toxic chemicals, before committing taxpayer dollars to a piece of land that is offered at more than twice its assessed value.

Developers and Supervisors cannot be encouraged to cut corners and claim that nothing would be different if they did things the right way.

I urge you to say to TNDC and Supervisor Haney,
"Go back and do this the right way. Saying that
public comment on cancer-causing chemicals
would not provide any new information is not a
statement we endorse."

Thank you.

Adam Michels
1275 26th Ave.

From: [Kathleen Kelley](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Bruss, Andrea \(MYR\)](#)
Subject: BOS file No. 210753 (Regarding 2550 Irving St loan)
Date: Monday, July 19, 2021 1:36:20 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor, Supervisor Mar, San Francisco Supervisors, Ms. Bruss,

I urge you to vote no on the \$14 Million Loan, principally because the correct process has not been followed. One of you (a supervisor) told me that when a project is in one Supervisor's District, that the other Supervisors will follow his or her lead in going forward or not.

In the Budget and Finance Committee hearing on Wednesday, July 14th, Supervisor Mar clearly told the other two supervisors that he found it problematic to recommend the loan before DTSC public comment on the remediation plan by TNDC.

Amy Chan, the finance representative from TNDC, made the egregious statement that there would be "no new information from the public comment". In other words, Amy Chan was saying to recommend the loan, because it does not matter what the public thinks OR about the plan to remediate cancer and Parkinson-causing PCEs in the soil. The other two supervisors, in their

enthusiasm for affordable housing at any cost, disregarded Mar's request for the normal process to be followed. One of them even quoted erroneous and outdated data on the PCE levels.

If you vote to approve the loan, you will be sending a message that the public comment period in the DTSC process has no impact on political decisions. At the Budget Committee Meeting, Supervisor Mar himself knew there was something terribly wrong with this rush to circumvent the process, but when he received pressure from Supervisors Haney and Safai, Mar quickly changed his position to table the loan. Supervisor Mar should be ashamed. The facts have not changed. Each site is unique. A rush to meet the numbers is not the correct way to make decisions.

The houses along 26th Ave. and 27th Ave. 100 feet from the proposed project have an old foundations. There are cracks and penetrations where PCE soil vapor can escape from the soil and go into those houses. As yet, no one has bothered to test for PCEs in in these houses that are clearly so vulnerable. Six or more of these immediate neighbors suffer from cancer or Parkinson's disease.

How long will it take for the Supervisor Mar, the BOS, the Mayor, MOHCD, TNDC to be serious about the health of these neighbors?

It is unconscionable to pass approval on the loan until more is known on the toxins in the soil which we know are under these houses to the north of 2550. How can you sleep at night knowing that DTSC is ONLY responsible for putting a vapor barrier under 2550 and do nothing for these immediate neighbors where there is PROOF that the toxins are ALREADY present? This is your responsibility. You are aware and to vote YES will be on all your records.

Do not allow this project financing to move forward. Do the right thing. Allow due process to take place. This is not nimbyism. It is COMMON SENSE. Apply a full CEQA process to this site. Do not take shortcuts to meet a numbers count on affordable housing. WE have experts who can assist you. Allow us to assist.

I urge you to vote no on the loan to give a clear message to developers and your fellow legislators. Just because San Francisco needs affordable housing and SB35 gives you a streamlined process, does not mean you can forego the normal processes and guidelines that protect the health of San Francisco residents and the beauty and the functionality of the city itself. MOHCD needs to know that it needs a proper

market study of a piece of land, that includes the cost of removal or remediation of any toxic chemicals, before committing taxpayer dollars to a piece of land that is offered at more than twice its assessed value.

Developers and Supervisors cannot be encouraged to cut corners and claim that nothing would be different if they did things the right way.

I urge you to say to TNDC and the MOHCD to stop and allow full diligence. Do not approve this loan.

Saying that “public comment on cancer-causing chemicals would not provide any new information” is not a statement we endorse.

Thank you.

Kathleen Kelley

On behalf of myself and

The Sunset Residents Association

From: [Nick Stokes](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)
Cc: [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#)
Subject: Oppose the pre-development loan for 2550 Irving Street (TNDC)
Date: Sunday, July 18, 2021 11:50:22 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:-

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late '20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.

It should be right-sized to 4 stories.

We need Design with Dignity — I can't imagine the lack of quality of life for families living in a densified hotel development like this.

There are many examples of affordable housing that offer much better choices for the families living in them. Please study them, so you can be accountable to the families who will eventually move in.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a

smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

Nick Stokes
1261 28th Avenue

From: [Mike Lem](#)
To: [Nick Stokes](#)
Cc: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#)
Subject: Re: Oppose the pre-development loan for 2550 Irving Street (TNDC)
Date: Monday, July 19, 2021 1:27:09 PM

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Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:-

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Sincerely,

Mike Lem
1274 28th Avenue

On Sun, Jul 18, 2021 at 11:49 PM Nick Stokes <nickjc.stokes@gmail.com> wrote:

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:-

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late '20s.

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Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

We need Design with Dignity — I can't imagine the lack of quality of life for families living in a densified hotel development like this. There are many examples of affordable housing that offer much better choices for the families living in them. Please study them, so you can be accountable to the families who will eventually move in.

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Sincerely,

Nick Stokes
1261 28th Avenue

From: [Suzy](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: Resolution Number 210763, 7/20/21 BOS meeting
Date: Monday, July 19, 2021 12:32:53 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor and Mayor Breed,

I am in the Sunset Neighborhood OPPOSED to the approval of 2550 Irving Affordable housing as currently proposed.

This housing is out of scale with our neighboring buildings and lacks space for all the automobiles that will need a place to park. It is an expensive project.

I propose that you spend the budget perfecting the other sites that the city has developed. The project on Haight and Stanyan needs to be completed and operational. The Navigation Center can house more instead of the tents and drug use near by. Our city desperately NEEDS REHAB and mental health services. There are drug addicts and mental health persons that need help first so you can get them off the streets. Redirect your funds for this 2550 Irving project and help them.

Please focus on keeping your residents in San Francisco. Take care of all the crime, drug use, mental health and help us feel safe again.

Sincerely,
Suzy C
28th Avenue
San Francisco District 4

From: [Harry S. Pariser](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Please do not extend loan to Randy Shaw!
Date: Monday, July 19, 2021 12:36:32 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

The loan to Randy Shaw for the atrocious Irving Street monolith is a bad deal for taxpayers and should be rejected.

You already know all the reasons.

Will you do the right thing?

Sincerely,

Harry S. Pariser

From: [Karen Ho](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Objection to building 7 story affordable housing on 2550 Irving Street
Date: Monday, July 19, 2021 1:15:09 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

We are residents of Sunset District raising objection to building a 7 story affordable housing on 2550 Irving Street.

The reasons are:

1. Lack community engagement.
2. Toxic issue unresolved.
3. Lack of transparency.
4. Overburden resources and parking difficulties.

William Ho

Get [Outlook for Android](#)

From: [Sunset CommunityAlliance](#)
To: [BOS Legislation, \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Noonan, Jacob \(MYR\)](#)
Subject: File# 210763, BOS meeting 7/20/21, letters from immediate neighbor of 2550 Irving project
Date: Monday, July 19, 2021 11:31:51 AM
Attachments: [june30_signed_petitions_batch1.pdf](#)
[june30_signed_petitions_batch2.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

Attached are the opposition letters from the immediate impact neighbors of 2550 Irving Project. Please file and record the documents in the 2550 Irving Project case.

As the package Sunset Community Alliance sent out on 7/18/2021 mentioned that we have about 130 opposed letters signed by the immediate neighbors of 2550 Irving Project. Please see the attachment for it. We block part of the signers' name and the number of the address for privacy reasons. Original copies can be provided upon request. The files are too big to send at once, so we are sending a total of 3 batches in 2 separate emails. Attached email includes batch 1 & 2. Thank you.

Best regards
Sunset Community Alliance

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

我们是一群住在日落区的居民。我们强力反对在2550欧文街兴建七层楼大型可负担房屋计划。这项建筑计划过于庞大, 与日落区本有具历史性的社区风格完全不符合。不止如此, 开发商也TNDC 已经证实了这栋庞大巨型的建筑物, 将剥夺附许多居民的日照权。以下是我们其他反对的原因和要求:

- **庞大不当的设计 - 将七层楼改成四层楼** 必须要和社区原本特色融合, 并且能够和日落区以及其他加州住宅区里的可负担房屋设计具有一致性。
- **造价昂贵不合理** - 这个项目的每户造价是100万美元, 高出三藩市可负担房屋平均造价的60%。我们要求要有不同的开发商公平竞争。
- **停车位严重不足** - 停车位的设计应从 11% 增加至 25%。
- **环境污染问题** - PCE 的有毒气体已在项目预定地被发现。我们要求在项目通过之前, 必须要经过详细的环境影响评估, 并提出解决方法以保护新住民以及当地居民的健康。
- **基础设施评估调查** - 如果市府打算在欧文街上盖两栋可负担房以容纳800个新住民, 必须先提出基础设施影响调查, 包括: 交通运输系统, 学校, 水资源及地下水管容量调查, 社区安全...等等。
- **工程的负面影响** - 必须提出对于附近居民在施工期间以及之后带来的负面影响及解决方法, 包括: 日照, 阴影, 隐私权, 对百年老屋地基破坏, 及施工期间各种影响的报告。
- **确保社区居民的声音以及建议能够被采纳**。如果有必要, 延后项目进行, 以确保社区居民的权益以及声音在不同的会议当中被听见和接纳。

 **CONFIDENTIAL** CHEN

名字 (print)



签名

CONFIDENTIAL

地址


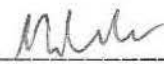
19th Ave. S.F. CA 94116

June 30, 2021

Dear Supervisor Mar, The Board of Supervisors and Director Shaw,

We are residents of the Sunset District who vehemently oppose the proposal to build a 7-story affordable housing apartment building at 2550 Irving. The mass and density of the building make it incompatible with the historic character of the neighborhood. The building not only looks completely out of place, but it will cause massive shadows (as confirmed by the TNDC's own study). We oppose the project for the following reasons:

- **IT IS TOO OUT OF SCALE - Reduce the height of the building from 7 stories to 4 stories** and design it in harmony with the surrounding neighborhood and consistent with other proposed affordable developments in the Sunset and successful affordable housing projects in CA.
- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered.
- **NOT ENOUGH PARKING** - Increase the parking-to-unit ratio from 11% ratio to 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground the 2550 Irving St site. Before adding more new residents, the issue needs to be remediated. A full Environmental Impact Review is necessary.
- **INFRASTRUCTURE** - If the city wants to add 800+ people with 2 AH projects on Irving, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.
- **CONSTRUCTION IMPACT** - Study the impacts on immediate neighbors and propose mitigation – including accommodations for shade, privacy, construction impacts on foundations of nearby houses, etc.

 
CONFIDENTIAL


Full Name (print)



Signature

CONFIDENTIAL

Address

26th Ave SF CA 94112 

June 30, 2021

Dear Supervisor Mar, The Board of Supervisors and Director Shaw,

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CONFIDENTIAL Mei Chen

Full Name (print)



Signature

CONFIDENTIAL

Address

23rd Ave San Francisco 94122

June 30, 2021

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100%

CONFIDENTIAL Fry

Full Name (print) Signature

CONFIDENTIAL 23rd Ave

Address

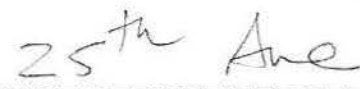
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Full Name (print) Signature


Address

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Full Name (print) Signature


Address

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CONFIDENTIAL MARIA SUNGA

Full Name (print)



Signature

CONFIDENTIAL

Residence 82, SF CA 94134

Address

June 30, 2021

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- **IT IS TOO OUT OF SCALE** - Reduce the height of the building from 7 stories to 4 stories and design it in harmony with the surrounding neighborhood and consistent with other proposed affordable developments in the Sunset and successful affordable housing projects in CA.
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- **CONSTRUCTION IMPACT** - Study the impacts on immediate neighbors and propose mitigation – including accommodations for shade, privacy, construction impacts on foundations of nearby houses, etc.

 **CONFIDENTIAL** C STOKES 

Full Name (print)

Signature

CONFIDENTIAL 2874 AVE 94122

Address

June 30, 2021

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 Maya Michels

Full Name (print)

Maya Michels

Signature



26th Ave

Address

June 30, 2021

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NO Building!

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Steve Gehrman

CONFIDENTIAL

Full Name (print)

Stan C

Signature

CONFIDENTIAL

27th Ave

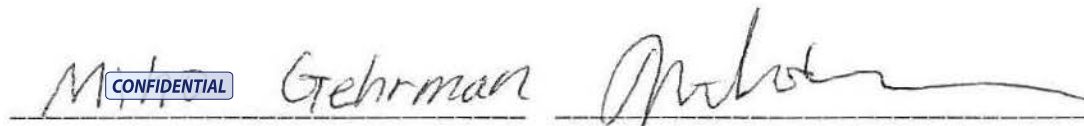
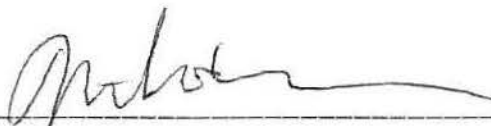
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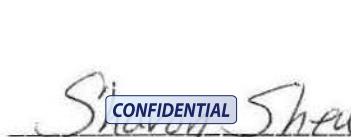

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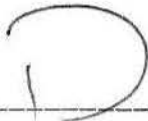
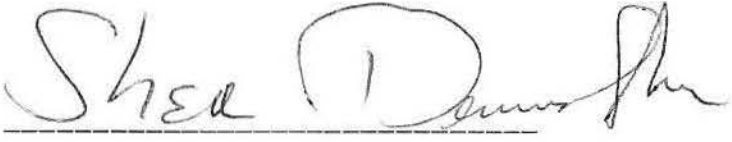

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 **CONFIDENTIAL** 

Full Name (print) Signature

CONFIDENTIAL 2713 Ave

Address

2021年6月30日

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 **CONFIDENTIAL**

名字 (print)

签名

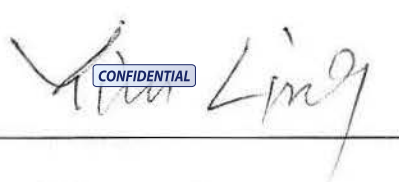
地址

2021年6月30日


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名字 (print)



签名

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D. CONFIDENTIAL SILK Doreen Silk
Full Name (print) Signature

CONFIDENTIAL 26th Ave
Address

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~~CONFIDENTIAL~~ BEBING

Full Name (print)

[Signature]

Signature

~~CONFIDENTIAL~~

25 TH AVE. S.F. CA. 94122

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Han Wu Han Wu

名字 (print)

签名

CONFIDENTIAL 29th AVE, S.F. CA 94122

地址

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Full Name (print) Signature

Address

CONFIDENTIAL

26th Ave.

June 30, 2021

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 **CONFIDENTIAL** BARRANGO

Full Name (print)



Signature

CONFIDENTIAL

KIRKHAM ST. SF

Address

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 Kim Muth



Full Name (print)

Signature



26th Avenue, SF 94122

Address

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

我们是一群住在日落区的居民。我们强力反对在2550欧文街兴建七层楼大型可负担房屋计划。这项建筑计划过于庞大, 与日落区本有具历史性的社区风格完全不符合。不止如此, 开发商也TNDC 已经证实了这栋庞大巨型的建筑物, 将剥夺附许多居民的日照权。以下是我们其他反对的原因和要求:

- **庞大不当的设计 - 将七层楼改成四层楼** 必须要和社区原本特色融合, 并且能够和日落区以及其他加州住宅区里的可负担房屋设计具有一致性。
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K. Zhu Kuan Zhu

名字 (print)

签名

CONFIDENTIAL

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地址

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June 30, 2021

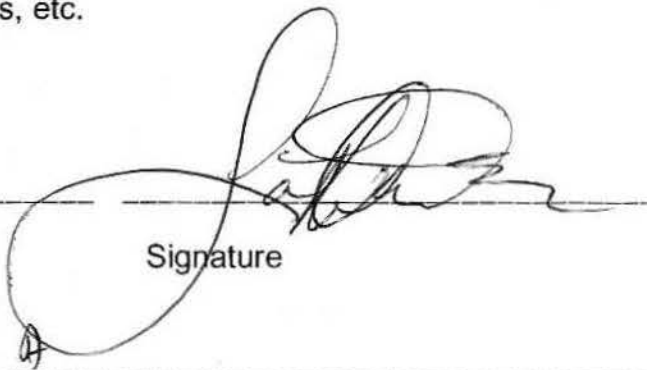
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CONFIDENTIAL

Full Name (print)



Signature

CONFIDENTIAL 20th Ave Apt A

Address

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CONFIDENTIAL
Full Name (print) Signature

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K **CONFIDENTIAL** Fong _____ Katherine Fong _____
Full Name (print) Signature

CONFIDENTIAL 194th Ave SF. _____
Address

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Full Name (print)

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CONFIDENTIAL

HERRMANN Remita Herrmann

Full Name (print)

Signature

CONFIDENTIAL

IRVING ST SF

Address

June 30, 2021

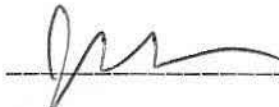
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Shumilova

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Address

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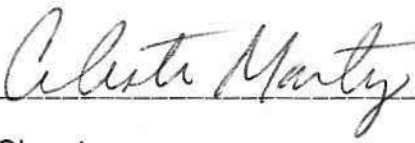
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Full Name (print)



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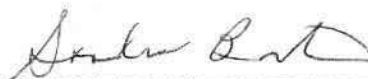
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S **CONFIDENTIAL** BARTON



Full Name (print)

Signature

CONFIDENTIAL

27th AV

Address

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A **CONFIDENTIAL** Chui

Olivia Chui

Full Name (print)

Signature

CONFIDENTIAL

31st Ave


Address

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8. **CONFIDENTIAL** Etzler 
Full Name (print) Signature

CONFIDENTIAL 1110a 94116
Address

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

我们是一群住在日落区的居民。我们强力反对在2550欧文街兴建七层楼大型可负担房屋计划。这项建筑计划过于庞大, 与日落区本有具历史性的社区风格完全不符合。不止如此, 开发商也TNDC 已经证实了这栋庞大巨型的建筑物, 将剥夺附许多居民的日照权。以下是我们其他反对的原因和要求:

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名字 (print)

签名

CONFIDENTIAL

地址

27th Ave S.F CA 94122

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28TH AVENUE, SAN FRANCISCO


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 SEAN WANG Samuel
名字 (print) 签名

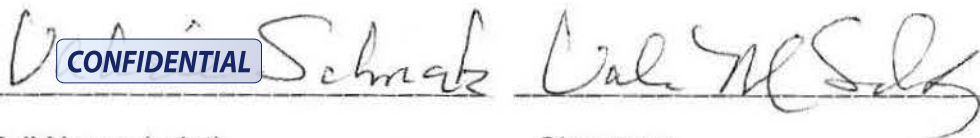
 41st Ave S F 94116
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Ma **CONFIDENTIAL** O'Connor Mary Ellen O'Connor
Full Name (print) Signature

CONFIDENTIAL 26th Ave SF, CA 94122
Address

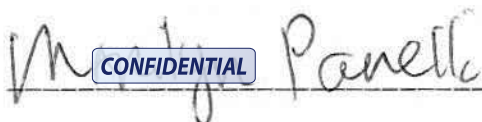
I do not support this project

June 30, 2021

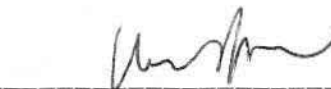
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Full Name (print)

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27 Ave.

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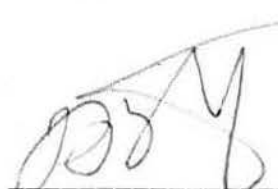
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 no affordable house

Full Name (print)

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CONFIDENTIAL

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 S. Hill

Full Name (print)



Signature



Address


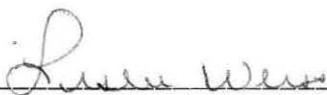
26th AVE, SF, CA 94122

June 30, 2021

Dear Supervisor Mar, The Board of Supervisors and Director Shaw,

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Full Name (print) Signature


Address

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A **CONFIDENTIAL** - Don Cow

Full Name (print)

Signature

CONFIDENTIAL

Address

27th Avenue, San

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A handwritten signature in cursive script, appearing to read 'Adam Michels', written over a horizontal line.

CONFIDENTIAL

Full Name (print)

Signature

CONFIDENTIAL

26th Ave

Address

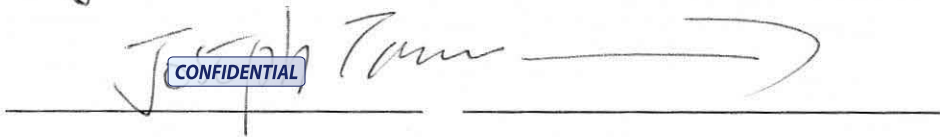
2021年6月30日

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- **造价昂贵不合理** - 这个项目的每户造价是100万美元, 高出三藩市可负担房屋平均造价的60%。我们要求要有不同的开发商公平竞争。
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 **CONFIDENTIAL**

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名字 (print)

签名

CONFIDENTIAL

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CONFIDENTIAL

Full Name (print)

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CONFIDENTIAL


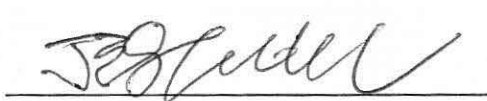
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2021年6月30日

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 **CONFIDENTIAL** 

名字 (print)

签名

CONFIDENTIAL

地址

24th Ave San Francisco, CA 94122

June 30, 2021


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CONFIDENTIAL

Full Name (print)



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CONFIDENTIAL

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Y **CONFIDENTIAL**

Ho



Full Name (print)

Signature

CONFIDENTIAL

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29th Ave San Francisco, CA 94122

2021年6月30日

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 **CONFIDENTIAL**

Full Name (print)

ALEX CALLAN

Signature

CONFIDENTIAL

Address

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S. **CONFIDENTIAL** Chabany S. Chabany
Full Name (print) Signature

CONFIDENTIAL 29th Ave San Francisco, CA 94122
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V **CONFIDENTIAL** Chaban _____
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CONFIDENTIAL 29th Ave San Francisco, CA 94122 _____
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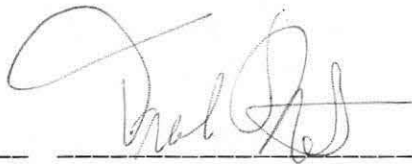
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CONFIDENTIAL

Full Name (print)



Signature

CONFIDENTIAL

28th Ave, SF 94122



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 **CONFIDENTIAL**

Full Name (print)


Signature

CONFIDENTIAL

Address


17th Ave., S.F. CA 94116

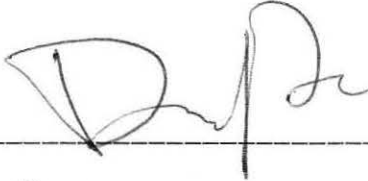
June 30, 2021

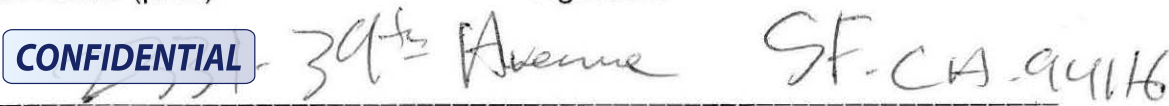
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Full Name (print) **CONFIDENTIAL** Fu


Signature


Address **CONFIDENTIAL** 3945 Avenue SF, CA 94116

June 30, 2021

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M **CONFIDENTIAL** Kuenzli

Full Name (print)

Michael Edwin Kuenzli

Signature

CONFIDENTIAL 21 Avenue

Address

June 30, 2021

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Ruth Ho T Robert Ho
Full Name (print) Signature

CONFIDENTIAL Cerritos Ave. San Francisco, CA 94127
Address

June 30, 2021

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CONFIDENTIAL BEBING _____ MEO

Full Name (print)

Signature

CONFIDENTIAL 25th AVE. SF. 94122

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June 30, 2021

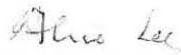
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 Arima 

Full Name (print)

Signature

 2819 Ave SF CA


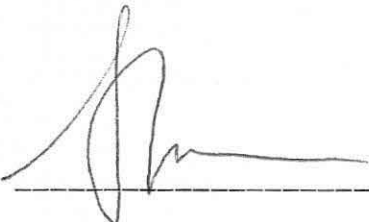
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R. **CONFIDENTIAL** Lee Raymond Lee

Full Name (print)

Signature

CONFIDENTIAL 27th Ave,
Address

June 30, 2021

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Grace Lai Grace Lai
Full Name (print) Signature

CONFIDENTIAL Irving Street, San Francisco, Ca 94122
Address

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

我们是一群住在日落区的居民。我们强力反对在2550欧文街兴建七层楼大型可负担房屋计划。这项建筑计划过于庞大, 与日落区本有具历史性的社区风格完全不符合。不止如此, 开发商也TNDC 已经证实了这栋庞大巨型的建筑物, 将剥夺附许多居民的日照权。以下是我们其他反对的原因和要求:

- **庞大不当的设计 - 将七层楼改成四层楼** 必须要和社区原本特色融合, 并且能够和日落区以及其他加州住宅区里的可负担房屋设计具有一致性。
- **造价昂贵不合理** - 这个项目的每户造价是100万美元, 高出三藩市可负担房屋平均造价的60%。我们要求要有不同的开发商公平竞争。
- **停车位严重不足** - 停车位的设计应从 11% 增加至 25%。
- **环境污染问题** - PCE 的有毒气体已在项目预定地被发现。我们要求在项目通过之前, 必须要经过详细的环境影响评估, 并提出解决方法以保护新住民以及当地居民的健康。
- **基础设施评估调查** - 如果市府打算在欧文街上盖两栋可负担房以容纳800个新住民, 必须先提出基础设施影响调查, 包括: 交通运输系统, 学校, 水资源及地下水管容量调查, 社区安全...等等。
- **工程的负面影响** - 必须提出对于附近居民在施工期间以及之后带来的负面影响及解决方法, 包括: 日照, 阴影, 隐私权, 对百年老屋地基破坏, 及施工期间各种影响的报告。
- **确保社区居民的声音以及建议能够被采纳**。如果有必要, 延后项目进行, 以确保社区居民的权益以及声音在不同的会议当中被听见和接纳。

PT **CONFIDENTIAL** KUONG phaa hong

名字 (print)

签名

CONFIDENTIAL

2874 AVE. S.F. CA 94122

地址

June 30, 2021

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CONFIDENTIAL Rodriguez Karen Rodriguez

Full Name (print)

Signature

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Address


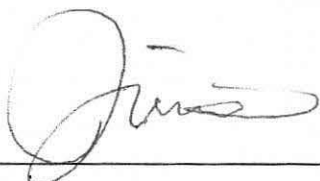
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 **CONFIDENTIAL** Lin 

名字 (print)

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CONFIDENTIAL 24th. ave. S.F. CA-94122

地址

June 30, 2021

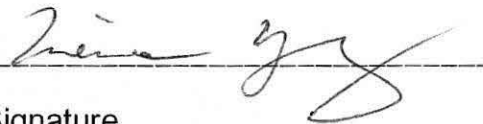
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M. Young

Full Name (print)



Signature

17th Ave

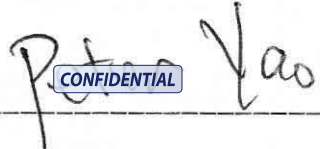
Address

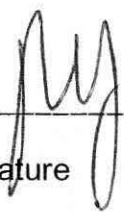
June 30, 2021

Dear Supervisor Mar, The Board of Supervisors and Director Shaw,

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Full Name (print) **CONFIDENTIAL** Yao


Signature

CONFIDENTIAL 26th Ave SF CA 94122
Address

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• Sets the wrong precedent for the Amphitheatre Contour of Sunset.

CONFIDENTIAL Ward

Steve Ward

Full Name (print)

Signature

CONFIDENTIAL

Address

Great Hwy #103 94122

- Violates the principle that permanent large installations should benefit the community in which they come to rest
- Other housing potentials should be examining before bordering & lowering quality of life in our neighborhoods. (Retrofit offices downtown 20% vacancy rates) - Other sites outside SF.

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

我们是一群住在日落区的居民。我们强力反对在2550欧文街兴建七层楼大型可负担房屋计划。这项建筑计划过于庞大, 与日落区本有具历史性的社区风格完全不符合。不止如此, 开发商也TNDC 已经证实了这栋庞大巨型的建筑物, 将剥夺附许多居民的日照权。以下是我们其他反对的原因和要求:

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~~CONFIDENTIAL~~ CHAN

名字 (print)

Shirley Chan

签名

~~CONFIDENTIAL~~ 27TH AVE. 5-F. CA 94122

地址

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

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Jim **CONFIDENTIAL** Lin *Francisco*

名字 (print)

签名

CONFIDENTIAL

地址

24th Ave. San Francisco CA 94122

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

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Shaw
CONFIDENTIAL

Shaw H. Ma

名字 (print)

签名

CONFIDENTIAL

23rd Ave

地址

2021年6月30日

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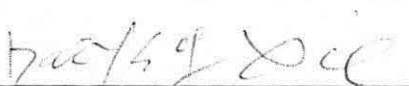
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名字 (print)

签名


CONFIDENTIAL



地址


CONFIDENTIAL

2021年6月30日

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签名

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地址

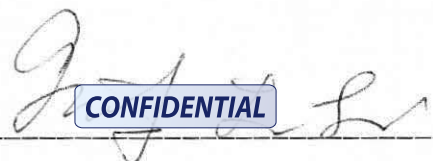
2550 Irving St SF, CA 94134

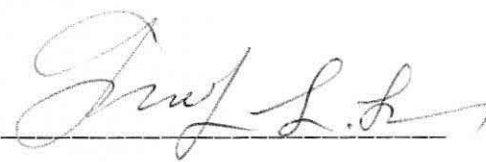
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Full Name (print)


Signature

CONFIDENTIAL

Address

31st Ave S.F. Ca. 94122

June 30, 2021

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W. Chan

CONFIDENTIAL

Full Name (print)



Signature

CONFIDENTIAL

Address

29th Ave SF CA. 94122

June 30, 2021

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S **CONFIDENTIAL** TONG _____
Full Name (print) Signature

CONFIDENTIAL 25th Ave #101, SF 94122
Address

2021年6月30日

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Pe **CONFIDENTIAL** Lin

Rev. Dr. J.

名字 (print)

签名

CONFIDENTIAL

27th Ave S.F. Ca. 94122

地址

June 30, 2021

Dear Supervisor Mar, The Board of Supervisors and Director Shaw,

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Le **CONFIDENTIAL** *King Louie*

Full Name (print)

Shannalee Hewitt

Signature

CONFIDENTIAL

Address


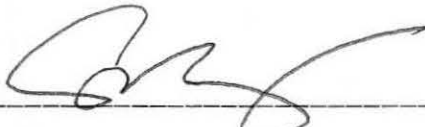
Bridgeview Dr. San Francisco, CA 94124

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Full Name (print) Signature

CONFIDENTIAL

Address


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CONFIDENTIAL Macdonald *ADM Macdonald*

Full Name (print)

Signature

CONFIDENTIAL 26th Ave

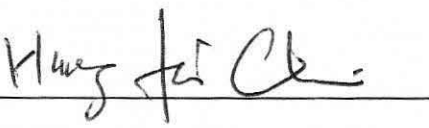
Address

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

我们是一群住在日落区的居民。我们强力反对在2550欧文街兴建七层楼大型可负担房屋计划。这项建筑计划过于庞大, 与日落区本有具历史性的社区风格完全不符合。不止如此, 开发商也TNDC 已经证实了这栋庞大巨型的建筑物, 将剥夺附许多居民的日照权。以下是我们其他反对的原因和要求:

- 。 **庞大不当的设计 - 将七层楼改成四层楼** 必须要和社区原本特色融合, 并且能够和日落区以及其他加州住宅区里的可负担房屋设计具有一致性。
- 。 **造价昂贵不合理** - 这个项目的每户造价是100万美元, 高出三藩市可负担房屋平均造价的60%。我们要求要有不同的开发商公平竞争。
- 。 **停车位严重不足** - 停车位的设计应从 11% 增加至 25%。
- 。 **环境污染问题** - PCE 的有毒气体已在项目预定地被发现。我们要求在项目通过之前, 必须要经过详细的环境影响评估, 并提出解决方法以保护新住民以及当地居民的健康。
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H **CONFIDENTIAL** Chui 

名字 (print)

签名

CONFIDENTIAL 31st AVE. S.F. CA. 94122


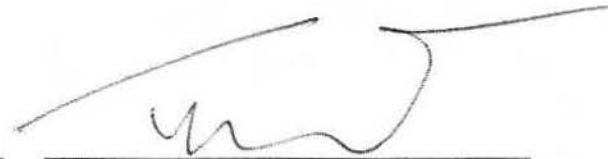
地址

2021年6月30日

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名字 (print)

签名

CONFIDENTIAL

29TH AVE SF, CA 94122

地址

From: [Sunset CommunityAlliance](#)
To: [BOS Legislation, \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Noonan, Jacob \(MYR\)](#)
Subject: Re: File# 210763, BOS meeting 7/20/21, letters from immediate neighbor of 2550 Irving project
Date: Monday, July 19, 2021 11:34:19 AM
Attachments: [june30_signed_petitions_batch3.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

Attached are the opposition letters from the immediate impact neighbors of 2550 Irving Project. Please file and record the documents in the 2550 Irving Project case.

Attached is the 3rd batch of the opposition signatures for 2550 Irving Project signed by immediate neighbors. Thank you.

Best regards
Sunset Community Alliance

On Mon, Jul 19, 2021 at 11:30 AM Sunset CommunityAlliance
<sunsetcommunityalliance@gmail.com> wrote:

Dear Supervisors:

Attached are the opposition letters from the immediate impact neighbors of 2550 Irving Project. Please file and record the documents in the 2550 Irving Project case.

As the package Sunset Community Alliance sent out on 7/18/2021 mentioned that we have about 130 opposed letters signed by the immediate neighbors of 2550 Irving Project. Please see the attachment for it. We block part of the signatures' name and the number of the address for privacy reasons. Original copies can be provided upon request. The files are too big to send at once, so we are sending a total of 3 batches in 2 separate emails. Attached email includes batch 1 & 2. Thank you.

Best regards
Sunset Community Alliance

June 30, 2021

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Arata Yee [Signature]
Full Name (print) Signature

CONFIDENTIAL Noniega SA #206 ; 57- CA 94122
Address

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Full Name (print)



Signature

CONFIDENTIAL

27th Ave SF

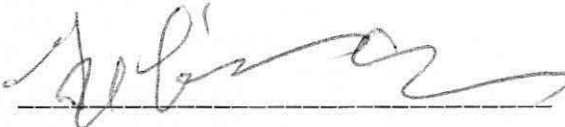
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Y **CONFIDENTIAL** CHAN 
Full Name (print) Signature

CONFIDENTIAL ND 32 AVE S.F. CA 94116
Address

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CONFIDENTIAL

Full Name (print)

Signature

CONFIDENTIAL

Address

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2 **CONFIDENTIAL** HE

Full Name (print)

Signature

CONFIDENTIAL

Address

268 AVZ. SF. CA 94122

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Full Name (print)



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CONFIDENTIAL

F. LARSEN

J. Lulin F. Lulin

Full Name (print)

Signature

CONFIDENTIAL

1410 AV. S F . CA 94122

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S. **CONFIDENTIAL** LAU _____
Full Name (print) Signature

CONFIDENTIAL 26th AVE. S.F. CA. 94122 _____
Address

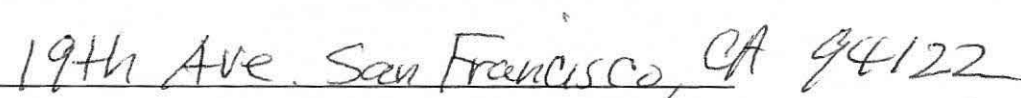
2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

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W. Fung 
名字 (print) 签名


地址

June 30, 2021

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5 - 2550 - LAU _____
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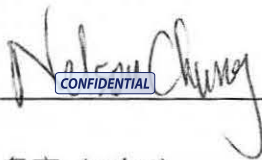
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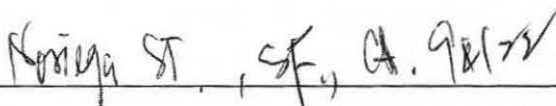
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CONFIDENTIAL
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P

CONFIDENTIAL

ASTURIAS

Patricia Asturias

Full Name (print)

Signature

CONFIDENTIAL

LYRLINE ST. 94122

Address

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Wong, D. **CONFIDENTIAL** 

Full Name (print)

Signature

CONFIDENTIAL 26th AVE

Address

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Ho, Ha **CONFIDENTIAL**

Full Name (print)

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CONFIDENTIAL

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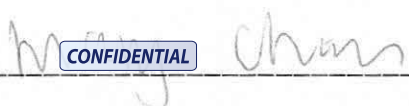
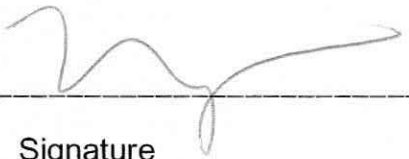
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Anne Y. [Signature]

Full Name (print)

Signature

CONFIDENTIAL

Address

204 SF CA 94122

June 30, 2021

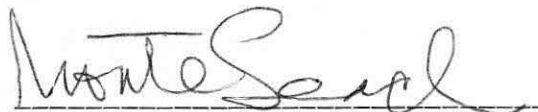
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 **CONFIDENTIAL** LEACH

Full Name (print)



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Address

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Samuel Samu

Full Name (print)

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CONFIDENTIAL Asturias

Full Name (print)

Ante Pastor

Signature

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Signature 

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Address

774 Ave S.F. CA 94102

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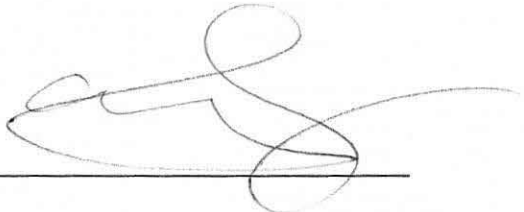
 **CONFIDENTIAL**

名字 (print)

CONFIDENTIAL

地址

签名


26th Ave SF CA 94122

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

我们是一群住在日落区的居民。我们强力反对在2550欧文街兴建七层楼大型可负担房屋计划。这项建筑计划过于庞大, 与日落区本有具历史性的社区风格完全不符合。不止如此, 开发商也TNDC 已经证实了这栋庞大巨型的建筑物, 将剥夺附许多居民的日照权。以下是我们其他反对的原因和要求:

- **庞大不当的设计 - 将七层楼改成四层楼** 必须要和社区原本特色融合, 并且能够和日落区以及其他加州住宅区里的可负担房屋设计具有一致性。
- **造价昂贵不合理** - 这个项目的每户造价是100万美元, 高出三藩市可负担房屋平均造价的60%。我们要求要有不同的开发商公平竞争。
- **停车位严重不足** - 停车位的设计应从 11% 增加至 25%。
- **环境污染问题** - PCE 的有毒气体已在项目预定地被发现。我们要求在项目通过之前, 必须要经过详细的环境影响评估, 并提出解决方法以保护新住民以及当地居民的健康。
- **基础设施评估调查** - 如果市府打算在欧文街上盖两栋可负担房以容纳800个新住民, 必须先提出基础设施影响调查, 包括: 交通运输系统, 学校, 水资源及地下水管容量调查, 社区安全...等等。
- **工程的负面影响** - 必须提出对于附近居民在施工期间以及之后带来的负面影响及解决方法, 包括: 日照, 阴影, 隐私权, 对百年老屋地基破坏, 及施工期间各种影响的报告。
- **确保社区居民的声音以及建议能够被采纳**。如果有必要, 延后项目进行, 以确保社区居民的权益以及声音在不同的会议当中被听见和接纳。

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地址

3242 E 9th CA 94116

2021年6月30日

敬爱的马参事, 市参事们, Shaw 局长:

我们是一群住在日落区的居民。我们强力反对在2550欧文街兴建七层楼大型可负担房屋计划。这项建筑计划过于庞大, 与日落区本有具历史性的社区风格完全不符合。不止如此, 开发商也TNDC 已经证实了这栋庞大巨型的建筑物, 将剥夺附许多居民的日照权。以下是我们其他反对的原因和要求:

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- **确保社区居民的声音以及建议能够被采纳**。如果有必要, 延后项目进行, 以确保社区居民的权益以及声音在不同的会议当中被听见和接纳。

名字 (print)

签名

CONFIDENTIAL

地址

N

From: [Christy Tam](#)
To: [BOS Legislation. \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Noonan, Jacob \(MYR\)](#); [Lew, Lisa \(BOS\)](#)
Subject: File# 210763, BOS meeting 7/20/21, letters from immediate neighbor of 2550 Irving project
Date: Monday, July 19, 2021 12:28:41 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

<!--[if !supportLists]-->● <!--[endif]--> **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

<!--[if !supportLists]-->● <!--[endif]--> **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

<!--[if !supportLists]-->● <!--[endif]--> **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing

neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

<!--[if !supportLists]-->● <!--[endif]-->ENVIRONMENTAL CONCERNS - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

<!--[if !supportLists]-->● <!--[endif]-->CONSTRUCTION IMPACT - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

<!--[if !supportLists]-->● <!--[endif]-->INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident, Christy Tam

From: [ada ling](#)
To: [Board of Supervisors, \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Letter for File# 210763, BOS meeting 7/20/21. from immediate neighbor of 2550 Irving project
Date: Sunday, July 18, 2021 10:14:17 PM
Attachments: [letter to BOS.File#210763, Meeting7.20.21 \(A\).docx](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board Of Supervisor,

My name is Ada Ling, I live at 27th Ave, between Irving and Lincoln. The 2550 Irving Project has the direct impact on my house. I

I hope the project surrounding neighbor voice can be heard and not be covered by the people from outside of the Mid Sunset District with the attitude of YIOBY. (Yes, support to build house on other's backyard).

Attached is my letter regarding 2550 Irving project. Please include it on the 7/20/21 BOS meeting attachment of community package.

Thank you
Ada

Board of Supervisor,

My name is Ada Ling, I live at 27th Ave, between Irving and Lincoln. The 2550 Irving Project has the direct impact on my house.

I have sent many letters to TNDC and Gordon Mar and planning department to raise the concerns regarding this project, such as the density, community facility improvement, most worry on the toxic issue. However, no any surrounding neighbors opinion be counted.

I **oppose** the original 7 floor project by TNDC and **support** the modified 4 floor project by MSNA. Since our voice never be herd, our community group have to engage series of community activities to voice our concerns (see pictures below).

I hope the project surrounding neighbor voice can be heard and not be covered by the people from outside of the Mid Sunset District with the attitude of YIOBY. (Yes, support to build house on other's backyard).

Thank you

Ada Ling





From: [Christy Tam](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Oppose As Proposed for 2550 Irving
Date: Sunday, July 18, 2021 10:16:37 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

July 18, 2021

Dear Supervisors:

My name is Zhao K Liang, I live within 1000 ft from the proposed project of 2550 Irving. I am writing on behalf of my family of 5 to oppose as proposed. We support 4 stories, but 7 stories is too high and does NOT fit the character of this neighborhood.

I am extremely upset for TNDC and Supervisor Mar for not been transparent about this project to the direct impact neighbors. Our voices were never been heard and never been respected. During Zoom meeting hosted by TNDC, every meeting was like a lecture, there was no two way communication between neighbors and developer TNDC or Mr. Mar. Tons of concerns bring up in meeting, none of them were answered. We were muted it after 2 meeting and chat box was closed due to high volume of concerns/questions. Again, TNDC did NOT want to hear from us, so they muted everyone.

I also attended the 6/30/21 community meeting at St Anne, over 170 people attend. Supervisor Mar was there only 40 minutes during the 2 hours meeting. Many neighbors got very upset and shout out to recall him because his did NOT do his job by bring our voices to the city hall.

This project is lack of transparency and lack of community engagement from the direct impact neighbors. Our family oppose as proposed!

Best

Zhao K Liang

From: [Joseph Tam](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing 7 story of 2550 Irving affordable housing project
Date: Sunday, July 18, 2021 10:28:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear supervisors

I am writing in behalf of my whole family consisted of 4 members , daughter , spouse and grandparent. We have been living on 29ave of Irving of Sunset since 1998. We raise objection to the project because it is lacking clarity , transparency and suspected to be dark room deal for financial interests of all parties involved since scandal corruption are no strangers to San Francisco. It is absurd for one million to build one unit. Let me tell you honestly , many callers and supporters are manipulated and coached by politician. They are feigned supporters not living even in San Francisco and Sunset district. While the toxic issue , sunlight shade, parking space and congestion problem are not resolved , please defer the project with a patchy plan for the time being. It is too costly to build one unit with one millions so it is grossly unfair to our tax payers. We demand for 4 story of the building as a compromise and a full investigation of any party involved with self financial interest before casting your vote of approval

Joe Tam

Sent from my iPhone

From: [Sunset CommunityAlliance](#)
To: [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Noonan, Jacob \(MYR\)](#)
Subject: Package for File# 210763, BOS meeting 7/20/21 from immediate neighbor of 2550 Irving project
Date: Sunday, July 18, 2021 11:14:39 PM
Attachments: [Opposition Package to BOS .pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

We are a Sunset Community Alliance group. A group of immediate neighbors from the proposed project of 2550 Irving. Majority of us are working immigrant families who speak very limited or no English. We are writing this letter on behalf of 217 of our members and families. **The developer TNDC has NOT been complying with the NOFA funding requirements for adequate community engagement and purposely hide the truth from the surrounding impacted neighbors**

Please see attached package which includes the details of the TNDC and Supervisor Mar has not been transparent about the project process or made efforts to engage the community; and they conduct meaningless community outreach activities.

Sincerely

Sunset Community Alliance

July 17, 2021

Board of Supervisors,

We are Sunset Community Alliance group. A group of immediate neighbors from proposed project of 2550 Irving. Majority of us are working immigrant families who speak very limited or no English. We are writing this letter on behalf of 217 of our members and families. **The developer TNDC has NOT been complying with the NOFA funding requirements for adequate community engagement and purposely hide the true from the surrounding impacted neighbors.**

When the neighbors first found out the project, everyone was so upset and dismayed because there wasn't any official announcement from either the developer TNDC or our district supervisor Mar. In fact, **surrounding neighbors found out about the project by an anonymous letter placed under their doors by an opponent of the project on 12/23/2020 when it was one year later after the project planning started at January, 2020.** As natural reaction, most of us was shocked and so agonized to go against it. Our district Supervisor Mar, spread information on social media that his team had done an outreach of a massive survey from July until November 2020 highlighting the majority of people were supporting the building project. In fact, this is not the case. All Mid-Sunset residents were all kept in the dark until late December 2020 when the pipeline of building construction on 2550 Irvine Street was leaked out to the public fortuitously. While all the immediate neighbors were shrouded with the deal, what TNDC's Proposal responded to NOFA is clearly dishonest presenting a misleading picture to the City.

As our elected district supervisor Mr. Mar, we believe he should take into an account of the best community interests and sentiments about the proposed project housing on 2550 Irving in his decision making. Obviously, he has failed to fulfill his obligation as our district supervisor and let us down in distress. Few immediate neighbors and Supervisor Mar had a face to face meeting on March 16, 2021 on corner of Irving/21st Ave. We were disappointed that he was evasive to shift the responsibility to TNDC as the pivotal decision maker while he did not have a hand on undertaking the project and he even did not a know much about the cost of building the project until lately. However, according to what we found out from the TNDC's proposal which clearly indicated Supervisor Mar knew about this project at the early stage of the planning process and he supported the project by **helping TNDC form and identify 4 groups to support this project in a way to substitute those opposing voices of Sunset neighbors in order to push through the project without encountering any**

resistance of the proposal due date on 1/30/2020 and obtaining the award of the project in August, 2020. The 4 groups including The People of Parkside Sunset Coalition, The Sunset Neighborhood Beacon Center, Sunset Youth Services and The Sunset Family Resource Center. This planning process is not acceptable which violate the NOFA funding requirement regarding community support. **It sparks off public resentment that Gordon Mar used the unethical methods in the whole process of project planning and outreach process and deprived the property right of impacted neighbor's to demand for modified plan of the project.** Honestly, if TNDC and/or Supervisor Mar can have an effective/honest communicate with the immediate neighbors, we believe the confrontation between him and the Sunset residents would not have been so intense. Worst of all, he identified those residents raising opposing voices to this project as racist and classy in sunset Beacon newspaper in April. This is obviously a tactic of divide and conquered through labeling and political polarization. An informal survey highlighted Gordon Mar has lost the trust and confidence of most Sunset residents.

On the Budget-Finance-Committee meeting dated 7/14/2021, TNDC organized lots of YIOBY (**Yes in Other's Back Yard**) callers to support this project. They simply support to maximize the height without taking consideration of problems/issues of high density this building may have caused. **However, the project impacted neighbors, especially the Chinese American residents who compose 56% of Sunset population have no chances to speak out,** since the entire meeting is in English. Although the Chinese translator is available, she didn't perform translation from English to Chinese adequately, so the translator has her work only on one minute speech in Chinese amount entire 4 hours meeting. When our members raised more translated questions, the meeting ended up abruptly. Our concerns and opinions for the specific project of 2550 Irving were not heard again. We support affordable housing, but we believe low density like 4 stories is best fit in this location. Our demands below for TNDC are key issues raised by neighbors. **We believe this project should NOT be approved in Budget-Finance- Committee hearing which ignored project impacted neighbor comments/concerns regarding this specific project, but take a big count from the AH supporters whose comments applying to any AH project national-wide.** Details as below:

1. Sup. Mar himself raised the **"problematic" decision to pass the loan approval before the public could have input on the plan to clean-up the toxics.**

2. Paul H raised the point that there is a cluster of toxic waste that would cause cancer and Parkinson's Disease around the site .The result of of UCSF's long-term and in depth study suggested **a real problem with 2 toxic gas plumes under the soil that need further testing and investigation.**

3. Joan K. raised the **problem with the assessment of the land.** It did not take into account the presence of toxics, and since a full investigation has not been done, **nobody knows the full cost of proper remediation**, which should include removing the toxic PCEs from the soil rather than simply putting a barrier to protect the new residents at 2550 Irving.

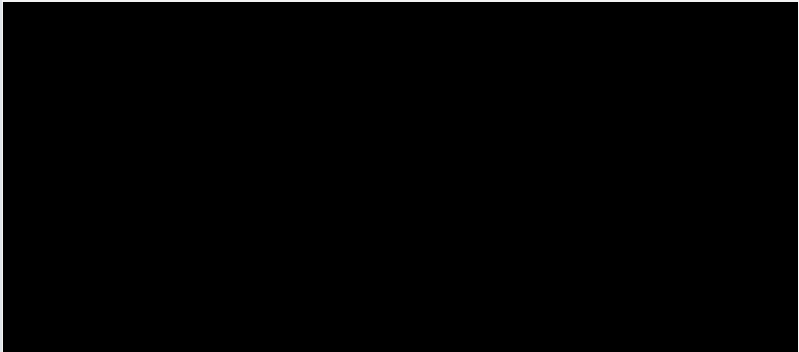

4. Tom and Adam raised the issue that SF Administrative Code section **2A.53 requires a public hearing and determination by the Planning Commission** for any proposal which is complex, being **inconsistent with the General Plan**, or has generated public controversy. Each of these is applicable to the proposed project that the loan would be financing. At minimum, the proposed project is inconsistent with Priority General Plan Policies, No. 2 and 4. (No. 2 Is that existing housing and neighborhood character be conserved and protected.) (No. 4 is that traffic should not overburden and overstrain streets or street parking). The Planning Department has yet to respond.

5. Richard raised the issue that his mother-in-law is immobile and needs **sunshine** to live. Adam raised the issue that his house closed by the proposed project and had **solar light system installed recently. The solar system would be inoperative as the sun is blocked by the imposing height of the project.** Again, his concerns was deliberately ignored.

6. John pointed out the San Francisco Planning Department on 6/21 erroneously approved the General Plan Referral application from MOHCD, which **violates Code Section 101 for Priority Policies.** Also, he informed the Committee that **the Appraisal**, including the Purchase Contract and General Plan Referral, **was not provided to us until the DAY BEFORE the critical Budget Committee meeting.**

7. Yi-Kuan and Christy raised the issue of the **NOFA application was falsely indicating a plan to notify the neighbors and gain support from the neighboring residents. However, no** meaningful compromises and accommodation were even made with the neighbors. During the Budget Committee Hearing, TNDC dishonestly claimed they had active community engagement with the neighbors. However, most of their so-called support group or people are Non-Sunset residents and very few are

immediate neighbors. We have done a meaningful and reliable report by the door to door, citizen to citizens, neighbor by neighbors interview, that overwhelmingly Sunset residents are opposed to this project. Community Input we and others have gathered clearly reflects the failure of the TNDC project in its perception, transparency, community engagement and its ability to maintain a two way communication with all Sunset residents.

Petitions to Oppose the Housing Project:	
Wet Ink Signatures within 1000 ft (As of 7/12/2021) <i>(copies are available upon request)</i>	800
Wet Ink Signatures from Irving Merchants (As of 7/12/21)	95%
Online Signatures (As of 7/12/2021) https://actionnetwork.org/petitions/no-monstrosity-on-irving-street/	1,814
SF Chronicle Quoted Residents Survey (1/20/2021)	82%
Petitions to Modify the Housing Project:	
Online Signatures from MSNA (As of 7/12/2021) Sign the Petition  	880

Since the developer TNDC ignored us and is not willing to work with the community for an acceptable solution for both sides; and our district Supervisor Mar doesn't represent us and bring community concerns on the table, we have no choice but make our voice loud as a group. We did the rallies on the following dates. Each event, residents and merchants took turn to speak with their own opposing voices and reasoning. Attached some pictures from those activities for you for reference.

Rallies: **1/24/21, 2/28/21** in front of 2550 Irving Street

2/21/21 at a Sunset Farmers Market during Chinese New Year Parade. We also submitted a letter of petition to Supervisor Mar's assistant Daisy

5/22/21 in front of 2550 Irving Street

Community Meeting:

6/30/21, community meeting held by Sunset Residents Association, Mid Sunset Neighborhood Association & Sunset Community Alliance. **EVENT NOT HOST BY TNDC OR SUPERVISOR MAR.** For a 2 hours meeting, Mr. Mar only stayed 40 minutes, leaving the whole room of concerns neighbors. **There were over 130 direct impact neighbors each signed a letter opposed as proposed. We included the sample letter for you to read. Since the letter contained signers' address, for privacy reason, we don't include it in this package. We can provide it upon your request.**

In addition to the Zoom meeting hosted by TNDC **on 1/16/21, 1/23/21, 3/15/21, 6/5/21** were not effective. Knowing Sunset has over 54% Chinese population, TNDC provided no translation until March meeting. Majority of the immediate neighbors who don't speak English were ignored; including many elderly who did not know how to use technology were turned away to participate. Since many people raised up lots of negative concerns (some screen shot included, please see attached pages), TNDC set to mute everyone from asking questions or close chat box in Zoom meeting. This had upset the neighbors' event more. All along, T NDC has paid no attention to our voices nor engaged a positive two way communication with the neighbors. They just want to get done few community meeting as require and fast track to get city approve the funding. To all appearances, TNDC only cares about its financial interests at the expense of our tax payers. The cost of over one million for one unit of the hundred is enormous and absurd.

As a community, we tried everything we could to make our voice loud, tried our best in communicating with developer and supervisor, but we feel very helpless, hopeless and are at wits end by now. Email after emails, Supervisor Mar finally agreed for a community meeting, and was scheduled 7/19, which is one day before the full board supervisor meeting. We really hope he can bring the neighbor's voice on the table for full discussion before vote. Overall, the community feel the whole process of this affordable housing project is lack of communication, lack of transparency, lack of community engagement and full of dishonesty. This is not a fair process, TNDC has not proceeded in the manner required by law.

I hope this package information can provide your insight details of how neighbors feel about this project. All events have provide concrete evidences that the developer TNDC and our Supervisor Mar have not followed through the proper procedure in promoting SF Housing Affordable the way it should be. Without community involvement and support, we don't think this a successful project. We really hope the city official and the developer TNDC can work with the community by including their inputs and striking a balance in the ultimate decision making.

Sincerely

Sunset Community Alliance

Resources

Opposition voices from the community:

<https://sfchronicle.com/2021/02/23/17582/>

<https://www.sfchronicle.com/bayarea/article/Slum-charges-fly-in-fracas-over-affordable-15880321.php>

<https://www.sfchronicle.com/bayarea/article/Slum-charges-fly-in-fracas-over-affordable-15880321.php>

<https://www.sfexaminer.com/news/sunset-district-affordable-housing-discussion-flooded-with-scare-tactics-and-hysteria/>

<https://sfchronicle.com/2021/02/23/17582/>

Chinese media:

<https://www.singtaousa.com/la/55338->

<https://www.singtaousa.com/la/55338-%E6%98%9F%E5%B3%B6%E6%AA%94%E6%A1%88/3397556->

<https://www.singtaousa.com/la/55338-%E6%98%9F%E5%B3%B6%E6%AA%94%E6%A1%88/3397556-%E5%8F%AF%E8%B2%A0%E6%93%94%E6%88%BF%E5%B1%8B+%E9%9B%A3%E8%B2%A0%E6%93%94%E7%9A%84%E6%80%A8%E6%83%B1/>

https://www.worldjournal.com/wj/story/121519/5603175?from=wj_maintab_cate

https://www.worldjournal.com/wj/story/121368/5600657?from=wj_maintab_cate

https://www.worldjournal.com/wj/story/121519/5595530?from=wj_maintab_cate

<https://www.singtaousa.com/sf/446-灣區/3431004-日落區IRVING建可負擔屋支持與反對兩方對峙/>

https://www.worldjournal.com/wj/story/121519/5285432?from=wj_maintab_cate

<https://www.google.com/amp/s/www.epochtimes.com/b5/21/3/1/n12781551.htm/amp>

<https://www.singtaousa.com/sf/446-灣區/3298047-建可負擔房屋計劃+日落區又聞反對聲/>

<https://www.singtaousa.com/sf/446-灣區/3296511-日落區及列治文區+建可負擔屋獲支持/>

About 130 immediate residents signed attached letter. Because the letter contained address, for privacy reason, we will not submit it in this package. We can provide it upon your request

June 30, 2021

Dear Supervisor Mar, The Board of Supervisors and Director Shaw,

We are residents of the Sunset District who vehemently oppose the proposal to build a 7-story affordable housing apartment building at 2550 Irving. The mass and density of the building make it incompatible with the historic character of the neighborhood. The building not only looks completely out of place, but it will cause massive shadows (as confirmed by the TNDC's own study). We oppose the project for the following reasons:

- **IT IS TOO OUT OF SCALE** - Reduce the height of the building from 7 stories to 4 stories and design it in harmony with the surrounding neighborhood and consistent with other proposed affordable developments in the Sunset and successful affordable housing projects in CA.
- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered.
- **NOT ENOUGH PARKING** - Increase the parking-to-unit ratio from 11% ratio to 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground the 2550 Irving St site. Before adding more new residents, the issue needs to be remediated. A full Environmental Impact Review is necessary.
- **INFRASTRUCTURE** - If the city wants to add 800+ people with 2 AH projects on Irving, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.
- **CONSTRUCTION IMPACT** - Study the impacts on immediate neighbors and propose mitigation – including accommodations for shade, privacy, construction impacts on foundations of nearby houses, etc.

Petition Letter handed to Mar's staff on 2/21/21



Petition Letter for 2550 Irving Project

We are SF Sunset Community Alliance would like to make a petition for you to hold back on the proposed project building on 2250 Irving St. The reasons you must have already known. More importantly, it is lacking in consultation, no appropriate channel of communication with us, no commitment from you for any change of plan and lack of transparency. As a Sunset district supervisor, you should accommodate to the best interests of the residents. We have collected more than 1000 online petition; 580 signatures from direct impact neighbors who live within 1000 feet of the project; and 68 merchants (equivalent to over 95% of current open business on Irving Street) in opposition against the colossal proposed building in which you are the main player of whole project. We hope you listen to the voices of us and many other voiceless whose could not communicate with English as your voters. Please think twice thoughtfully before leap.

SF Sunset Community Alliance

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**TNDC's ONLY MAILED
MATERIALS ARE 1
DOOR HANGER & 1 POST
CARD, IT DELIVERED TO
NEIGHBORS ON JULY 10,
2021 (4 DAYS BEFORE
THE BUDGET
COMMITTEE MEETING).
PLEASE SEE ATTACHED
(PAGE 11 & 12)**

Delivered to you by a Volunteer!



Tenderloin Neighborhood Development Corporation
201 Eddy Street
San Francisco, CA 94102

P2 T0 B89 10293

2550 Irving is the site of proposed affordable housing for families

NONPROFIT ORG
US POSTAGE
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CORNERSTONE

2550 Irving街可負擔房屋項目將可以為日落區帶來前所未有的機會，確保勞工家庭有住房機會，保持三藩市可負擔性，共建和諧社區。

請瀏覽項目網站了解更多詳情，及了解如何對此項目表達你的意見

Affordable housing brings new champions to improve the communities they are in, including safety, transit, open space and childcare. As a 30-year homeowner in the Sunset, I know that these are exactly the kind of neighbors we need.*

-Malcolm Yeung
Sunset Neighbor

Support Working Families!

Won't you JOIN US as we fight to make 2550 Irving a reality?

There are many ways you can help out!

- Sign up on our website to show your support for working families of the Sunset!
- Display a house sign for 2550 Irving in your window!
- Attend a City Hall hearing or community meeting to express your views about the project!
- To get in touch, send us an e-mail at 2550irvinginfo@gmail.com!

WWW.2550IRVING.COM



2550 Irving is the site of proposed affordable housing for families

2550 Irving Street is a joint project between the Mayor's Office of Housing and Community Development and the TNDP (Tenderloin Neighborhood Development Corporation) to develop 100% affordable, multi-family housing in the Sunset.



**Communication
Emails with City
Official and
Supervisor Mar.
We sent out many
emails as a group
and individual in
the last 7 months,
only 2 replied back**

SF Sunset Community Alliance <sfsunsetalliance@gmail.com>

to marstaff, mara.blitzer, 2550irvinginfo, carly.grob, Ashley.summers, 2550irvingcommunity

o To: Mr. Gordon Mar, The Honorable, member of the SF Board of Supervisor, District #4;
Re: 2550 Irving Street Project

Dear Mr. Mar, we, the Sunset residents are seeking your support to stop the above project. This project would severely damage our daily lives and also alter the basic community character of our neighborhood. Problems such as parking spaces, overcrowded streets, and many others would arise. We have the following reasons to oppose this project.

A) **Lack of transparency**, it's totally contradicting the Mayor's City policy, that any City project must be transparent to the involved Community and its support. Where is the transparency in this project to Sunset Community? Why you have zero communication with any immediate neighbors about this project and clearly the project planning has been done secretly without community input before advertised it on TNDC website.

B) **Misleading data and statistics to the City and the news media.** You spread information on social media that your team had done an outreach of a massive survey from July until November 2020 highlighting the majority of people were supporting the building project. In fact, this is not the case. All Mid-Sunset residents were all kept in the dark until late December 2020 when the pipeline of building construction on 2550 Irvine Street was leaked out to the public fortuitously. We are wondering how you provide the information regarding community support when you apply the NOFA funding.

You claimed that you have a good response and support to this project. However, almost none, if not all your so-called support group or people are Non-Sunset residents. We have done a meaningful and reliable report by the door to door, citizen to citizens, neighbor by neighbors interview, that overwhelmingly Sunset residents are opposed to this project. Our signatures are a better, more accurate, representation of how the Sunset community feels towards this housing project.

C) Mr. Mar, as a responsible elected official of this district, you have no reason to work against the will of your community. Common sense can tell a true community leader would work for his district people, working against his people for his personal or political benefits is a political game player. Mr. Mar, please stand by your people, vote against this project. Thanks. Please, give us your sincere answer for your position in this project.

D) We are not trying to prevent the development of affordable housing; however, cramming so many people in one space is not feasible nor beneficial to the district.

1. We do not want a seven (7) story building, instead, we support the project with maximum (3-4) stories including 25% of the BMR units. Our suggested project goal is different from current other proposed and active housing development projects in the Sunset District.

Except the Affordable Teacher Project, most of them selected the BMR units “off-site” and don’t increase any Affordable Housing supply on the same district. As a result, those projects add more market rate units but without any BMR units which will increase the ratio on shortage of BMR Units on Sunset District. Could you explain why the affordable housing crisis situation doesn’t affect to those projects? **Does this the full develop plan on the Sunset District to build a 100% BMR project in order to provide a green light to others to have the project option of BMR units Off -Site no matter how heavy of the BMR unit shortage on that district?.**

2. The household income from most of the existing essential working families on Sunset District are beyond the project assigned for extremely or very low income level . Besides, the project is prioritized only 40% of the units for Sunset residents. We need all the BMR units included on this project to be allocated to low/moderate income families in Sunset District to meet the community needs.

-
- We are look forward to get your response for our questions from a community group, we don't expect to get the identical automatic message as always.
 - .
 - SF Sunset Community Alliance

SF Sunset Community Alliance <sfsunsetalliance@gmail.com>

Wed, Mar 10,
4:34 PM

to rich.hillis, joel.koppel, sfhousinginfo, MayorLondonBreed, gordon.mar, shamann.walton, bcc: yimling2004

Dear City Officials:

We represent a significant neighborhood group of families in the Sunset Community near the proposed project site and are in contact with a coalition of neighborhood organizations and a significant majority of very concerned local citizens.

While we appreciate MOHCD, the Developer and Architect organizing the upcoming community Zoom meetings scheduled for this next week, the 2550 Irving Street Project is of a scale and magnitude that warrants a deliberative and meaningful process of transparent community engagement and review. This is a standard that the Sunset Community is entitled to receive and has not received to date. This deficiency must be corrected.

We are deeply concerned about the lack of transparent, deliberate and meaningful town halls organized by our Supervisor to date and which has resulted in an absence of meaningful dialogue and input from the Community. There has been no community engagement plan put forth that demonstrates the capacity to generate necessary neighborhood support for the proposed development.

Instead of substantively engaging with Community members, we as a misunderstood American minority, have been met with evasive reproach and derision with our honest efforts to request answers from the project sponsors for this insensitively proposed project.

We ask that you intercede to halt this oppressive proposal and seek a community derived process of reasonability.

Sincerely,

SF Sunset Community Alliance

to carly.grob, rich.hillis, joel.koppel, sfhousinginfo, MayorLondonBreed, shamann.walton, bcc: joseptam88,

Dear City Officials:

We are a newly established San Francisco, Sunset Community Alliance .We are writing on behalf of our neighboring residents to invite your notice to the proposed low-income housing built on 2550 Irving San Francisco. We point out how the complex is operated inappropriately. We pin on the hope you can step in to offer a resolution of the existing conundrum. More importantly, we want to disclose the deceptive act of our Sunset district Supervisor Mar in the whole process. We are seeking clarification whether our district Supervisor Mar has complied with the guideline of the city in undertaking the pipeline of the project. Indeed, fraud and scandals of politicians and officials are no stranger to San Francisco since two of our previous Chinese American law-makers were charged and indicted with criminal offenses in this regard.

According to the protocol and procedure, either the developer TNDC or district supervisor should identify the land earmarked for building the affordable housing at the start. Shortly thereafter, the developer or district supervisor should make a survey of the community opinions from the surrounding residents for or against the proposed project before submitting the proposal to the city for initiating funding (please clarify the procedure). This is contradictory to what supervisor Mar did that he handed on undertaking the project as a pivotal player since inception and did the superficial outreach. All Impactful residents were in bewilderment when the Supervisor Mar talked on Sing Tao Chinese radio in early March that he did not hand on undertaking the project so he could not make decisions in the whole process of planning and implementation. If Supervisor Mar is a key player, he has an obligation to make a thorough and honest appraisal of the community ideas, reaction and suggestions before submitting the proposal attached with the overall survey of the community sentiment to the city for approval of funding. Apparently, Supervisor Mar was too pitch-fevered to thrust through the project that he deliberately covered up the pipeline of construction until late December 2020 he faced the music after the information was somehow leaked out to the public. Allegedly, Supervisor Maar gave a factitious appraisal of the majority of Sunset residents supporting the project to TNDC. What Supervisor Mar claimed the outreach with a single sentence of “Do you support affordable housing in Sunset” is fraught with deception and manipulation without mentioning the site, structure and the location? His surreptitious and invidious act was highlighted by Mid Sunset Neighborhood Association as dishonest and deceptive. In fact, the Chronicle published the survey on January 20, 2021, that 82% of Sunset residents opposed the earmarked project, but only 16% agreed with a condition of modifications of its structure. This is contradictory to what supervisor Mar’s claimed, so his integrity is in question. The last straw is his political strategy of social polarization; he made the Sunset residents deeply divisive by making a vitriolic remark on those resident of dissenting voices as classy and racist as published in Sunset Beacon in Feb; he deliberately hurt our feeling the most despise many Chinese

Americans supported him the more in his running for supervisor in 2018. As a district supervisor, Gordon Mar is very patchy in his strategic planning for the project; he failed to connect with the school district about increase of school opening for the anticipated students tenants of the project nor he would hook up with city transportation networks for more frequency of bus or subway schedules not to mention of increase of police force. During the past two years, Sunset district has had a resurgence of crime rate, more tramps hanging around and Irving Street is clustered with trash. Worst still, business stores closed down in succession and yet our district supervisor seems to care much more about his agenda paving the way for his political advancement than dealing with the pressing existing problems. To cover his misstep with the back of his hand, he is riding roughshod over the malcontent residents such as initiating the controversial issue of the great highway. Instead, he has been doing some windows-dressing to push up his plunging approval rate. Many chagrined residents name our respectful-looking supervisor Mar as sanctimonious.

Almost throughout the years, Supervisor Mar's policy is non-transparent, concealing. He was hiding his involvement with the project housing as the pivotal player until the secret information had come to the attention of the public .To face the music with a measure of remedy, Supervisor Mar, established a channel of communication with the surrounding neighbors through the two zoom meetings , but it was manipulated and done perfunctorily. On average a few residents had little time to voice out their concerns and objections within a window half an hour in his one hour two zoom meeting. Most non-English speaking neighbors were deprived of a chance to speak out and to understand since Mar failed to provide a simultaneous interpreter even though he has a handy wife being fluent in Chinese. During the two zoom meetings of an hour, he invited outside speakers and the director of TNDC to occupy the time by making a lengthy speech sound like propaganda or marketing sell talk. However, no concrete solution like solving the anticipated problems of shoppers and residents struggling for parking space devastatingly because the project building only provides 11 parking stalls for its residents and other safety and security issues were left out as well. Supervisor Mar is a crafty politician but his response of beating around the bush does not reflect his intellect as a politician. As our district supervisor, Gordon Mar is supposed to work for the best interest and accommodate the needs of the district residents. By contrast, he seems to act on his grand interest of publicity for his personal advancement and outsider. If the city could make a survey, we are cocksure his approval rate is lower than all his predecessors. We are wondering if everything the supervisor does is transparent and above the board. If he really proved himself to be a forthright and community responsive supervisor, he should have recorded and put into the chit-box for all Sunset residents to hear the whole process of the two zoom meetings. More important, he needs to take care of those neglected voiceless residents, the non-English speaking so their family members could translate for them in the chit-box while watching at home.

We are not the only Sunset association going against the project due to non- transparency, deception, no genuine consultation and no direct community engagement and modification of a contingency plan. In fact, there are additional Sunset associations to express more or less the same standpoints as ours, such as Sunset Parkway Association, Sunset Neighbors Association and Mid Sunset Neighborhood Association. It is a poignant regret that the supervisor seems to have fallen a deaf ear to our dissenting voices. Lately , we have collected 670 signatures of raising objection to the proposed project from the residents living within 1000 feet of the proposed project housing and 780 signatures of other Sunset

residents, plus 77 out of 84 (92%) current merchants on Irving we contacted expressed their disapproval of the proposed project housing and resentment against our district Supervisor Mar. (Between 19th Ave to 26th Ave, there are about 115 stores including 26 vacant, 5 banks hold no position to sign according to their policy $115 - 26 - 5 = 84$). In addition to the hard copy signatures, there are 1666 online petitioners signed against this project as of today. For details, please visit: <https://actionnetwork.org/petitions/no-monstrosity-on-irving-street>

To pursue our social action, we staged two big rallies of protests with the media on 2550 Irving on 1/23 and 2/28 respectively. There were over 130 participants each time due to the grip of pandemic. During the protests, some participants took turns to speak out against the lack of community engagement and suspected dark room deals under the table. They all concurred with the views that the City and Supervisor Mar disregarded and disrespected our community sentiment and inputs of suggestions although Supervisor Mar is mandated by law and guideline to take in the inputs of ideas of surrounding residents as reference despite the project of 100% lower income housing can get wavered in compliance with the building code and consent of adjacent residents. Merchants of Irving Street were invited to speak out against the proposed project and complained about our district supervisor never focused on invigorating the sluggish business even before the pandemic. We all demand and genuine and active community engagement with the city, developer and Supervisor Mar to hammer out a framework of consensus on building the project, not riding roughshod over the citizens with a high-hand approach. We urge the city to hold back the proposed project until an active community engagement is made. We are very upset with Supervisor Mar's condescending and arrogant attitude because our alliance submitted a letter of petition to the aid of Gordon Mar, Daisy entreating for his response on 2/21/2021 during a Chinese New Year event at Sunset Sunday Food Market. So far, so long, we have never received his response. Indeed, this is his usual pattern of responding all internet mails enquiries with a standard format of acknowledgment. As our district supervisor, he actually let us down being non-communicative, non-consultative, non-direct community engagement while he tended to show up to a number of events physically that boosted his reputation. Do you think Gordon Mar is apt to be a district supervisor working for the Sunset resident or his personal interests of advancement above everything else? Of course, we commiserate with those voiceless residents being left out long before his second run of election.

Furthermore, we stand ready to submit all opposing signatures and collection of data as physical evidence if your good self-requests. As humble citizens, we earnestly ask you to exert social justice and do something about it for the good of our Sunset resident. We don't want to live at the mercy of a peremptory district supervisor. We demand our voice and input to be included.

Yours faithfully

San Francisco Sunset Community Alliance

April 12, 2021

Dear Supervisor Mar and officer,

As our elected district supervisor, we believe you have to take into an account of the best community interests and sentiment about the proposed project housing on 2550 Irving in your decision making. Obviously, you have failed to fulfill your obligation as our district supervisor and let us down in distress. Our face to face meeting with you on March 16, 2021 on corner of Irving/21st Ave was disappointing that you are evasive to shift the responsibility to TNDC as the pivotal decision maker while you don't have a hand on undertaking the project. Even though you personally go against the majority sentiment of opposing your original plan, you as an elected district supervisor has the obligation to channel our voices and proposals along with our surveys, petitions and signatures of opposition on behalf of Sunset residents and MSNA to TNDC, MOHDC, Planning Dept and the City of SF. Allegedly, your outreach of survey was manipulated and could not reflect for the ingenuous community sentiment on the proposed building project. It is a poignant regret that you have fallen a deaf ear to our genuine collection of **nearly 1000 hand signatures of opposing from the residents living within 1000 feet of the proposed building and 92% of Irving merchants signed against the project. Our online petition of 1720 together with another 532 petition from the MSNA clearly reflect that the proposed project could not find social and community acceptance** (We can provide proof of signatures upon request). We held two rallies on 1/23/21 & 2/28/21 in front of 2550 Irving Street against the proposed project. Hundreds of neighbors & merchants attended and alternately speak out they are not in favor of the proposed project you initiated. **We believe this is your obligation to represent us, especially those monolingual Asian elderly to communicate with TNDC to channel our voice; and urge TNDC incorporate community feedback/result from direct impact neighbors and modify the proposal accordingly prior submission to the Planning Department.**

We should be grateful if you could give your earnest consideration to our specific demands concerning the structure, height and eligibility of tenants for the proposed project. To this end, we humbly request for your response to our concerns as soon as possible since being evasive and taciturn is not an effective way of communication for any conflict resolution.

Our requests as follows:

1. You and TNDC should incorporate community feedback by actively engaging with all impactful Sunset residents and all pressure groups of Sunset before making a done deal final submission to the Planning Department and the City of SF.
2. Conduct extensive ingenuous outreach by incorporating all sectors of the community especially those voiceless non-English speaking American-Chinese residents and many of them does NOT know how to use Zoom Meeting and high technology joined the meeting, and you/TNDC usually leave them out. It is highly desirable to provide them with a translator at future meeting; they were deprived of voicing out their concerns during your three zoom meetings together with TNDC in January and February.
3. We do not need a monstrosity for our community, we demand for modification as follow:
 - a. Max 4 stories should be built in harmony to the character of the Sunset.
 - b. Exterior of the building should meet the desired appear for Sunset historical architecture.
 - c. Funding must be allocated for community impact studies to ease the stress of traffic, parking, MUNI, school enrollment, shadows, and other conditions that CEQA may cover.
 - d. Increase parking-to-unit ratio from 11% to 25%

- e. The ground floor of the building should be reserved for senior service, child care and after school programs that this neighborhood needs
- f. Upgrade safety and security measures to meet the needs of increased population, such as more beat officers, adding surveillance for the areas. Security cameras should be installed inside and outside of the building and in public areas. Incentives also should be given to homeowners in the vicinity for security cameras installation and feed sharing. It is absolutely necessary to implement security and safety measures since all residents particularly those Asian residents including all the surrounding elderly are susceptible to the target of hate Asian violence
- g. The developer needs to work with us on all of the above and include our input on all stages and aspects of the building design and constructions.

4. Our SF Community Alliance urges you imperatively to have a formal face to face meeting with us as well as MSNA & Sunset Neighbors Association since most of our members have taken shot of vaccination.

By and large, we seriously entreat your earnest reconsideration on this proposed project. We believe that other impactful, Sunset Neighboring Associations and Mid Sunset Neighborhood Association must be pleading with you more or less making the same demands concurrently.

The official duties of a district supervisor gives you the leverage of influencing the outcome of the final plan of submission. At present, we are making alliances with all parties in a concerted effort to fight for our best interests we deserve. We try to avoid litigation unless there is no alternative of compromise in sight. Therefore, it is entirely up to you either going against or accommodating the majority of community sentiments in this respect.

Yours faithfully
SF Sunset Community Alliance

to Sally.Oerth, Salvador.Menjivar1, Eric.Shaw, anna.vandegna, bcc: kks2200

Dear officers,

As longtime residents of the mid-Irving area, we deserve to have our quality of life ensured. We do not need a monstrosity for our community. We have gathered the following community **input** and **demands** for the housing project at 2550 Irving Street:

Community Input we and others have gathered clearly reflects the failure of the TNDC project in its perception, transparency, community engagement and ability to listen as a good neighbor should:

Petitions to Oppose the Housing Project:	
Wet Ink Signatures within 1000 ft (As of 4/21/2021)	800
Wet Ink Signatures from Irving Merchants 77 out of 84 (As of 4/21/2021)	92%
Online Signatures (As of 4/21/2021)	1,777
SF Chronicle Quoted Residents Survey (1/20/2021)	82%
Petitions to Limit the Housing Project:	
Online Signatures from MSNA (As of 4/21/2021)	587

We demand TNDC and other parties involved in the monstrous 2550 Irving Street Housing Project to fully engage with **impacted neighbors of all demographics**, especially the seniors, immigrants, as well as the **monolingual and limited English-speakers**. **Language access and special sessions** must be offered specifically for immigrants and underserved residents.

Here is our list of demands. Please facilitate these demands with the developer, the Mayor's Office of Housing and Planning before plans should be finalized:

1. All general meetings must offer **integrated simultaneous interpretations** or **back-to-back interpretation** of Cantonese and Mandarin in the same meeting room, not in a separate language line or secondary space. The failure to provide integrated interpretations in the first 2 community meetings added to the confusion and frustration.

2. **Special in-language sessions** must be offered specifically for immigrants and underserved residents because it takes us longer to understand the project background and work presented. We must be able to ask questions and receive answers in our language at our own pace.
3. **Impacted neighbors** in our communities including seniors, immigrants and non-fluent English-speakers must be **fully engaged** in all stages of the design, planning and construction.
4. **Maximum 4 stories** should be built in harmony to the character of the Sunset. Setback must be considered.
5. **Exterior of the building** should match the desired appeal for the Chinese Culture District designation and Sunset historical architecture.
6. **Parking ratio** must be increased from 1.1% to 25% of the units planned.
7. The **ground floor space** of the building should be reserved for senior services, community space, child care and after school programs that are lacking in this neighborhood.
8. **Upgrade safety and security measures** to meet the needs of increased population, such as more beat officers and video surveillance for the area. Security cameras should be installed inside and outside of the building and in public areas. Incentives also should be given to homeowners in the vicinity for camera installation and feed sharing.
9. **Housing sizes should be 100% for families.** 2- and 3- bedrooms should be put in wherever possible. 1-bedrooms should only be added in to maximize the odd space. No studio should be put in at all.
10. **80% of unit allocations must focus on Sunset Families.** 40% of all units must be allocated to displaced Sunset families. Another 40% for existing Sunset families. The remaining 20% should also be for families.
11. Funding must be allocated for **community impact studies** to ease the stress of traffic, parking, MUNI, school enrollment, shadows and other conditions that CEQA may cover.
12. TNDC, MOHCD and all parties involved need to **work with us on all of the above.** They must include our input on all stages and aspects of the building planning, design and construction.

We believe the voter-approved Prop. A fund must serve all Westside affordable housing needs, including BMR Homeownership, Home-SF, and mixed use affordable housing constructions. Creating one monstrosity in our neighborhood creates inequality in resource allocation and housing distribution. We ask that you listen to us and work to get our needs served in a neighborhood we love and thrive.

Sincerely,

SF Sunset Community Alliance

Email: SunsetCommunityAlliance@gmail.com

Website: <http://sunsetcommunityalliance.com/>

to Eric.Shaw, Sally.Oerth, Salvador.Menjivar1, anna.vandegna, bcc: josephtam88, bcc: yimling2004

April 22, 2021

TO: Mr. Eric Shaw

RE: Loan Committee Application for 2550 Irving St.

Dear Mr. Shaw,

We have reviewed the application made by the Tenderloin Neighborhood Development Corporation (TNDC) for funds for affordable housing at 2550 Irving St. We wish to note significant inaccuracies in that document which we are compelled to bring to your attention.

The TNDC application attempts to marginalize opposition by stating there is “some” community opposition to the project, centered on parking, traffic. Further, TNDC attempts to create innuendo from our legitimate questions asking who the residents would be by mischaracterizing our concern as the “nature” of the people who would be housed in the units provided. These statements distort and trivialize the magnitude of legitimate concerns expressed from those most affected in the vicinity of the project.

Our hope is to brief you accurately. We attach the proposal for the affordable housing at 2550 Irving Street which we fully support. This was drafted by our coalition member MSNA and sent to Katie Lamont. Further, TNDC states in their application that additional community meetings and education about the project will quell the discontent of the neighbors. Lack of education is condescending but perhaps more accurately, their misunderstanding of community outreach is the issue. We hope we can focus on the legitimate Community’s needs through genuine transparency.

Activity Level and Scale- To be clear, SFSCA opposes the project as proposed, but we pledge support for affordable housing and would welcome our new neighbors into our uniquely middle class, non-gentrified area. We have nothing against these individuals. Our concerns center solely on the concentrating 300 people on this .44 acre parcel, almost 100 units, at a density ratio of 227 units per acre. This excessive density is characteristic of failed public housing of the past. A seven story, atypical bulk, block-long building, unlike any other building in the Sunset, with only 11 parking places, at the west end of an already congested commercial zone, in a public transit zone that necessitates, through no fault of Sunset residents, more cars due to inefficient public transit, is a recipe for vehicular chaos and unbearable public safety issues. It is essential to have traffic and public safety studies to ensure this commercial zone is sustained.

District Character- The proposed building is completely surrounded by an RH-1 and RH-2 zone of single family dwellings and two flat apartments. The project site, a block long parcel spanning 26th to 27th Avenue on Irving was changed from RH-2 to NCD, many years after 19th-26th Avenue on Irving was deemed the limits of the NC-2 corridor. But this was in anticipation of the Irving Street

commercial zone needing to grow to the west. As history has shown, through the many commercial vacancies from 19th to 26th Ave., the commercial zone need not have been extended.

The current Police Credit Union also is within a district of historic homes. The fact that the subject parcel is within an eligible Historic District with two to three-story wood structure homes makes a 7-story building clearly inconsistent with preservation norms and cultural best practices. The Police Credit Union has shown no community development understanding in their private negotiations with TNDC.

Right to Light- None of the homes to the north are taller than 24-36 feet in height. The building proposed would be 73-85 feet tall. We are familiar with the pattern of the sun quite well in our district. The shadow cast upon dozens of homes would deny families access to sun, both in their front and backyards. Shading for hours each day would also deny families the ability to use solar panels. This project is in conflict with other state goals for all electricity to be renewable energy by 2045. Several of the surrounding homes already have solar panels, which would be rendered useless by an obtrusive tall building.

Soil Contamination- The issue of toxicity, caused by tetrachloroethylene (PCE) on the site, was brought up in the proposal. That honesty is appreciated. What was not mentioned is that the PCE gas levels, too high to be safe for humans in the police credit union, have spread to the current neighbors on 26th and 27th Ave., north of Irving Street. It is being monitored by the Department of Toxicology and Substance Control (DTSC). We expect a report from DTSC very soon. You should know that within 100 feet of the current building at 2550 Irving, one neighbor recently contracted cancer and another Parkinson's disease. Both are potentially related to PCE.

Finally, TNDC indicates that while there is opposition from our Coalition partner Mid-Sunset Neighborhood Association (MSNA) and us, the San Francisco Community Alliance, there are also two other organizations that support the project as it stands. But this is purposefully misleading since the two organizations TNDC mentioned as supportive are substantially remote to this project. They do not use the commercial corridor daily nor are they familiar with other site specific negative impacts.

You should also know the latter organizations are small in number. We, the SF Community Alliance have over 700 members. MSNA has 162 families, all of which live within .5 mile of the proposed project. A third association, the Sunset Residents Association, just south of the project, with 150 members, also opposes the project as proposed, understanding the increasing congestion it would create. The legitimate opposition to this project as proposed is growing because our voices are not being heard. Our organization has many non-English speaking members who are despondent over the distortions by TNDC.

Thank you for taking the time to read this letter. It is important to all of us that the facts be presented honestly. We support this housing, but we oppose it as currently proposed. The attached proposal will provide additional specificity.

Sincerely,

Joseph Tam
SF Sunset Community Alliance <https://sunsetcommunityalliance.com>

Sat, Apr 24,
10:43 AM

Mar, Gordon (BOS) <gordon.mar@sfgov.org>

to Ashley, Mayor, Daisy, me, Mara, Marstaff, Shamann, Rich, Joel, SFhousingInfo, 2550IrvingInfo@gmail.com, hanshow00@gmail.com, president@sf-pops.com, josephine_zhao@yahoo.com, 2550irvingcommunity@gmail.com, yimling2004@yahoo.com, josephtam88@icloud.com

Dear Sunset Community Alliance,

Thank you for sharing your input about the proposed affordable housing project at 2550 Irving. I appreciate your proposals regarding language access for Chinese-speaking residents as well as key aspects of the project design and will follow-up with TNDC and MOHCD about these issues.

I'm committed to ensuring that TNDC City engages in a meaningful neighborhood outreach and input process so that this much needed project is well integrated into our Sunset community. Towards this end, TNDC has created a bilingual [website](#) to share information and updates about the project. TNDC's next bilingual community meeting about the project is on April 26th and more information can be found on the project website.

Thanks for your advocacy for the Sunset community.

Gordon Mar

District 4 Supervisor

City and County of San Francisco

(415) 554-7460

gordon.mar@sfgov.org

After sent out many letters to Supervisor Gordon Mar, he finally responded on 4/24/21 that he said he will ensure TNDC will engage meaningful neighborhood outreach, but no action and no follow-up. Mar doesn't keep his promises, he is not a responsible persona with bad credibility!

Sunset CommunityAlliance <sunsetcommunityalliance@gmail.com>
to marstaff, gordon.mar, Hans, Daisy.Quan, bos.legislation, bcc: yimling2004

Dear Supervisor Gordon Mar,

We very much appreciate your time joining our community meeting on 6/30 at St Anne and have a brief speech regarding the project and answer very few questions/concerns our neighbors have. And thanks Daisy for staying the entire meeting. Unfortunately, supervisor Mar's schedule only allowed him to stay for about 40 minutes for this 2 hours community meeting and left 170 of community members with lots of unanswered concerns. After you left, toward the end of the meeting, many of our community members including Mid-Sunet Association and Sunset Community Alliance group demanded you to hold an in-person meeting with Supervisor Mar to stay the whole time to hear the community out regarding the 2550 Irving project. We are hoping you can schedule a meeting with us before the Board of Supervisor meeting in July 2021. Please let us know ASAP.

We believe the in-person meeting will be impactful in enhancing communication and setting a positive tone for affordable housing development in our community. As you know, most of the residents in our community are supportive of affordable housing and are eager to learn about the possibility of project modification in order for such a project to better fit into our community. We also would like TNDC to work with us and listen to our concerns and feedback, so that we can build a cooperative model for affordable housing development in the Sunset and Richmond District.

We understand that some residents, including seniors and the working poor, might misunderstand your position on this project due to their lack of English language skills and access to Zoom meetings. The above vulnerable population in this neighborhood may benefit from this housing project, but they really need your help as our district supervisor in understanding the details.

We hope you can schedule an in-person meeting with our community and allow the wonderful platform for you to deliver your message, share information and gather community input, so you will be able to represent us in making recommendations in the upcoming Board of Supervisor Meeting.

We hope this project will be a successful model on finding the balance between Affordable Housing demands and community concerns. We believe you share the same goal as our community. We hope that you, Supervisor Mar, as the elected leader of this community, make this project successful by garnering authentic community support.

Sincerely

Sunset Community Alliance,

Joseph Tam & Christy Tam

Quan, Daisy (BOS)

Jul 6, 2021, 11:13 AM
(11 days ago)

to Geo, me, Hans, (BOS), Gordon, Marstaff

Hi Joseph, Christy, and Flo,

I'm looping everyone together because I believe this is the same request. Please correct me if I am mistaken.

Supervisor Mar is open to meeting in person and that it would be most conducive if it could include representatives from both MSNA and SCA in order to have an in-depth and fruitful conversation. We would request that the meeting be limited to 8 people and it could take place on Irving, perhaps at Uncle Benny's café. Would this Friday afternoon at 4:30pm work? Next Monday afternoon could work as well.

I would also like to remind you that there are many ways to communicate directly with our office, by email and by phone, especially if there are questions for the Supervisor that are technical and would require preparation to adequately respond. For people who cannot make the meeting, they are also welcome to schedule one-on-ones as well.

Please let me know if this time works.

Thank you.

Daisy

Sunset CommunityAlliance <sunsetcommunityalliance@gmail.com>

Jul 7, 2021, 10:01 PM
(10 days ago)

to Daisy, Hans, (BOS), Geo, Gordon, Marstaff, Adam

Hi Daisy,

Thank you for offering this small group meeting opportunity. As I mentioned in my first email, I am making the request on behalf of 170 attendees who showed up at the 6/30 event, I think the Sunset community really wants to meet with Supervisor Mar in-person, so they can bring up their questions and concerns regarding the 2550 Irving Project. If you only can offer meetings limited to 8 people, I am afraid the 8 people can not speak on behalf of all others direct impacted neighborhoods. We really hope you can make some time 1-2 hour before the board of supervisor in July. We are flexible and can work around your schedule. Many thanks

Christy Tam

Quan, Daisy (BOS)

Jul 8, 2021, 8:54 PM
(9 days ago)

to me, Geo, Adam, Hans, (BOS), Gordon, Marstaff

Hi Christy, and all,

We completely understand the desire for individuals to have an opportunity to be heard and would like to propose a listening session with Supervisor Mar this Saturday at 10am. Pastor Joy at 19th Avenue Baptist Church has graciously agreed to lend her space.

Similar to the format of the MSNA/SCA meeting last week, we propose a **public comment format**, whereby each individual will have an opportunity to line up and speak at the mic for one minute and Supervisor Mar will listen as each person speaks. He will provide a comprehensive response after everybody has had an opportunity to speak. We can commit to 2 hours.

Our hope is that all of you as leaders can support this meeting format so that it is respectful and in keeping with the goal that individuals have a chance to speak and be heard. We have communicated to the church that we and they have the prerogative to end the meeting if it becomes disruptive and public comment cannot take place respectfully.

We also understand that there is turnout regarding 2550 Irving being planned for our Town Hall Sunset Chinese Cultural District at Wah Mei School, which is not the purpose or topic of this event. Our expectation is that you as leaders will be able to ***direct people to this meeting***, which Supervisor Mar has decided is a priority and where he will be present.

Please let me know if you accept this proposal for **Saturday, 10am and 19th Ave Baptist Church** (1370 19th Ave) and please notify your groups accordingly.

Thank you for your cooperation!

Daisy Quan

Legislative Aide

Supervisor Gordon Mar

415.554.7462

For Covid-19 updates | WWW.SF.GOV | Dial 311 | Text COVID19SF to 888-777

Sunset CommunityAlliance <sunsetcommunityalliance@gmail.com>

Jul 8, 2021, 11:31 PM
(9 days ago)

to Daisy, Geo, Adam, Hans, (BOS), Gordon, Marstaff

Hi Daisy,

We really appreciated the proposal for an in-person meeting at 19th Avenue Baptist Church. Since many of our neighbors don't know how to use internet for email, we have to deliver the information by distributing flyer door by door. If meeting happens this Saturday 10-12, we afraid this might be too short of notice and we are unable to get the information out in time. We know our neighbors has been waiting for this opportunity for long time. Daisy, do you think it's possible to move the meeting to Monday (7/12) or Tuesday (7/13) night?

Secondly, we are hoping Supervisor Mar can answer the Q & A one by one, so everyone can have chance to hear what they want to know.

Lastly, can you please provide Chinese translation for the meeting?

Many thanks again Daisy, we really appreciate your help!

Best regards

Christy & Joseph

Sunset CommunityAlliance <sunsetcommunityalliance@gmail.com>

Fri, Jul 9, 12:04 PM
(8 days ago)

to Daisy, Adam, Geo, Christy, Hans, (BOS), Gordon, Marstaff

Daisy,

There is no way we can send out the meeting information to all neighbors within **1 day**. Please move the meeting to Monday or Tuesday night. We requested many times for in-person meetings, and when this finally happened, we were hoping all neighbors would have a chance to come. All direct impact on neighbors' voices matters. Please confirm as soon as possible, so we can prepare the flyers and deliver them door by door. As I mentioned earlier, many of our neighbors are elderly, they don't have internet access or they don't know how to use emails, but want to engage. This could be the first and last in-person meeting we have with our district supervisor before the board meeting on 7/27. Please allow reasonable time for us to notify people.

Is fantastic that Supervisor Mar is holding the listening session for all Sunset residents, but most importantly, we are hoping Supervisor Mar can bring our voices and concerns to the City Hall; and communicate with all supervisors before they vote. That said, one by one Q & A is important and necessary for Supervisor Mar to better understand our concerns and needs.

Also, I don't understand how Supervisor Mar holds two meetings at the same time, but still can listen to us for the entire session? I know his time is very valuable, we are hoping our time can be respected too.

My English is limited, if you have any questions that need to be clarified, I am happy to explain. Thank you!

Christy & Joseph

Sunset CommunityAlliance <sunsetcommunityalliance@gmail.com>

Fri, Jul 9, 1:10 PM
(8 days ago)

to Daisy, Adam, Geo, Christy, Hans, (BOS), Gordon, Marstaff, Rumesha, Ada, San, Enoch

Daisy,

If next Monday (7/12) and Tuesday (7/13) Supervisor Mar is not available, can he spare 2 hour to meet with his residents before 7/24? (Weekend and/or evening time are good). We just need at least 2 days in advance notice, so we can notify people. I don't think this is asking too much. We sincerely hope for a respectful community engagement process. Thanks

Christy & Joseph

Quan, Daisy (BOS)

Jul 9, 2021, 6:15 PM
(8 days ago)

to Adam, Christy, Hans, (BOS), Gordon, Marstaff, Rumesha, Ada, San, Enoch, me, Geo

Hi all,

We could do Monday, July 19th from 6-8p at 19th Avenue Baptist Church for a Listening Session in the format as previously proposed, to give each person an opportunity to speak and be heard, and for the Supervisor to provide a comprehensive response at the end. This is more than a week's notice.

We hope the Sunset Chinese Cultural District Town Hall tomorrow will remain respectful and in keeping with the purpose or topic of the event. If you are aware of folks who have registered and are expecting to attend tomorrow hoping to speak with Supervisor Mar directly about 2550 Irving, please direct them to this alternative date.

Thank you.

Daisy

Rallies/event
pictures from
direct impact
neighbors,
**OPPOSED AS
PROPOSED!**

Rally on 1/24/2021, nearly 100 immediate neighbors protest in front of 2550 Irving opposed the project



2/28/2021, about 100 immediate neighbors protested in front of 2550 Irving to oppose as proposed, demand to modify the building from 7 stories to 4 stories



5/22/2021, a group of neighbors protested in front of 2550 Irving opposed as proposed



5/21/2021 Protest in front of 2550 Irving Street



Sunset Residents Association, Mid Sunset Neighborhood Association and Sunset Community Alliance, 3 groups demanded TNDC and Supervisor Mar for meaningful community engagement, but denial or no response. On 6/30/2021, the 3 group organized one and invited Supervisor Mar and TNDC to attend. Supervisor Mar didn't reply our email until a day before the event and only can promised to stay 30 for a 2 hours meeting. There were about 170 immediate neighbors showed up and all opposed as propose, everyone demand to modify the building. Everyone is upset, angry and frustrated that Supervisor Mar was not able to make time for the community to communicate and answered questions/concerns. To the point, people shout out "Recall Gordon Mar"

6/30/2021 Community Meeting, filled with full room (170 people) of immediate neighbors to oppose as proposed! Video on YouTube: <https://www.youtube.com/watch?v=EXQiEXQeyZI>



7/8/2021 Protested in front of Supervisor Mar's house



7/11/2021 immediate neighbors showed up on Lawton & 28th Ave Oppose as proposed



**1/16/21 & 1/23/21 TNDC
Zoom Meeting Chat Box
screen shot. Tons of
immediate neighbors raised
concerns, but mostly never
answerd. Beginning the 3rd
Zoom Meeting, all chat box
was set closed & muted,
NOT allow to bring up
questions. No 2 ways
communication**

10:47



Close

Chat



From Tatyana Berezin to Everyone

Are you proposing that the development doesn't move forward until live meetings are safe again? That won't be for another year.

From Alexander Don-Doncow to Everyone

this is not a discussion, it's a lecture.

From Alexander Calhoun to Everyone

He has been on this project for 10 months. How can he talk about community outreach?

From Meina Young to Everyone

How will you compensate for additional safety burden and devaluation on existing mom and pop rentals?

From Becky Lee to Everyone

11:44



Close

Chat



From Alexander Calhoun to Everyone

Rumesha, you have been doing a great job.
Thanks.

From Rumesha Whitfield to Everyone

Thank you

From Joseph to Everyone

Good point!

From Dennis Shea to Everyone

Do the people who will be in this housing
development currently have housing?

From Kathy Fong to Everyone

low income condo for purchase is different
from low income rental.

From Becky Lee to Everyone

11:29



Close

Chat



Totally have same feeling with Flo Kimmering. Please listen to us the nearby affected area.

From 23rd irving to Everyone

listen to our voice

we are oppose this project, this is not right location

From 28th Ave to Everyone

Surprise Surprise! Thanks Flo for looking after us.

To Everyone

Don't avoid all evaluation reports!

From Joseph to Everyone

Why be autocratic and not let people

11:28



Close

Chat



you26 Ave

From Alexander Don-Doncow to Everyone

Thanks

From 24th Irving to Everyone

over 1000 online petition, over 95% of Irving merchants, and nearly 600 of immediate neighbors oppose this project is a strong voices to proven this this of housing is NOT WELCOME. DO NOT REGLECT our voice

From Cerise Lee to Everyone

is Joseph's question basically "the neighborhood and the business do not want this project to move forward? He has signatures and should submit his questions to the mayor's office and Gordon Mar directly since they didn't get to answer his question.

11:25



Close

Chat



From 28th Ave to Everyone

It seems to be a one way conversation.

From Lucia Huang to Everyone

85M can purchase 40 rehab and blighted house to convert them into 4 units

From 28th Ave to Everyone

Your answer is Downtown. Utilize those units first.

From Suet Lau to Everyone

Supv Mar -you represent your District and need to listen to our neighbors.

From Becky Lee to Everyone

Thank you Monte. His questions are also our questions.

11:19



Close

Chat



From Joseph to Everyone

Why be autocratic and not let people discuss their opinions. Rumesha this is a double standard

From Miho Gehrman to Everyone

Flo thank you so much important information

From Krista Loretto to Everyone

I agree with the current speaker!

From Rumesha Whitfield to Everyone

Jospeh - I see you are back in the queue and I hope you have a chance to ask your next question.

From 28th Ave to Everyone

11:12



Close

Chat



We want to hear Joseph

From **terri lee** to **Everyone**

looks like the project is a done deal ,

From **Suet Lau** to **Everyone**

Joseph- please put up your email so more people can join you and hear more.

From **Joseph** to **Everyone**

My email is joyce.tam@att.net

From **Miho Gehrman** to **Everyone**

Thank you

From **Lisa Tsang** to **Everyone**

thanks

11:05



Close

Chat



How convenient.

From Suet Lau to Everyone

We still do not hear any real steps towards building a compromise

From Alexander Don-Doncow to Everyone

Why?

Why not helpful the PPA?

From Lucia Huang to Everyone

Instead of introducing a 20% special population in one building, has the city considered to spread the group into multiple buildings so better distribution and less burden on one building and neighborhood

From Eric and Fran to Everyone

Similar question with Suet's: so what part of

10:47



Close

Chat



From 20th Ave to Everyone

Great input on neighborhood character.
Thank you.

From Alexander Calhoun to Everyone

Zoning and General plan are different.

To Everyone

why other six projects currently on planning
or construction can allow to provide 0%
BMR units in the same district , but this
project required to provide 100% BMR
units?but this

From Alexander Don-Doncow to Everyone

How are you going to reach to everyone?
Are you going to mail letters to all sunset
residents informing what you are going to
do in our neiggborhood?

From 23rd irving to Everyone

10:54



Close

Chat



Can't do this indefinitely!

From Jonathan Gagen to Everyone

<https://sfmohcd.org/housing-development-process>

From Eric and Fran to Everyone

To follow up on Paul's comment - can you specify what screening, if any, is applied towards the special population ... which I assume would depend on the available onsite support and resources available at the property. As you know, people affected with mental illness, addiction, etc. need more support than those only affected by economics. Special population has many differing needs depending on their circumstances.

10:53



Close

Chat



I oppose this project. First at all, Mar should outreach to the affected area not far from this project.

From 23rd irving to Everyone

I agree with you

From Alexander Don-Doncow to Everyone

You are not answering her question.

From Meina Young to Everyone

Awakened from the pandemic, residents are looking for low density to keep social distancing, wouldn't the project directly ruins that existing desirability of the neighborhood, and unnecessarily adding safety concerns? Reports show so many more existing vacancies to accommodate housing needs right now, without waiting for years to build, why not apply the funding to existing structures for housing? What's

10:48



Close

Chat



From 28th Ave to Everyone

Let's repeal Prop A

From Carly Grob to Everyone

Carly.grob@sfgov.org

From 28th Ave to Everyone

Krista. Yes those and the ones vacant downtown from businesses leaving our City.

To Everyone

/ '3) Sunset district has 3 locations has the same features (Good School, near to shopping stores, public transportation) as Irving location, , - Noriega, Taraval, and Sloat. Why two 100% AH unit projects are located at end of the Sunset District, each other apart from 1.3 mile only. Adding 235 units, up to 700 residents on this area. This location is far from highway, and 19th Ave and 37th Ave are the main traffic path. Choice this location for two big projects

10:47



Close

Chat



I wonder when is Mar do the outreach, I walk around the project site last week still a lot of people still do not know the project!

From Dinah Stroe to Everyone

can you. ame it work if it's only 4 stories?

make

From 23rd irving to Everyone

agree with you lisa

I oppose this project

From 28th Ave to Everyone

Whose 'WE'?????? We did not have any input. Where is the Voice of the Community?

From Tatyana Berezin to Everyone

10:47



Close

Chat



From terri lee to Everyone

We feel like we are being talked down to.
You need to describe in more detail "best design" practices.

From Judy 26th/Lincoln to Everyone

Can he tell everyone NOW what is and what is not negotiable?

From 23rd irving to Everyone

we need vote

To Everyone

we need to see the proposal when TNDC
apply this funding.-NOFA

From Lisa Tsang to Everyone

I oppose 2550 Irving Street project as
following 1. Natural resource environmental
issue and sustainability a. Water b. Air

10:47



Close

Chat



How was this site chosen and by whom?

From Dinah Stroe to Everyone

a good realtor can direct the city to a host of apartment buildings owners are eager to sell. being a landlord in the city y is very challenging. there's a lot of multiple unit buildings be for sale and that's a better way for the city to proceed.

From Alexander Don-Doncow to Everyone

Flo, we lived in this neighborhood for 50 years and never heard of your community.

From 23rd irving to Everyone

recall Gordon Mar

To Everyone

we need to see the proposal when TNDC apply this funding.

10:47



Close

Chat



From 28th Ave to Everyone

No the location is not ideal!

From 26th & Irving Street St Lau to Everyone

disingenuous, schools are lottery. not neighborhood.

From 28th Ave to Everyone

Agree Dinah Shore.

From terri lee to Everyone

agree with

From 28th Ave to Everyone

Recall Gi

From Judy 26th/Lincoln to Everyone

Does the Teaching Housing project still

10:47



Close

Chat



From Tatyana Berezin to Everyone

Are you proposing that the development doesn't move forward until live meetings are safe again? That won't be for another year.

From Alexander Don-Doncow to Everyone

this is not a discussion, it's a lecture.

From Alexander Calhoun to Everyone

He has been on this project for 10 months. How can he talk about community outreach?

From Meina Young to Everyone

How will you compensate for additional safety burden and devaluation on existing mom and pop rentals?

From Becky Lee to Everyone

**HUNDREDS OF
INDIVIDUAL DIRECT
IMPACT
NEIGHBORS SENT
OPPOSITION
LETTERS TO CTY
OFFICIAL AND IS
NOT INCLUDED IN
THIS PACKAGE
INCLUDED FOR
YOUR REFERENCE**

From: [Helena Ribeiro](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Fwd: Building Scale and Location Selection
Date: Monday, July 19, 2021 12:11:21 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I do not want this large construction of the new building 2550 Irving next to my house. My elderly mother is to come live with me so I can take care of her. Construction will be a distress and disturbance to the whole family.

I fear all vibration problems during the lengthy construction period.

I dread having a few hundred new neighbors directly next door.

What happens when the large earthquake arrives, the new 7 storey will tumble onto my house. Earthquake-proof or not it will not withstand the large one. It could well collapse onto my house.

Mostly everyone in this district do not want this large building. Isn't that point important? Has anyone been listening to the district properly?

Most of the ones who point their finger or say to build it here and build it max are NOT living in this district. Why are they directly anything? So I'm afraid the real and true nimbys are those in other districts saying let's built it there, in that district. Labels are not right but have been used against us incorrectly so. So I turn it back to them who hands out the labels.

I know various people have their ideas or past experiences, but they don't understand this corner is already so dense and so busy and so noisy, it is not the place for more mass. I hear traffic all day long as it is. It's congested already with people and traffic.

This placement of a LARGE building 2550 Irving right next to my tiny old home is unethical. It's incorrect. You can't ethically put a train track or a river right next to a small dwelling, how do you place a 7-story next to a tiny house. Just because it can be done does not mean it should be done.

All points on my previous email below stands. Helena

Begin forwarded message:

From: Helena Ribeiro <helenaribeiro@me.com>
Date: June 6, 2021 at 6:44:54 PM PDT
To: gordon.mar@sfgov.org
Cc: daisy.quan@sfgov.org
Subject: Building Scale and Location Selection

Supervisor Mar,

Large buildings should be built in either open areas or close to similar height buildings. Office skyscrapers are being built next to other office skyscrapers (as one being built on First and Market/Mission). Large condos are built around similar height existing building, as 181 Fremont is, and other large SoMa big new buildings.

And 2550 Irving - 70 feet is tall, 7 storey, and it is also going to be wide, being right next to a 20 foot house (mine). It not only brings shadows to yards, in addition, the height will shut out the light to the dining room and room window both directly facing 2550 bldg. The dining room faces the driveway now. This new taller building next to us could darken the house since we have windows facing it.

Then there is privacy, it's SO CLOSE, tenants looking out windows can practically eye ball our bedroom and sun room. We'll be in close and constant sight of these hundreds of neighbors. Why is this building appropriate next to my house? We know it's not. I've been negated, do we even exist? No one counted how it would be because if so they would say no it's not going to look good right here on this block. It isn't a good place to put this blockade.

Oh, it will be an eyesore in itself. It will be THE eyesore of 26th and 27th Avenue.

There is a reason the current 2550 Irving building is what it is, two storey, because that was equivalent, similar, fits in, and just a little over our house and there are no residents looking in on us. That was built in size to what was thought appropriate.

It seems "Building 101" says you don't build a multi window complex direct and close facing someone's home (or yard), you don't build a tall and wide blockhouse next to a single storey, it a privacy, light and shadow breach. To my many neighbors too. I'm not speaking for myself. Of course there are the numerous other problems brought up by others for density, traffic, what about noise, trash, how about security. And there are more. This obviously is not where this should be. It needs to be away from small houses. We are too many families here with kids, parents in small houses which we love.

Helena Ribeiro
Direct Neighbor

Sent from my iPad

From: [munzer dajani](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: 2550 Irving Street building project
Date: Monday, July 19, 2021 5:57:22 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Honorable Supervisors of San Francisco:

I am writing concerning the above planned building City project. I understand that a shadow study was conducted to see the effects on close by residences. A shadow study is most definitely not enough. What is also needed is a light study as well. There must be a light study conducted to see the effect of such a gigantic building on the habitability of the next door neighbors. There are experts that can do both shadow and light studies. The City should be able to do both expert studies. As an owner of properties in the area, I am concerned about any development that may affect the residents negatively.

Sincerely,
Munzer Dajani

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: [Gordon Chan](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: OPPOSE Pre Development Loan 2550 Irving Street Affordable Housing Loan & Project - Out of Scale & Bad For Neighbourhood
Date: Monday, July 19, 2021 6:18:07 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and property owner for over 20 years and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.
It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.
- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident & Property Owner,

Gordon Chan & Johnson Chan
1322 27th Avenue SF CA 94122
1 (415) 519-9399

From: [Gordon Chan](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Resolution Number #210763, and "7/20/21 BOS Meeting OPPOSE Pre Development Loan 2550 Irving Street Affordable Housing Loan & Project - Out of Scale & Bad For Neighbourhood"
Date: Monday, July 19, 2021 6:25:38 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and property owner for over 20 years and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other

buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
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- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident & Property Owner,

Gordon Chan & Johnson Chan
1322 27th Avenue SF CA 94122
1 (415) 519-9399

From: [Cathy Arima](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Resolution number #210763, and 7/20/21 BOS meeting / Oppose the pre-development loan for 2550 Irving Street (TNDC)
Date: Monday, July 19, 2021 7:37:01 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:-

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late '20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.
It should be right-sized to 4 stories.

We need Design with Dignity — I can't imagine the lack of quality of life for families living in a densified hotel development like this. There are many examples of affordable housing that offer much better choices for the families living in them. Please study them, so you can be accountable to the families who will eventually move in.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on

rehabbing other buildings and building ADUs to ultimately house even more families in D4.

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Sincerely,

Cathy Arima

1274 - 28th Avenue

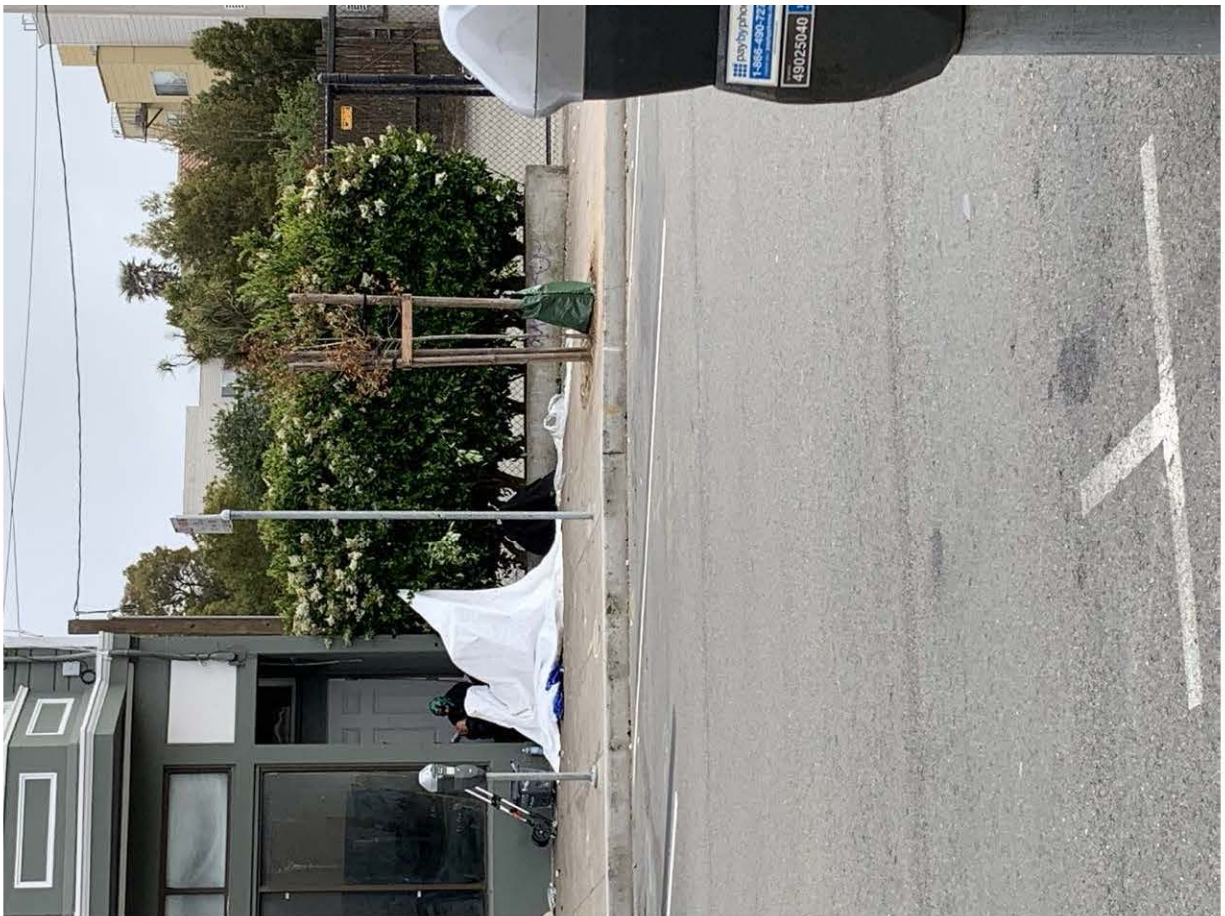
From: [Sami Ngo](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Fwd: My family and I still opposed 2550 Ivrving Housing Project
Date: Monday, July 19, 2021 8:18:48 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

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

From: Sami Ngo <samipooo124@gmail.com>
Date: Sat, Jul 17, 2021 at 5:44 PM
Subject: Re: My family and I still opposed 2550 Ivrving Housing Project
To: <marstaff@sfgov.org>, mayorlondonbreed@sfgov.org <mayorlondonbreed@sfgov.org>, sean.elsbernd@sfgov.org <sean.elsbernd@sfgov.org>







Mr. Gordon Mar and SF Mayor Breed,

Please take a good look at these pictures and let me know what you think. These pictures are taken today 7/17 at Irving between 26th and 27th Ave.

Picture 1. Garbage and feces floating around the garbage can in front of Police Credit Union, gross!

Picture 2. Homeless camper harassing neighbors, throwing garbage and urinating around the camp site In front of my neighbor's home, gross!

Picture 3. Bike shop got broken into many times during the pandemic and the owner decided board up the front door to keep his shop safe, scary and depressing!

We've voted for you, Gordon, to represent D4 and would really appreciate if you can live up what you have promised, to serve the families and merchants in the Sunset district. You have failed your duties as our supervisor. You are too busy making sure TNDC gets the loan for the 2550 Irving housing project but not protect our neighborhoods. My family and I do not feel safe walking on the street as we see more hostile, violent, mentally ill drifters and homeless campers just do whatever they want in our neighborhood. Please listen to us and step up take care of the problems!!!!

All the best,
Samantha Tong

On Wed, Jun 30, 2021 at 9:57 PM Sami Ngo <samipoo124@gmail.com> wrote:
Dear Supervisor Mar,

After coming back from the Community Meeting at St. Anne's tonight, I've learned so much more about the housing project at 2550 Irving Street. We are opposing it because:

1. This site is contaminated with toxic waste
2. This project will cost taxpayers 100 million dollars
3. Problems with density
4. Problems with congestions/traffic

Please do your job as Sunset District Supervisor. We've elected you to voice our concerns, but if you think building and spending \$100 million on a housing project on toxic land is the right thing to do, I'm sorry we voted for you. This shows us that you are on a mission for your own political gains, you are not passionate to work with the people in your neighborhood. God bless you.

Samantha Tong
1364 27th Ave

From: [Sami Ngo](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: I Oppose 2550 Irving Street Housing Project
Date: Monday, July 19, 2021 8:22:34 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.

It should be right-sized to 4 stories.

- **TOO EXPENSIVE** - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.

- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.

- **ENVIRONMENTAL CONCERNS** - PCE vapors have been found underground at 2550 Irving St site as well as at the south side of Irving

St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

- **CONSTRUCTION IMPACT** - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.

- **INFRASTRUCTURE** - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation,

environmental review and cleanup and additional community engagement. I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

Samantha Tong
Sunset Resident

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: OPPOSE 2550,IRVING PROJECT
Date: Monday, July 19, 2021 8:24:02 AM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: Pornvilai Buckter <bklalit@aol.com>
Sent: Monday, July 19, 2021 4:44 AM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: OPPOSE 2550,IRVING PROJECT

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Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

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Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.

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- **PARKING** - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
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- INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident,
Pornvilai Buckter
1369 29th Ave

Sent from my iPhone

From: [Lew, Lisa \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: My Family and I Oppose 2550 Irving Street Housing Project
Date: Monday, July 19, 2021 8:25:53 AM
Attachments: [image001.png](#)

For File No. 210763.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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From: Sami Ngo <samipooo124@gmail.com>
Sent: Monday, July 19, 2021 8:25 AM
To: Lew, Lisa (BOS) <lisa.lew@sfgov.org>
Subject: My Family and I Oppose 2550 Irving Street Housing Project

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Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- TOO OUT OF SCALE - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.

It should be right-sized to 4 stories.

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St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

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I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

Samantha Tong
Sunset Resident

From: [Randall Mazzei](#)
To: [Mar, Gordon \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Opposed regarding Resolution #210763 - "7/20/21 BOS meeting"
Date: Monday, July 19, 2021 8:30:23 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I **oppose** the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed. Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- **TOO OUT OF SCALE** - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s. Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high. Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants. It should be right-sized to 4 stories.
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Sincerely,

District 4 Resident, Randall Mazzei
2562 21st Avenue
San Francisco, CA 94116
randymazzei@hotmail.com
(415) 279-8702 **C**
(415) 681-8464 **H**

From: [Carroll, John \(BOS\)](#)
To: [Sami Ngo](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: My Family and I Oppose 2550 Irving Street Housing Project - File No. 210763
Date: Monday, July 19, 2021 8:33:50 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Sami Ngo <samipooo124@gmail.com>
Sent: Monday, July 19, 2021 8:24 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: My Family and I Oppose 2550 Irving Street Housing Project

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Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

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integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

Samantha Tong
Sunset Resident

From: [Carroll, John \(BOS\)](#)
To: [Rosa Malone; Board of Supervisors, \(BOS\)](#)
Subject: RE: OPPOSE Resolution #210763, and "7/20/21 BOS meeting" - OPPOSE!!!
Date: Monday, July 19, 2021 8:35:36 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: Rosa Malone <ggchica1234@gmail.com>
Sent: Monday, July 19, 2021 6:41 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: OPPOSE Resolution #210763, and "7/20/21 BOS meeting" - OPPOSE!!!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear. Mr. Carroll,

Please, please, please consider a smaller building. The proposed size is huge and there will be a wall of shade for those who live behind it. And a wall in general. We don't need more eyesores in this city!

This is going in the wrong direction.....San Francisco was known for it's beautiful size (and scale) and livability. People come and go, but this out-of-scale building will remain.

Thank you for your consideration.

Rosa Malone
1234 27th Avenue
SF 94122

From: [Carroll, John \(BOS\)](#)
To: [Pornvilai Buckter](#); [Board of Supervisors, \(BOS\)](#)
Subject: RE: OPPOSE 2550 IRVING PROJECT! - File No. 210763
Date: Monday, July 19, 2021 8:37:01 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: Pornvilai Buckter <bklalit@aol.com>
Sent: Monday, July 19, 2021 4:42 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: OPPOSE 2550 IRVING PROJECT!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mar and the Board of Supervisors,

I am a Sunset resident and I oppose the approval of the pre-development loan for 2550 Irving Affordable Housing development and I oppose the project as currently proposed.

Our city and the Sunset desperately need more Affordable Housing, but as proposed, 2550 Irving Street is not the solution. Here are my concerns:

- TOO OUT OF SCALE - The 7 story building as proposed by the TNDC is too out of scale with the surrounding neighborhood. It will be at least 3 times that of the biggest building in the area built in the late 20s.

Affordable housing is most successful when the scale and design blends in with the surrounding neighborhood. Other proposed affordable housing units in the Sunset are all 4-5 stories high.

Building 7 stories directly adjacent to the Sunset's tiniest homes not only robs neighbors of their privacy and solar rights, it reinforces the socio-economic isolation of tenants.
It should be right-sized to 4 stories.

- TOO EXPENSIVE - This proposal comes with ~\$1mil/unit price tag and is 60% over the average for new Affordable Housing in SF. Other proposals should be considered for this site including building a smaller building at 2550 Irving and spending the rest of the budget on rehabbing other buildings and building ADUs to ultimately house even more families in D4.
- PARKING - Only 11% parking ratio is proposed. This means more parking difficulties for existing neighborhood residents and patrons of local businesses. This warrants an increase in parking ratio for the proposed building to at least 25%.
- ENVIRONMENTAL CONCERNS - PCE vapors have been found

underground at 2550 Irving St site as well as at the south side of Irving St. Before adding more new residents, the toxic plume on both sides of the block needs to be remediated. A full environmental review of the project should be conducted.

- CONSTRUCTION IMPACT - Single family homes that surround the site are standing on 100 year old foundations on top of the Sunset fine grain sand. A report and a plan is needed to define the monitoring and mitigation process for any construction impact.
- INFRASTRUCTURE - If the city wants to add 300+ people to this block, they need to study and plan to address any impact on traffic, transit, water/sewer and schools.

This project should be right-sized to 4 stories instead of 7 with additional investment in infrastructure, additional parking, construction impact mitigation, environmental review and cleanup and additional community engagement.

I urge you to listen to the D4 residents like myself and oppose this loan and this project as proposed in favor of a more appropriately sized and reasonably integrated 4 story development at 2550 Irving St for the benefit of new as well as existing residents and businesses.

Sincerely,

District 4 Resident,
Pornvilai Buckter
1369 29th Ave

Sent from my iPhone

From: [Dra. Chien](#)
Re: [Budget Committee, MOBCD, Public Credit Union](#)
Subject: Re: File No. 2500, BOB meeting 7/30/21 DTSC and 2500 Irving St.
Date: Monday, July 19, 2021, at 10:46 AM
Attachments: [2500-IRVING-071921.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untreated sources.

Subject: Re: File No. 210763, BOB meeting 7/30/21 DTSC and 2500 Irving St.
Dear Supervisor Melgar:

I am the liaison with DTSC for MSNA and have been working closely with Arthur Machado, who is managing the final decision for TNSC's draft response plan. The draft response plan was not part of the record that was considered by the Budget and Finance Committee on July 14, 2021 even though MOBCD referred to it as an "approval" plan in order to persuade the supervisors to move the loan forward to the full Board of Supervisors for a vote. We are at the beginning of DTSC's 30-day comment phase for the draft response plan. In order to bolster their case with the Budget and Finance Committee, MOBCD's Amy Chan made the following statement to Supervisor Mar when he questioned why TNSC and MOBCD couldn't have waited (as was stipulated by the loan and purchase agreement) until DTSC's public comment period was over and the response plan approved. Ms. Chan said: "We don't believe that there would be any new information coming from DTSC. As Jacob [Norman] has mentioned the draft response plan has already been reviewed and preliminarily approved. And there won't be any new information coming from that process, which will conclude in mid August."

As DTSC will tell you, they do not "preliminarily approve" a draft. Additionally, by assuming there will be no new information that will come from the comment period, MOBCD and TNSC are dismissing an extremely important part of DTSC's process.

MOBCD's mission. There is and will be new information coming. For example, because DTSC recently saw the state of the neighborhood 100-year old crumbling foundations, they are asking the Police Credit Union (PCU) to conduct vapor intrusion testing of selected homes. This testing is done over the course of a year and will yield for DTSC much new data and a clearer idea how much toxic vapor has come into the neighbors' homes. The PCU reached out to MSNA and DTSC, and we will be meeting with the PCU to discuss the data this week. This important information for the BOB is coming.

Based on the expert opinions of geologist Don Moore and Lemmy Siegel, Executive Director of the Center for Public Environmental Oversight, it is more likely than not that the draft response plan submitted by TNSC will have to be revised after the comment period closes 8/13/21. The draft response plan is downloadable at this DTSC link: <https://www.dtsc.ca.gov/Informational/ResponsePlans/ResponsePlans/Pages/2500-IRVING-071921.aspx>. <https://www.dtsc.ca.gov/Informational/ResponsePlans/ResponsePlans/Pages/2500-IRVING-071921.aspx>

The draft response plan recommends a Vapor Intrusion Mitigation System (VIMS) at a cost of \$70K plus \$50K for future monitoring costs. (see Draft Response Plan p. 17, Appendix C p. 2). This is already six times the \$120K cost projected by the appraisal, making the appraisal unreliable, among other reasons. However, both Mr. Moore and Mr. Siegel will testify that VIMS is inadequate for dealing with a site like the 2500 Irving Street block where the PCE plume that is under the property extends north under the adjacent houses. There is a reasonable probability that DTSC will recommend that VIMS for the contamination of Irving site. (see attached DTSC's document: "PCE Vapor Intrusion and Remediation Guidance: Remediation of Chlorinated Volatile Organic Compounds in Vapor Zone Soil").

Both Mr. Moore and Mr. Siegel will testify that the original ESA Phase II recommendation of further neighborhood testing to discover the extent of the plume and testing to locate the PCE hot spots should be completed before any transfer of ownership for 2500 Irving. They also will testify that with two PCE gas plumes, one of which is underneath 2500 Irving, additional vapor intrusion testing in individual neighborhood houses is necessary to determine whether PCE gas has entered other buildings besides the Police Credit Union. Mr. Moore will testify that it is not possible without further testing to estimate the total remediation cost. However, with VIE, PCE can be removed from the neighborhood without needing to conduct continued expensive monitoring for years.

If the full Board approves the resolution as submitted, even with disbursement contingent on final DTSC approval of a response plan, it is reasonably probable based on the evidence that the draft response plan will have to be revised. Revising the draft response plan will have an effect on the allocation of responsibility between the Police Credit Union whom I'm meeting with after the BOB meeting on Tuesday, and TNSC.

With this uncertainty affecting financial feasibility of the loan as submitted, it is recommended that the Board defer approval of the resolution until after the testing is completed and a response plan finalized with DTSC.

Paul Holman
415-766-0818 cell

From: [Joseph Sun](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: 2550 Irving Project
Date: Monday, July 19, 2021 9:53:15 AM

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I am writing to OPPOSE to the 2550 Irving Project. Your NO vote would much be appreciated. Thank you! Joseph Sun

Sent from my iPhone

From: [Joseph Sun](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: #210763 - 2550 Irving Project - I OPPOSE
Date: Monday, July 19, 2021 9:53:23 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

> I am writing to OPPOSE to the 2550 Irving Project (210763). Your NO vote would much be appreciated. Thank you! Joseph Sun

>

> Sent from my iPhone

From: [june jobin](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Resolution#210763, 7/20/21BOS meeting OPPOSE
Date: Monday, July 19, 2021 10:59:56 AM

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Dear Board of Supervisors,

As a lifelong resident of San Francisco and a 50 year resident of 27th Ave, I am writing to ask you to vote NO on the predevelopment loan for TNDC that will allow them to buy 2550 Irving Street.

I am not opposed to affordable housing in District 4 but I am opposed to proceeding without proper due diligence regarding the issued of toxic substances on and around the site.

I understand that UCSF has undertaken a study of the area regarding the public health issue derived from the site and the group of cancers and issues such as Parkinsons that may form a cluster.

With this in mind, I urge to you wait until the current remediation plan is studied more closely before a vote is taken.

Sincerely,
June Jobin
1229 27th Avenue

From: [BOS Legislation, \(BOS\)](#)
To: [Board of Supervisors, \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: Resolution# 210763. OPPOSED
Date: Monday, July 19, 2021 11:19:34 AM

For File No. 210763.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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

From: Pamela Barrango <pamelabarrango@me.com>
Sent: Monday, July 19, 2021 11:18 AM
To: Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Cc: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Resolution# 210763. OPPOSED

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Gordon Mar,

I encourage you to OPPOSE this project at 2550 Irving Street, S.F. The issue of ground toxicity should be resolved for all of the people in the area before any project proceeds. Especially with regard to funding.

The size of the building proposed is an issue for all residents. The size of the building should reflect the 4 story limit here in our area.

The proposed cost is completely reflective of the government's inability to handle this project.

The last meeting I attended, (you were there) Mr. Mar. you walked out on 150 people there with similar concerns.

WHAT could have been more important than that? Your not even willing to listen, what will you do? Please pay attention to the pleas of the people whom live here.

Pamela BARRANGO
2233 Kirkham Street
San Francisco, California 94122
4153369482

Sent from my iPad

From: [Adam Michels](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Subject: BOS file No.210763 , 210753. (Regarding 2550 Irving St loan)
Date: Monday, July 19, 2021 11:25:56 AM
Attachments: [Screen Shot 2021-05-20 at 12.44.08 PM.png](#)

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"This is a renderings created by an architect. It shows my house, my neighbors' houses, and the proposed building. It is not showing the actual design or color, but just the mass of the building."

Dear San Francisco Supervisors and Mayor Breed,

I urge you to vote no on the \$14 Million Loan, principally because the correct process has not been followed. Also, we have submitted new documents to prove that the toxic remediation plan is unacceptable and that the assessment of

the land value is incorrect, because it did not account for the cost of remediation for toxic contamination.

One of you (a supervisor) told me that when a project is in one Supervisor's District, that the other Supervisors will follow his or her lead in going forward or not.

In the Budget and Finance Committee hearing on Wednesday, July 14th, Supervisor Mar clearly told the other two supervisors that he found it problematic to recommend the loan before DTSC public comment on the remediation plan by TNDC. Amy Chan, the finance representative from TNDC, made the egregious statement that there would be no new information from the public comment. In other words, Amy Chan was saying to recommend the loan, because it does not matter what the public thinks about the plan to remediate cancer and Parkinson-causing PCEs in the soil. The other two supervisors, in their blind enthusiasm for affordable housing at any cost, disregarded Mar's plea for the normal process to be followed. One of them even quoted erroneous and outdated data on the PCE levels.

If you vote to approve the loan, you will be

sending a message that the public comment period in the DTSC process has no impact on political decisions. Supervisor Mar himself knew there was something terribly wrong with this rush to circumvent the process, and strangely said something to the effect of, "Well I guess I'm outvoted. If you can't fight 'em, join 'em" [in ignoring the process and jamming through the loan recommendation].

I live in the second house on 26th Ave. from the proposed project. I have an old foundation under my home; it is full of cracks where PCE soil vapor can escape from the soil and go into my home. Yet, no one has even bothered to test for PCEs in my home. Six or more of my immediate neighbors suffer from cancer or Parkinson's disease.

I urge you to vote no on the loan to give a clear message to developers and your fellow legislators. Just because San Francisco needs affordable housing and SB35 gives you a streamlined process, does not mean you can forego the normal processes and guidelines that protect the health of San Francisco residents and the beauty and the functionality of the city itself. MOHCD needs to know that it needs a proper

market study of a piece of land, that includes the cost of removal or remediation of any toxic chemicals, before committing taxpayer dollars to a piece of land that is offered at more than twice its assessed value.

Developers and Supervisors cannot be encouraged to cut corners and claim that nothing would be different if they did things the right way.

I urge you to say to TNDC and Supervisor Haney, "Go back and do this the right way. Saying that public comment on cancer-causing chemicals would not provide any new information is not a statement we endorse."

Thank you.

Adam Michels
1275 26th Ave.

From: [Bronwen Lemmon](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Subject: Resolution #210763 OPPOSE letter
Date: Monday, July 19, 2021 11:28:38 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members and deciders of our social future,

I write to **OPPOSE the resolution** of the 2550 Irving project.

Please Vote **NO**

PLEASE, Bring SF voters, a project that is **Environmentally and Psychologically Sustainable.**

I oppose **SPEED** in midst of intense opposition

I oppose **SKIPPING** due process.

I oppose **PHYSICAL and MENTAL HEALTH HAZARDS** of this project.

Sincerely,
Bronwen Lemmon

Bronwen Lemmon
2111 Kirkham Street
San Francisco
CA 94122

From: [Joan Klau](#)
To: [Board of Supervisors \(BOS\)](#)
Cc: [Vivian Lundy \(BOS\)](#); [Carol John \(BOS\)](#); [Lew Lew \(BOS\)](#); [BOS Legislation \(BOS\)](#)
Subject: Community input re BOS Res # 210763 for 7/20/21 BOS meeting
Date: Monday, July 19, 2021 12:09:55 PM
Attachments: [6/18/21 124 Respond Letter Board \(Joan\).pdf](#)
[BOS_respond7/20/21_210763res.pdf](#)
[BOSL BOS Legislation BOS20210720.pdf](#)

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

July 19, 2021

Dear Supervisors:

I am the financial representative from Mid Sunset Neighborhood Association (MSNA) writing with regard to Resolution # 210763. The following information was not part of the record considered by the Budget and Finance Committee on 7/15/21, and should be considered by the full Board before it approves resolution #210763 on 7/20/21 for the loan at 2550 Irving.

The appraisal (attached) is fatally and fundamentally flawed in its methodology and would not hold up to peer review according to an experienced commercial appraiser who reviewed it.

Below are the flaws identified by the expert appraiser:

- (1) It states in the cover letter that this is a fee simple appraisal. However, on page 30 it states that the appraisal assumes entitlements which would make it a hypothetical appraisal.
- (2) The appraisal fails to state the list price for the property and how many offers were made. This further lacks credibility.
- (3) The appraisal does not account for the additional cost of remediation. This is a factual error. It stated that, "Upon inspection of the subject site, the appraiser did not observe any toxic contamination on the property....There is also an estimated \$120,000 in environmental mitigation costs for soil removal and a vapor intrusion mitigation system." In the draft response plan which was not made available to the Budget and Finance Committee and not part of the record, TNDI recommended \$799k for remediation plus \$500k for monitoring costs. (In Paul Holzman's attached letter summarizing the environmental issues and why the Board cannot rely on DTSC approving the draft response plan after the comment period closes, Mr. Holzman explains why the costs are unknown and may be significantly more.)
- (4) Comps 1, 2, 4, and 5 are not proper comps for 2550 Irving. Comp 4 is government purchased with entitlements in place. Comp 2 is where the City is going to buy the property. Comp 1 is in a much better neighborhood than 2550 Irving and was bought with entitlements in place. Comp 5 is in a much better neighborhood.
- (5) Comp 3 decreased the purchase price after toxic contaminants were found. Comparably, the appraisal for 2550 Irving would be decreased at least 20 percent.

If the resolution is approved and the City commits to financing \$14.3 million for acquisition and predevelopment, the faulty appraisal will not pass scrutiny of the California Tax Credit Allocation Committee (CTCAC) and other lenders.

Sincerely,
Joan Klau, Mid Sunset Neighborhood Association

CC:
linda.stone@sfgov.org
john.carroll@sfgov.org
lisa.lew@sfgov.org
bos.legislation@sfgov.org

Attachments:
Paul Holzman's letter
Draft Response Plan, available at <https://www.nrl-protection.com/x/1ur7>
<https://s3.amazonaws.com/s3.amazonaws.com/68xund4k-g-ynd5M/DwEaYgE1N2N2N2V2M4-4k4cNnd4ZDzZGM2N2V2Y4M4kVg3M2g2Nnd1U2DZDZB6dODmOTNODc2MfEmMGYyN2GWT3N2N2V2Y4Y4YQ-4p-YXAeOnN2N2H2pOmF2YW5h3p2pZ2Y2BZG2mMTB2Y2pGTA4M2ZANTQ3M2U2NTM5M2p0nYa>
6/7/21 appraisal

From: [Richard Chui](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Cc: [Richard Chui](#)
Subject: Regarding 2550 Irving St loan (BOS file No. 210753)
Date: Sunday, July 18, 2021 9:37:58 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I'm writing to ask you to vote NO on the \$14M predevelopment loan that allows TNDC to buy 2550 Irving Street for 100% affordable housing.

I support AH, but need it to be done right. While there are many reasons this project concerns me, the key reason to vote no now is it's premature to approve the loan when DTSC has only just begun the public comment period on the draft remediation plan, and we already have new information that tells us this draft plan is insufficient to keep current and new neighbors safe from PCE contamination. Arthur Machado from DTSC also alluded that their action plan may not be sufficient due the condition of basement of nearby house. We have gathered photos of cracked foundation from nearby homes and some of them were emailed to Arthur Machado. Tom Soper, the architect from MSNA also took some fresh photos from several immediate neighbor's garage today.

Furthermore, as the TNDC's shadow presentation reveals, almost all year long, my house will be under the shadow from this proposed 7 story building. We have a unique situation, i.e., my mom-in-law living with us right next to this proposed AH and she is 76 years old with cold autoimmune hemolytic anemia. Basically, her blood gets hemolyzed without sun therapy and lead to a life-threatening situation. TNDC's suggested solution is to have her use the yard in AH, but that is not feasible since she is homebound, with mobility issue. That said, this tall monstrosity will be detrimental to her health condition.

On 7/15/2021, Rumesha and I were interviewed by Lyanne Melendez from ABC7 News. I conveyed similar messages above and expressed my frustration that such concerns had been brought to TNDC, planning department, and the mayor, but gained no traction.

It is my hope that the politicians truly serve the people they represent, not to throw the entire community (immediate neighbors near the proposed AH) under the bus for political gain.

Respectfully,

Richard Chui
Richard.Chui@outlook.com
Sent from [Outlook](#)

From: [Tiffany Xue](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Cc: [Tiffany Xue](#)
Subject: Regarding 2550 Irving St loan (BOS file No. 210753)
Date: Sunday, July 18, 2021 9:49:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I'm writing to ask you to vote NO on the \$14M predevelopment loan that allows TNDC to buy 2550 Irving Street for 100% affordable housing.

I support affordable housing, but need it to be done right. While there are many reasons this project concerns me, the key reason to vote no now is it's premature to approve the loan when DTSC has only just begun the public comment period on the draft remediation plan, and we already have new information that tells us this draft plan is insufficient to keep current and new neighbors safe from PCE contamination. Arthur Machado from DTSC also alluded that their action plan may not be sufficient due the condition of basement of nearby house. We have gathered photos of cracked foundation from nearby homes and some of them were emailed to Arthur Machado. Tom Soper, the architect from MSNA also took some fresh photos from several immediate neighbor's garage today.

We need to build AH with dignity. According to the industry benchmark, density with dignity is about 45-50 units/acre, but this proposed AH has more than 200 units/acre, 4 times denser than ideal ratio. It is not right to packed too many low-income tenants into a tower, as that will cause them feel stigmatized.

Much of the associated problems such as traffic, water, sewage, transportation related to this AH were ignored by TNDC as well.

Tiffany Xue
Resident near Irving and 27th Ave

From: [Jes](#)
To: [Mar. Gordon \(BOS\)](#); [Board of Supervisors. \(BOS\)](#); [BOS Legislation. \(BOS\)](#); [Wong, Linda \(BOS\)](#); [Carroll, John \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Cc: [Jesmin Chui](#)
Subject: Regarding 2550 Irving St loan (BOS file No. 210753)
Date: Sunday, July 18, 2021 10:00:03 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I'm writing to ask you to vote NO on the \$14M predevelopment loan that allows TNDC to buy 2550 Irving Street for 100% affordable housing.

I support AH, but need it to be done right. While there are many reasons this project concerns me, the key reason to vote no now is it's premature to approve the loan when DTSC has only just begun the public comment period on the draft remediation plan, and we already have new information that tells us this draft plan is insufficient to keep current and new neighbors safe from PCE contamination.

Furthermore, the appraisal study also raised some red flags, suggesting that with PCE contamination, this site is only worth about 6.5 million dollars. Please do not waste taxpayers' money by paying \$9M for a site that is worth about half of the price.

Jesmin

From: [Geo Kimmerling](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Resolution #210763 7/20/21 BOS meeting
Date: Sunday, July 18, 2021 5:32:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is Flo Kimmerling.
My address is 1282 26th Ave.
San Francisco

I oppose this project at 2550 Irving St. as it is currently proposed.

I understand you may have received many letters, and some of them are supportive of this affordable housing. The Mid-Sunset Neighborhood Association which I represent, also supports affordable housing, but not as TNDC has planned this project.

We have spent months investigating all the problems here, ranging from toxicity both in the soil and as a result the surrounding area, to financial irregularities. Only TNDC bid on the property and the most recent appraisal as well as the original one found that their offer was well above the actual value of the property. (And this was without consideration of the toxicity of the ground soil.) The method chosen by TNDC to combat this problem, (and they will take responsibility only for the land they propose to buy, not the problem as it has spread to the neighbors) is a poor and expensive choice. There is a one month period where DTSC is receiving community comments on this issue. That month began July 13, 2021. How you can even consider the predevelopment loan until after mid-August baffles me.

There are many other issues, which you were each alerted to with a packet sent about 10 days ago from our neighborhood association. I will not repeat those issues.

You have received many letters I am sure from a coalition of individuals, very few of whom even live in the district, much less the neighborhood, as all of our constituents do. These individuals were given a script from which to speak last week and write letters to you. I urge you to consider that quantity of repetitious letters from individuals who are not well-versed on the specific issues that are problematic with this project in this neighborhood, is of much less value than letters individually written by people within the neighborhood and who have done thorough research on the subject. Quantity has never equalled quality.

There is a reason that these projects, by law, must be introduced to the neighboring community early on and must involved community input. Please consider this when you judge the value of what you read.

Sincerely,
Flo Kimmerling
Mid-Sunset Neighborhood Association

From: [Shing Fung](#)
To: [Board of Supervisors, \(BOS\)](#)
Cc: [BOS Legislation, \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Subject: Letter for File# 210763, BOS meeting 7/20/21.
Date: Sunday, July 18, 2021 9:19:12 PM
Attachments: [letter to BOS.File#210763 \(F\).docx](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board of Supervisor,

My name is Shing Fung, my house is within 150 ft from 2550 Irving Project. I am one of the most impacted residents by this project.

Please include my letter regarding the project of 2550 Irving Street on the attachment of BOS meeting dated 7/20/21.

Thank you
Shing Fung

Board of Supervisor,

My name is Shing Fung, my house is within 150 f.t. from 2550 Irving Project.

TNDC and Gordon Mar planed this project secretly over one year and I got this shocked news/gift right on the eve of Christmas, 2020 (12/23/2020). A flyer from anonymous regarding this project was placed on our front door. It is an unforgettable Christmas for our community.

After the news leak out, TNDC engaged the meaningless outreach activities for half year. However, even residents raise hundreds concerns from different aspects, such as parking, toxic issue, community safety, sunlight blocked...., but until now, no **anyone** project amend request is accepted by them.

I **oppose** the original 7 floor project by TNDC and **support** the modified 4 floor project by MSNA and other resident groups with direct impact by the subjected project. I have joined many community activities to voice our concerns (see pictures below).

Thanks for your consideration

SF





From: [John Barkan](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: BOS item #210753 - 2550 Irving Street loan
Date: Sunday, July 18, 2021 9:27:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I oppose as proposed the loan to TNDC for this project, for many reasons including density, mass, congestion, traffic, parking, infrastructure and lack of community support, but **ESPECIALLY** because the draft remediation plan for toxic contamination has just begun its public comment period. Don't build affordable housing for residents who will be condemned to live on a dangerous unsafe site. At the very least, the loan approval should be delayed.

Sincerely,
John Barkan, 1221 27th Avenue, 94122

This message is from outside the City email system. Do not open links or attachments from untrusted sources

July 19, 2021

Dear Supervisors:

I am the financial representative from Mid Sunset Neighborhood Association (MSNA) writing with regard to Resolution # 210763. The following information was not part of the record considered by the Budget and Finance Committee on 7/15/21, and should be considered by the full Board before it approves resolution #210763 on 7/20/21 for the loan at 2550 Irving.

The appraisal (attached) is fatally and fundamentally flawed in its methodology and would not hold up to peer review according to an experienced commercial appraiser who reviewed it.

Below are the flaws identified by the expert appraiser:

- (1) It states in the cover letter that this is a fee simple appraisal. However, on page 30 it states that the appraisal assumes entitlements which would make it a hypothetical appraisal.
- (2) The appraisal fails to state the list price for the property and how many offers were made. This further lacks credibility.
- (3) The appraisal does not account for the additional cost of remediation. This is a factual error. It stated that, "Upon inspection of the subject site, the appraiser did not observe any toxic contamination on the property...There is also an estimated \$120,000 in environmental mitigation costs for soil removal and a vapor intrusion mitigation system." In the draft response plan which was not made available to the Budget and Finance Committee and not part of the record, DTSC recommended \$796k for remediation plus \$500k for monitoring costs. (In Paul Holzman's attached letter summarizing the environmental issues and why the Board cannot rely on DTSC approving the draft response plan after the comment period closes, Mr. Holzman explains why the costs are unknown and may be significantly more.)
- (4) Comps 1, 2, 4, and 5 are not proper comps for 2550 Irving. Comp 4 is government purchased with entitlements in place. Comp 2 is where the City is going to buy the property. Comp 1 is in a much better neighborhood than 2550 Irving and was bought with entitlements in place. Comp 5 is in a much better neighborhood.
- (5) Comp 3 decreased the purchase price after toxic contaminants were found. Comparably, the appraisal for 2550 Irving would be decreased at least 20 percent.

If the resolution is approved and the City commits to financing \$14.3 million for acquisition and predevelopment, the faulty appraisal will not pass scrutiny of the California Tax Credit Allocation Committee (CTCAC) and other lenders.

Sincerely,
Joan Klau, Mid Sunset Neighborhood Association

CC:
linda.wong@sfgov.org
john.carroll@sfgov.org
lisa.lew@sfgov.org
bos.legislation@sfgov.org

[illegible]

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

July 19, 2021

Dear Supervisors:

I am the financial representative from Mid Sunset Neighborhood Association (MSNA) writing with regard to Resolution # 210763. The following information was not part of the record considered by the Budget and Finance Committee on 7/15/21, and should be considered by the full Board before it approves resolution #210763 on 7/20/21 for the loan at 2550 Irving.

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- (4) Comps 1, 2, 4, and 5 are not proper comps for 2550 Irving. Comp 4 is government purchased with entitlements in place. Comp 2 is where the City is going to buy the property. Comp 1 is in a much better neighborhood than 2550 Irving and was bought with entitlements in place. Comp 5 is in a much better neighborhood.
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Sincerely,
Joan Klau, Mid Sunset Neighborhood Association

CC:
linda.wong@sfgov.org
john.carroll@sfgov.org
lisa.lew@sfgov.org
bos.legislation@sfgov.org

Attachments:

Paul Holzman's letter

Draft Response Plan, available at <https://app.box.com/s/7pw2xg66muepst387q78quwiro68xmd4>

6/7/21 appraisal

Subject: Re: File No. 210763, BOS meeting 7/20/21 DTSC and 2550 Irving St.

Dear Supervisor Ronen:

I am the liaison with DTSC for MSNA and have been working closely with Arthur Machado, who is managing the final decision for TNDC's draft response plan. The draft response plan was not part of the record that was considered by the Budget and Finance Committee on July 14, 2021 even though MOHCD referred to it as an "approved" plan in order to persuade the supervisors to move the loan forward to the full Board of Supervisors for a vote.

We are at the beginning of DTSC's 30-day comment phase for the draft response plan. In order to bolster their case with the Budget and Finance Committee, MOHCD's Amy Chan made the following statement to Supervisor Mar when he questioned why TNDC and MOHCD couldn't have waited (as was stipulated by the loan and purchase agreement) until DTSC's public comment period was over and the response plan approved. Ms. Chan said:

"We don't believe that there would be any new information coming from DTSC. As Jacob [Noonan] has mentioned the draft response plan has already been reviewed and preliminarily approved. And there won't be any new information coming from that process, which will conclude in mid August."

As DTSC will tell you, they do not "preliminarily approve" a draft. Additionally, by assuming there will be no new information that will come from the comment period, MOHCD and TNDC are dismissing an extremely important part of DTSC's process.

MOHCD is mistaken. There is and will be new information coming. For example, because DTSC recently saw the state of the neighbors' 100-year old crumbling foundations, they are asking the Police Credit Union (PCU) to conduct vapor intrusion testing of selected houses. This testing is done over the course of a year and will yield for DTSC much new data and a clearer idea how much toxic vapor has come into the neighbors' homes. The PCU reached out to MSNA and DTSC and we will be meeting with the PCU to discuss this later this week. This is important information for the the BOS to consider.

Based on the expert opinions of geologist Don Moore and Lenny Siegel, Executive Director of the Center for Public Environmental Oversight, it is more likely than not that the draft response plan submitted by TNDC will have to be revised after the comment period closes 8/13/21. The draft response plan is downloadable at this DTSC link: https://www.envirostor.dtsc.ca.gov/public/community_involvement_documents?global_id=60003063&document_folder=+4489225089

The draft response plan recommends a Vapor Intrusion Mitigation System (VIMS) at a cost of \$799k plus \$500k for future monitoring costs. (see Draft Response Plan: p. 17; Appendix C p. 2) This is already six times the \$120k cost projected by the appraisal, making the appraisal unreliable, among other reasons. However, both Mr. Moore and Mr. Siegel will testify that VIMS is inadequate for dealing with a site like the 2500 Irving Street block where the PCE plume that is under the property extends north under the adjacent homes. There is a reasonable probability that DTSC will recommend their presumptive remedy, Soil Vapor Extraction (SVE) for the contamination at Irving site. (see attached DTSC's document: Proven Technologies and Remedies Guidance: Remediation of Chlorinated Volatile Organic Compound in Vadose Zone Soil)

Both Mr. Moore and Mr. Siegel will testify that the original ESA Phase II recommendation of further neighborhood testing to discover the extent of the plumes and testing to locate the PCE hot spots should be completed before any transfer of ownership for 2550 Irving. They also will testify that with two PCE gas plumes, one of which is underneath 2550 Irving, additional vapor intrusion testing in

individual neighborhood houses is necessary to determine whether PCE gas has entered other buildings besides the Police Credit Union. Mr. Moore will testify that it is not possible without further testing to estimate the total remediation cost. However, with SVE, PCE can be removed from the neighborhood without needing to conduct continued expensive monitoring for years.

If the full Board approves the resolution as submitted, even with disbursement contingent on final DTSC approval of a response plan, it is reasonably probable based on the evidence that the draft response plan will have to be revised. Revising the draft response plan will have an effect on the allocation of responsibility between the Police Credit Union whom I'm meeting with after the BOS meeting on Tuesday, and TNDC.

With this uncertainty affecting financial feasibility of the loan as submitted, it is recommended that the Board defer approval of the resolution until after the testing is completed and a response plan finalized with DTSC.

Paul Holzman
415-706-0618 cell

WATTS, COHN and PARTNERS, INC.

COMMERCIAL REAL ESTATE APPRAISAL

APPRAISAL OF:

**2550 IRVING STREET
SAN FRANCISCO, CALIFORNIA**

PREPARED FOR:

**TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION
SAN FRANCISCO, CALIFORNIA**

JUNE 2021

21-WCP-032

WATTS, COHN and PARTNERS, INC.

COMMERCIAL REAL ESTATE APPRAISAL

June 7, 2021

Ms. Katie Lamont
Senior Director of Housing Development
Tenderloin Neighborhood Development Corporation
201 Eddy Street
San Francisco, California 94102

Re: 21-WCP-032 Appraisal
2550 Irving Street
San Francisco, California

Dear Ms. Lamont:

At your request and authorization, Watts, Cohn and Partners, Inc. has made an appraisal of the above referenced property. The subject property appraised consists of a single parcel of land located on Irving Street bounded by 27th and 26th Avenues in the Outer Sunset neighborhood of San Francisco, California. The property has a street address of 2520-2550 Irving Street. The parcel contains approximately 19,125 square feet, or 0.44 acres, of land area. The zoning designation is NCD, Irving Street Neighborhood Commercial, Moderate Scale, with a height limit of 40 feet.

The subject land is presently improved with a two-story wood frame commercial building known as the Police Credit Union that was built in 1966, as well as surface parking. The existing improvements are not consistent with the highest and best use of the site, which is for redevelopment with a more intensive use. As requested by the client, the subject is appraised under the assumption that the subject improvements will be demolished and developed with multifamily housing. The site is identified by the San Francisco County Assessor as Block 1724 Lots 038.

The subject property is currently under contract to be purchased for \$9,000,000. This is equal to approximately \$471 per square foot. The purchaser is proposing to develop the property with low income rent restricted dwelling units. However, as of the date of value, the property has not submitted for entitlements.

The client has asked that the property be appraised fee simple under the current zoning without consideration of the proposed affordable project. The proposed affordable project is planned for 90 to 100 units in a 7-story building and is only allowed due to Senate Bill 35 in conjunction with the State Bonus Law because it will be a 100 percent rent restricted project. Current city zoning

582 Market Street, Suite 512 | San Francisco, CA 94104 | 415-777-2666

Mark Watts | mark@wattscohn.com | Sara Cohn, MAI | sara@wattscohn.com

under the Home-SF Program would allow for an estimated 75-unit mixed use multifamily development of which 70 percent would be market rate units and 30 percent would be BMR units as required by the city. This appraisal addresses the current as-is land value based on the City zoning allowing for a typical profit motivated buyer to develop an estimated 75-units. (The proposed 100 percent affordable project would likely show no residual land value and is therefore not the highest and best use of the subject site).

Over the last year market conditions have changed in response to the Covid-19 pandemic. Many businesses are closed, and unemployment rates have increased. There is some market concern that tenants will be unable to pay their rents in a timely manner. Demand for high density multifamily housing has decreased and there is no consensus at this time as to the direction of the market in the near term. The analysis and value opinion in this appraisal are based on the data available to the appraiser at the time of the assignment and apply only as of the indicated effective date of value.

The property interest appraised is fee simple.

The client for this appraisal is Ms. Katie Lamont, Senior Director of Housing Development with Tenderloin Neighborhood Development Corporation ("TNDC"). The purpose of this appraisal is to estimate the current market value of the fee simple interest in the subject property in its present, physical as-is condition. It is our understanding that the intended use/user for this appraisal is for the exclusive use of TNDC and the City and County of San Francisco for assistance in financing the proposed affordable development. *This report should not be used or relied upon by any other parties for any reason.*

A more complete description of the subject property appraised, as well as the research and analyses leading to our opinion of value, is contained in the attached narrative report. Chapter I provides a basic summary of salient facts and conditions upon which this appraisal is based and reviews the value conclusion.

VALUE CONCLUSIONS

As-Is Value

Based on the research and analyses contained in this report, and subject to the assumptions and limiting conditions contained herein, it is the opinion of the appraisers that the fee simple market value of the subject property, assuming it is a vacant land development site, as of March 29, 2021, is estimated to be:

NINE MILLION DOLLARS

(\$9,000,000)

It is the opinion of the appraiser that the above concluded market value for the subject property could be achieved within 12 months of exposure period as of the date of value.

Watts, Cohn and Partners, Inc.

Commercial Real Estate Appraisal

21-WCP-032

This letter must remain attached to the appraisal report, identified on the footer of each page as 21-WCP-032, plus related exhibits, in order for the value opinion set forth to be considered valid.

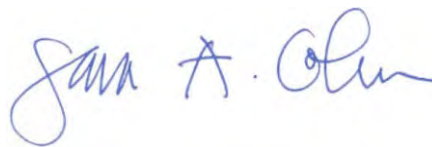
CERTIFICATION

We, the undersigned, hereby certify that, to the best of our knowledge and belief: the statements of fact contained in this report are true and correct; the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions; we have no present or prospective interest in the property that is the subject of this report, and we have no personal interest with respect to the parties involved; we have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment; our engagement in this assignment was not contingent upon developing or reporting predetermined results, our compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal; the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan; our analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice, Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute, and is in compliance with FIRREA; Sara Cohn has made a personal inspection of the property that is the subject of this report; no one provided significant real property appraisal assistance to the persons signing this report. The use of this report is subject to the requirements of the Appraisal Institute related to review by its duly authorized representatives. As of the date of this report Sara Cohn has completed the requirements under the continuing education program of the Appraisal Institute. In accordance with the Competency Rule in the USPAP, we certify that our education, experience and knowledge are sufficient to appraise the type of property being valued in this report. We have not provided services regarding the property that is the subject of this report in the 36 months prior to accepting this assignment.

We are pleased to have had this opportunity to be of service. Please contact us if there are any questions regarding this appraisal.

Sincerely,

WATTS, COHN and PARTNERS, INC.



Sara Cohn, MAI
Certified General Real Estate Appraiser
State of California No. AG014469

Watts, Cohn and Partners, Inc.

Commercial Real Estate Appraisal

21-WCP-032

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ADDENDA

**Preliminary Title Report
Purchase Contract
Preliminary Title Report
Qualification and License of Appraisers**

I. REPORT SUMMARY

A. Property Appraised

The subject property appraised consists of a single parcel of land located on Irving Street bounded by 27th and 26th Avenues in the Outer Sunset neighborhood of San Francisco, California. The property has a street address of 2520-2550 Irving Street. The parcel contains approximately 19,125 square feet, or 0.44 acres, of land area. The zoning designation is NCD, Irving Street Neighborhood Commercial, Moderate Scale, with a height limit of 40 feet.

The subject land is presently improved with a two-story wood frame commercial building known as the Police Credit Union that was built in 1966, as well as surface parking. The existing improvements are not consistent with the highest and best use of the site, which is for redevelopment with a more intensive use. As requested by the client, the subject is appraised under the assumption that the subject improvements will be demolished and developed with multifamily housing. The site is identified by the San Francisco County Assessor as Block 1724 Lots 038.

The subject property is currently under contract to be purchased for \$9,000,000. This is equal to approximately \$471 per square foot. The purchaser is proposing to develop the property with low income rent restricted dwelling units. However, as of the date of value, the property has not submitted for entitlements.

The client has asked that the property be appraised fee simple under the current zoning without consideration of the proposed affordable project. The proposed affordable project is planned for 90 to 100 units in a 7-story building and is only allowed due to Senate Bill 35 in conjunction with the State Bonus Law because it will be a 100 percent rent restricted project. Current city zoning under the Home-SF Program would allow for an estimated 75-unit mixed use multifamily development of which 70 percent would be market rate units and 30 percent would be BMR units as required by the city. This appraisal addresses the current as-is land value based on the City zoning allowing for a typical profit motivated buyer to develop an estimated 75-units. (The proposed 100 percent affordable project would likely show no residual land value and is therefore not the highest and best use of the subject site).

Over the last year market conditions have changed in response to the Covid-19 pandemic. Many businesses are closed, and unemployment rates have increased. There is some market concern that tenants will be unable to pay their rents in a timely manner. Demand for high density multifamily housing has decreased and there is no consensus at this time as to the direction of the market in the near term. The analysis and value opinion in this appraisal are based on the data available to the appraiser at the time of the assignment and apply only as of the indicated effective date of value.

The property interest appraised is fee simple.

B. Property Identification

Assessor's Parcel Nos.	Block 1724 Lot 038
Zip Code	941122-1515
Zoning	NCD
Census	326.02
Flood Zone (<i>Insurance Not Required</i>)	Zone X

C. Client, Purpose, Intended Use and Intended User

The client for this appraisal is Ms. Kate Lamont, Senior Director of Housing Development with Tenderloin Neighborhood Development Corporation (“TNDC”). The purpose of this appraisal is to estimate the fee simple market value of the property as a vacant land development site. It is our understanding that the intended use/user for this appraisal is for the exclusive use of TNDC and the City and County of San Francisco, for assistance in the financing the proposed affordable development. ***This report should not be used or relied upon by any other parties for any reason.***

D. Scope of Work

The scope of this narrative appraisal report is to utilize the appropriate standard approaches to value in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) to arrive at our market value conclusion. Specific steps include the inspection of the subject property, and the research and analysis of comparable data.

The Sales Comparison Approach is the most reliable indicator for the subject. The Cost and Income approaches lack relevance for properties like the subject, where the highest and best use is for redevelopment.

E. Reporting Format

This is an Appraisal Report in a narrative format. This report is intended to be an Appraisal Report prepared in conformance with USPAP Standard 2-2(a).

F. Date of Appraisal and Date of Report

The effective date of valuation is March 29, 2021.

The date of this report is June 7, 2021.

G. Definition of Terms**1. Market Value (OCC 12 CFR 34.42 (g)) (OTS 12 CFR, Part 564.2 (g))**

“Market value” means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. Buyer and seller are typically motivated;
- b. Both parties are well informed or well advised, and acting in what they consider their own best interests;
- c. A reasonable time is allowed for exposure in the open market;
- d. Payment is made in terms of cash in US dollars or in terms of financial arrangements comparable thereto; and
- e. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

2. Fee Simple Interest (The Appraisal of Real Estate, 13th Edition, 2008)

A fee simple interest in valuations terms is defined as “...absolute ownership unencumbered by other interest or estate, subject only to the limitations imposed by governmental powers of taxations, eminent domain, police power, and escheat.”

H. Value Conclusion

Based on the research and analyses contained in this report, and subject to the assumptions and limiting conditions contained herein, it is the opinion of the appraisers that the fee simple market value of the subject property, assuming it is a vacant land development site, as of March 29, 2021, is estimated to be:

NINE MILLION DOLLARS

(\$9,000,000)

It is the opinion of the appraiser that the above concluded market value for the subject property could be achieved within 12 months of exposure period as of the date of value.

I. Assumptions and Limiting Conditions

General Limiting Conditions

1. It is the client's responsibility to read this report and to inform the appraiser of any errors or omissions of which he/she is aware prior to utilizing this report or making it available to any third party.
2. No responsibility is assumed for legal matters. It is assumed that title of the property is marketable and it is free and clear of liens, encumbrances and special assessments other than as stated in this report.
3. Plot plans and maps are included to assist the reader in visualizing the property. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the appraisers is assumed by the appraisers.
4. All information has been checked where possible and is believed to be correct but is not guaranteed as such.
5. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering which might be required to discover such factors. It is assumed that no additional soil contamination exists, other than as outlined herein, as a result of chemical drainage or leakage in connection with any production operations on or near the property.
6. In this assignment, the existence (if any) of potentially hazardous materials used in the construction or maintenance of the improvements or disposed of on the site has not been considered. These materials may include (but are not limited to) the existence of formaldehyde foam insulation, asbestos insulation, or toxic wastes. The appraiser is not qualified to detect such substances. The client is advised to retain an expert in this field.
7. Any projections of income and expenses in this report are not predictions of the future. Rather, they are an estimate of current market thinking of what future income and expenses will be. No warranty or representation is made that these projections will materialize.

8. The appraisers are not required to give testimony or appear in court in connection with this appraisal unless arrangements have been previously made.
9. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraisers, and in any event only with the proper written qualification, only in its entirety, and only for the contracted intended use as stated herein.
10. Neither all nor part of the contents of this report shall be conveyed to the public through advertising, public relations, news sales, or other media without the written consent and approval of the appraiser, particularly as to the valuation conclusions, the identity of the appraiser, or any reference to the Appraisal Institute or the MAI designation.
11. Information regarding any earthquake and flood hazard zones for the subject property was provided by outside sources. Accurately reading flood hazard and earthquake maps, as well as tracking constant changes in the zone designations, is a specialized skill and outside the scope of the services provided in this appraisal assignment. No responsibility is assumed by the appraiser in the misinterpretation of these maps. It is strongly recommended that any lending institution re-verify earthquake and flood hazard locations for any property for which they are providing a mortgage loan.

II. AREA AND NEIGHBORHOOD DESCRIPTION

A. San Francisco and the Bay Area

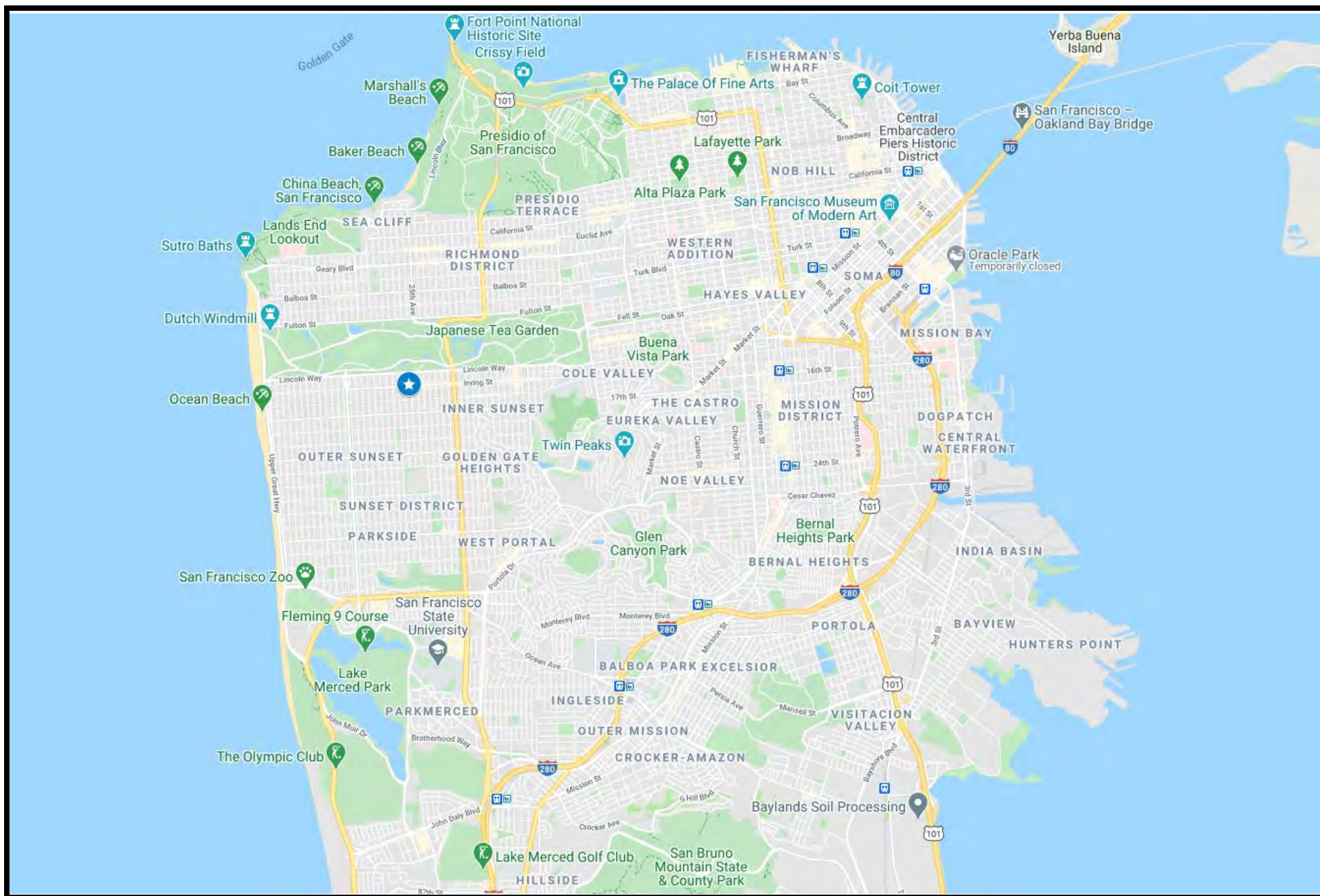
While San Francisco covers a relatively small land area of approximately 45 square miles, it is the geographic center of a major metropolitan area consisting of nine counties surrounding San Francisco Bay. The Bay Area is the fifth largest metropolitan center in the United States with a population exceeding 7,100,000. It has a relatively stable economic base which will likely expand in the future. Principal economic activities include finance, high technology, manufacturing, and transportation. The population within San Francisco proper was approximately 897,806 as of January 1, 2020 according to estimates prepared by the California Department of Finance. This is a 0.8 percent increase from the previous year. ABAG predicts that the total population will be 999,750 by 2025 and will increase to 1,034,175 by 2030, a 17 percent increase over the next ten years.

The California Employment Development Department reports San Francisco's unemployment at 5.7 percent as of February 2021 (most recent available), up from 2.2 percent the previous year. The state unemployment rate was 8.4 percent, up from 4.3 percent a year prior. As of the effective date of this appraisal, published reports state that unemployment insurance claims in San Francisco and California have risen significantly since March 2020 due to the Covid-19 pandemic. As of September 2020, it has been reported that in the State of California 2,801,538 million people are certified for unemployment benefits. This figure is down from the previous month by 35,671 people, but up from a total of 281,060 people in September 2019.

The largest employment sector in San Francisco are financial and professional services with approximately 324,360 jobs, which accounts for approximately 41 percent of total jobs in San Francisco. This is forecast to increase to 344,500 by 2025, and 355,895 by 2030. The second largest employment sector, at 29 percent of total jobs, is health, educational and recreational services, with 228,350 jobs forecast for 2020. This is expected to increase to 243,335 in 2025 and to 246,540 in 2030. Information, Government and Construction jobs comprise of approximately 19 percent of the total jobs, and this sector is forecast to increase to approximately 151,515 jobs by 2025, and 164,730 by 2030. These three sectors comprise approximately 89 percent of total jobs in San Francisco. According to the U.S. Census American Community Survey 2018 1-Year Estimates, San Francisco's median household income was \$112,376.

Overall, the economic outlook for San Francisco and the Bay Area is generally favorable. On a regional basis, the Bay Area has a diversified economic base which helps insulate it from national economic fluctuations. Employment patterns within San Francisco are generally oriented toward office and tech industry activities. These activities, as opposed to functions such as heavy industry, have traditionally been less vulnerable to changes in the business cycle.

REGIONAL MAP



B. Neighborhood Description

The subject is located in the Outer Sunset neighborhood of San Francisco. The Outer Sunset refers the portion of the greater Sunset neighborhood to the west of 19th Avenue. The neighborhood is roughly bounded by Lincoln Way to the north, 19th Avenue to the east, Rivera Street to the south, and the Great Highway/Ocean Beach to the west.

Originally sand dunes, the Outer Sunset neighborhood is now characterized by its rows of 1920 and 1950s era single family housing stock, built en masse by developers to take advantage of the new FHA loans. Outer Sunset housing is relatively uniform, and the neighborhood is almost suburban in nature. Commercial uses are generally grouped along the east-west corridors in multi-block neighborhood commercial centers.

The main north-south thoroughfare is 19th Avenue, also known as Highway 1, which connects the City to the Golden Gate Bridge and Marin to the north, as well as the Coastal Highway to the south. Other neighborhood north-south arteries include Sunset Boulevard (between 36th and 37th Avenues), and the Great Highway by Ocean Beach. The main east-west route through the neighborhood is Lincoln Way to the north. The rest of the east-west streets are generally smaller, with multiple pedestrian crossings and stop signs, making east-west travel slower in general.

Public transportation in this neighborhood is limited in comparison to the eastern half of the City. The Sunset is not served by BART, which serves the greater Bay Area, limiting commuter public transportation options. The main light rail line in the neighborhood is the N-Judah, which runs from Ocean Beach to the Embarcadero.

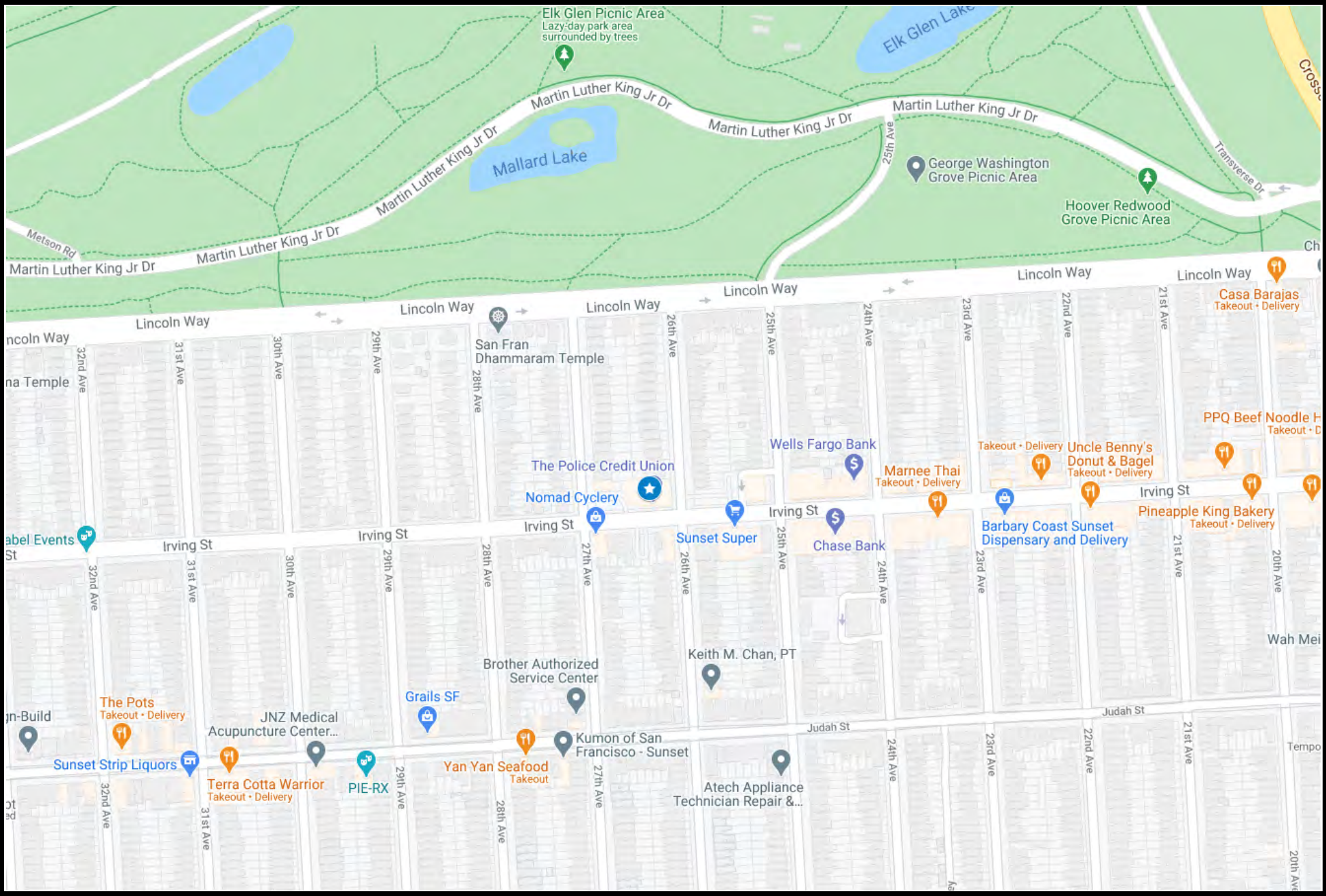
The subject is located toward the western boundary of a neighborhood commercial strip on Irving Street that begins at 16th Avenue and continues across 19th Avenue going westwards until about 26th Avenue. The commercial strip along Irving Street in the subject's immediate vicinity is dominated by restaurants, medical offices, grocery stores, bars, snack shops, and variety of other retail uses. The smaller buildings tend to be older residences or mixed-use buildings with commercial use on the ground floor and upper level residential and office uses.

The neighborhood is generally mature but is also undergoing some redevelopment and renovation. The subject is located in a desirable and well-established commercial location that is convenient to public transportation and shopping.

C. Immediate Environs

The subject is located on Irving Street and also has frontage on 26th and 27th Avenues in the Outer Sunset District. The avenues north and south of Irving Street

NEIGHBORHOOD MAP



are mostly comprised of residential uses, both single and multifamily. One block north of the subject across Lincoln Way is Golden Gate Park, San Francisco's largest public park. One block south is Judah Street, and the nearest MUNI light rail line.

Across the street from the subject are two- and three-story mixed-use buildings and a parking lot. The ground level commercial uses across Irving Street include a bicycle store, several offices, and a bank branch. Sunset Super is half a block east of the subject and is the largest grocery store in the neighborhood. Restaurant and snack shops are prevalent in the subject commercial strip, as are bank branches and convenience stores.

The subject's Walkscore (www.walkscore.com) is 90 (Walker's Paradise). Walkscore is a 100-point scale that rates proximity to various amenities such as shopping, dining, schools, and services. The Transit Score is 56 (Good Transit), and the Bike Score is 87 (Very Bikeable).

Overall, the subject neighborhood is dominated by a mix of commercial and low-rise residential uses. The proximity to public transportation and commercial uses suggests that the subject neighborhood is well suited for a variety of mixed-use, institutional, or residential uses. The overall outlook for this area, for both residential and commercial uses, is positive.

III. MARKET DISCUSSION

A. Residential Market Overview

Historically, strong demand and high barriers to entry have kept San Francisco housing prices at roughly two times the national average. In recent years, the tech industry has triggered strong demand for housing in San Francisco, as well as the larger Bay Area. San Francisco rental projects had been reporting record rental rates, surpassing Manhattan as the most expensive in the nation. The for-sale market had also improved significantly over the past couple of years, observing record high sale prices up until 2020. The historic high demand is due to several factors including lack of available land, high construction costs, and strict regulations regarding new development. These factors resulted in a continually low annual production of housing units relative to demand. Despite San Francisco's sound fundamentals, the current economic downturn due to Covid-19 pandemic is having significant impacts on both pricing and sale volume of residential units within the city.

The San Francisco residential market came to a near standstill in March 2020, when shelter-in-place and social distancing orders were put into effect by local and state governments. The San Francisco Association of Realtors (SFAR) reported a dramatic decrease in listings from 2019, as people withdrew their homes from the market and began sheltering in place. According to a February 2021 market report prepared by Compass, "Of Bay Area counties, San Francisco was most negatively affected in the months immediately following the implementation of shelter-in-place. Inventory soared and sales plunged, especially in its condo market. In the second half of the year, buyers rushed back into the market. Sales volume, very unusually, peaked for the year in December, hitting its highest point in history (for December). Home sales in January were up 67% over January 2020, a tremendous increase. Year-over-year, house median sales prices are up a little, and condo median prices, divided by size of unit, were down about 10%. The city remains a very complex market, varying by neighborhood, property type and price segment. And vaccines may alter dynamics considerably in 2021."

With the current Covid-19 pandemic, has been some uncertainty in the multifamily residential market. The availability of capital may be limited in the short term. However, San Francisco has a chronic shortage of housing that will most likely support demand despite the economic uncertainties, given its generally strong tech employment base. Any effect on the housing market will most likely be due to a global recession, which is expected to be tempered by the chronic under-supply of housing in San Francisco. However, multifamily is expected to be less risky than other types of commercial properties and is expected to recover faster from the current Covid-19 recession.

B. Housing Supply and Demand

The following is a discussion of the current housing supply and demand trends in San Francisco. According to the city's most recent Housing Element, the Association of Bay Area Governments (ABAG) allocated about 29,000 new housing units in the City and County of San Francisco through the year 2014 - 2022, with over 57 percent of those units required to be affordable to households of moderate income (defined as 120 percent of Area Median Income) or below. This corresponds to ABAG's Projections 2040, which projects that the number of households in San Francisco is projected to increase from 408,600 in 2020 to 437,505 by 2030. This indicates an average housing demand of approximately 29,000 units over the 10-year period. Applied to the 2014 - 2022 planning period, this is equivalent to approximately 3,625 units per year, over an eight-year period.

In addition, according to the 2019 American Community Survey: 1-Year Estimates, the homeownership rate in San Francisco is 37.6 percent of total occupied units, indicating a rental rate of 62.4 percent. Applying this to the ABAG 2014 - 2022 projection indicates an annual rental housing demand of approximately 2,266 rental units per year.

As of October 2020 (most recent available), the San Francisco Planning Department reports that there are a total of 72,565 net new units in the development pipeline. Of those units, 9,497 are under construction; 8,156 have been approved for building permits; 2,725 have filed for building permits; 1,895 have not yet filed for building permits; and 31,016 are major multi-phased projects that are still in progress and represent the remaining phases of those projects. Currently 17,129 units are undergoing the entitlement process and have filed applications.

2020 Q2 Housing Development Pipeline		
	<i>Net Units</i>	<i>% of Total</i>
Total Units	70,418	100%
Affordable Units	13,907	20%
<u>Entitled</u>		
Under Construction	9,497	13%
Building Permits Approved	8,156	12%
Building Permits Filed	2,725	4%
Building Permits Not Yet Filed	1,895	3%
Major Multi-Phased Projects	31,016	44%
<u>Under Review</u>		
Applications Filed	17,129	N/A

Major projects which recently received approvals include 2,700 units in the Potrero Power Plant proposed development. The proposed development at Balboa

Reservoir is currently seeking approvals for 1,300 units. However, it is highly unlikely all of these units will be built, as the market cycles, financing availability and competition among projects will effectively limit the number of projects that will actually be constructed.

Based on the existing supply in the pipeline, there is a relatively large quantity of new product planned and/or under construction in this market, so there is some risk of oversupply. However, market demand has proven to be far stronger than anticipated prior to 2020, in virtually all product strata. The chronic under-supply condition of the San Francisco housing market does not fully insulate it from the vagaries of future market fluctuations, but it does bode well for the long-term health of the market. Nonetheless, with the downturn in the economy new projects could face challenges given the tighter credit markets, concerns over job stability and social distancing limits.

C. **Factors Affecting Proposed Residential Development in San Francisco**

San Francisco Inclusionary Housing Program

San Francisco ***Inclusionary Housing Program*** was implemented in 2002. Any new residential projects with 10 or more units must include on-site or off-site affordable units. Developers also have an option to pay an affordable housing fee, also known as an “in-lieu fee”.

The current inclusionary housing requirements for small rental/ownership projects between 10 and 24 dwelling units, is 14 percent for on-site and 24 percent for off-site housing or in-lieu payment. For projects over 25 units the current on-site requirements for rental housing is 21 percent and 23 percent for-sale housing. The off-site affordable or fee equivalent is 30 percent for rental and 33 percent for-sale housing. The on-site percentages increase by 0.5 percent on an annual basis until the maximum of 15 percent is attained for smaller properties. For projects over 25 units the maximum will be 24 percent for rental housing and 26 percent for ownership housing.

San Francisco Affordable Housing Programs

The City of San Francisco offers developers the ability to utilize the State Density Bonus Law and local density programs for mixed income residential projects.

The ***Home-SF Program*** requires that the project must include 30 percent or more affordable housing units on-site. Of the 30 percent, 12 percent must be affordable to low- and moderate-income households and 18 percent must be affordable to middle income households. Projects including 30 percent affordable units are able to build more residential units and up to an additional two stories than currently allowed under zoning. Two-bedroom units must make up 40 percent of the total

number of housing units. This program does not have a minimum housing unit threshold and projects are exempted from density limits.

The ***Individually Requested State Density Bonus Program*** must include 12 percent on-site affordable housing and up to an additional 8 percent affordable units (a combination of very low-, low- and moderate-income units). This path allows developments to achieve a 7 to 35% density bonus over the permitted base zoning, and up to two additional stories, but only when it is necessary to accommodate increased density. Projects may seek up to three incentives and concessions and unlimited waivers from site development standards. The city also requires that the extra units entitled through the State Bonus Density law must pay an additional affordable housing fee.

The ***Analyzed State Density Bonus Program*** is a local density program that serves as an alternate to the Individually Requested Density Bonus Program. Projects are eligible for a density bonus up to 35% percent depending on the amount of affordable housing provided and level of affordability. The developer may choose from a pre-determined list of waivers, incentives and concessions. This program requires a Conditional Use Authorization from the Planning Commission.

California Senate Bill 35

The California Senate Bill 35 (SB 35) was signed into law on September 29, 2017 by Governor Brown. The bill was introduced to increase housing supply in cities which were not producing enough housing by encouraging cities to either increase housing development on their own or be forced to accept housing development. It allows the developers to submit an application to streamline the approval process in cities that do not meet Regional Housing Needs Assessments (RHNA). Reportedly, approximately 98 percent of California cities and counties fall under the provisions.

The development must designate at least 10% of the units as below market housing if located in areas that did not meet above moderate income RHNA. When jurisdictions have made insufficient progress towards their Lower Income RHNA (Very Low and Low Income) they are subject to streamlining for proposed development with at least 50% affordability. Other requirements include: that it must be multifamily housing, the construction workers must be paid union level wages and the property not be constructed in an ecologically protected area. If the development meets all the state mandated criteria, the localities must approve the project in 60 days if the development contains less than 150 housing units, or 90 days if the development contains more than 150 units of housing.

The SB 35 requires local entities to streamline the approval of certain housing projects. It is used in conjunction with State Density Bonus Program. Qualifying projects are entitled to receive certain zoning modifications as well as density bonus, height increases and streamlined approvals. Projects that are proposed to be

100% affordable, under the State Density Bonus Law, are allowed an 80% density bonus over the permitted base zoning. In addition, there is no maximum density if a project is located within one-half mile of a major transit stop. Projects may also qualify for three additional stories, per AB-1763.

D. Apartment Rental Market

The city of San Francisco has traditionally been one of the most expensive housing markets in the country. The strength of the market has been largely fueled by the migration of technology companies to San Francisco. The substantial demand for housing, particularly for apartments, has led to the increased speculative residential construction.

The City of San Francisco's multifamily apartment market is still weathering the effects of the Covid-19 pandemic, the long-term effects of which are still currently unknown. According to CoStar's Multi-Family Market Report for San Francisco dated February 2021: "Beyond the emerging threat that a shift to remote-based work poses to expensive markets like San Francisco, immediate job losses are plaguing the apartment market. Employment in retail, hospitality, restaurants, and entertainment venues has been devastated. The loss of so many jobs combined with an exodus resulting from a rise in mobile-based work has led to a substantial outflow of apartment renters. Demand for apartments is projected to weaken further over the next few quarters as furloughed renters and those with lost income streams struggle to renew leases."

The subject is located within the Costar Sunset/Lakeshore multifamily submarket. This submarket is bordered by Lincoln Way and Golden Gate Park to the north, the Pacific Ocean to the west, I-280 and the City's southern border to the south, and Glen Canyon/Twin Peaks/Cole Valley to the east.

Rents

According to CoStar's Multi-Family data for San Francisco dated April 2021: "Without the restaurants, nightlife, shops, museums, and parks that make San Francisco a desirable live/work/play environment, its high cost of living was no longer worth it for some with the ability to relocate. Renters working from home were attracted to more suburban, outdoor-friendly areas, and some younger millennials moved back home, at least temporarily. Job losses also plagued the apartment market. Employment in retail, hospitality, restaurants, and entertainment venues has been devastated. The loss of so many jobs combined with an exodus resulting from a forced adoption of remote work led to a substantial outflow of apartment renters in 2020. The trajectory of the market in 2021 will largely depend on how many renters come back when offices reopen, and how quickly the draws of a large vibrant city are restored. Distribution of the coronavirus vaccine and plans to reopen offices in the late summer and fall has already ushered back some

apartment rental demand.” The following table tracks market rents as reported by CoStar for San Francisco and the subject submarket.

San Francisco Asking Rents			
Unit Type	Rent as of 4/5/2021	Rent as of 4/5/2020	% Change
All Types	\$2,786	\$3,082	-9.6%
Studio	\$1,982	\$2,257	-12.2%
1 BD	\$2,520	\$2,798	-9.9%
2 BD	\$3,356	\$3,692	-9.1%
3 BD	\$4,976	\$5,238	-5.0%

Sunset/Lakeshore Submarket Asking Rents			
Unit Type	Rent as of 4/5/2021	Rent as of 4/5/2020	% Change
All Types	\$3,009	\$3,022	-0.4%
Studio	\$1,986	\$2,461	-19.3%
1 BD	\$2,429	\$2,597	-6.5%
2 BD	\$3,700	\$3,361	10.1%
3 BD	\$5,055	\$5,043	0.2%

In the subject submarket, rents are above the citywide average. Market asking rents for all unit types in the City of San Francisco was reportedly \$2,786, while the submarket asking rent was approximately \$3,009 per month. As reported by CoStar, “Sunset/Lakeshore has been plagued by move-outs during the pandemic, exasperated by job losses and campus closures. Vacancy was more than 12% at the end of 2020 and continued to climb higher in early 2021. Asking rents are declining sharply in response to weakening submarket fundamentals, underperforming the market average. Rental demand in the Sunset is historically boosted by unique cultural amenities, educational institutions, and the presence of major employers, but without full access to many of these destinations, some renters have fled the area.”

The submarket’s average rent is bolstered by the popular and affluent neighborhoods of Cole Valley and West Portal. To account for the discrepancy in asking rents, the table below presents asking rents for all unit types in the subject’s Inner Sunset neighborhood, as of April 6, 2021, according to Zumper.com. Zumper.com analyzes its own active inventory to find trends in rent prices and updates the data in real time.

Unit Type	Zumper: Inner Sunset Median Asking Rents		
	Rent as of 4/6/2021	Rent as of 4/6/2020	% Change
Studio	\$1,913	\$2,287	-16.4%
1 BD	\$2,525	\$2,737	-7.7%
2 BD	\$2,948	\$3,462	-14.8%
3 BD	\$3,800	\$4,812	-21.0%
4 BD	\$9,495	N/A	N/A

The subject is located within Zumper's Inner Sunset neighborhood. As shown on the chart, Zumper asking rents are slightly lower than the CoStar average but are roughly in line with the CoStar submarket.

Vacancy

CoStar tracks approximately 9,066 units across 502 existing buildings in the subject submarket. Reportedly approximately 1,800 of these units are currently vacant, equating to a vacancy rate of 19.5 percent in the subject submarket, a year-over-year increase of approximately 13.4 percent. This is higher than the San Francisco vacancy rate of 11.5 percent. Historically, limited quantities of new supply in the subject neighborhood kept vacancy rates relatively steady, but job losses and campus closures have exasperated the vacancy in the greater market and submarket.

Vacancy rates have increased due to the impacts of Covid-19. As unemployment rates rise and the economy is affected by the recession, many will become unable to afford their apartments. In March 2020, San Francisco introduced an eviction ban to prevent widespread displacement during the shelter in place orders. Under the current Covid-19 eviction ban, renters are granted a 30-day moratorium with up to six possible 30-day extensions in order to pay any back rent. Should they fail to pay the back rent in that amount of time, they could be subject to an eviction. As of December 2020, it was reported that the San Francisco Board of Supervisors was planning on introducing legislation that would bar all Covid-19 related evictions for the long term. Under the new proposed legislation, renters would still be subject to paying back rent, but landlords "could never remove the tenants over debts specifically related to the novel coronavirus shutdown." [SF Curbed] There is some anticipation of general migration due to Covid-19 however, it will be as an effect due to job loss, and not necessarily eviction. Overall, multifamily is expected to be less risky than other types of commercial properties and recover faster from the current Covid-19 recession.

Additional statewide rent control measures to counteract mass displacement by Covid-19 include Gavin Newsom's statewide pandemic protection. Enacted August 31, 2020, "Under the legislation, no tenant can be evicted before February 1, 2021 as a result of rent owed due to a COVID-19 related hardship accrued between March 4 – August 31, 2020, if the tenant provides a declaration of hardship according to the legislation's timelines. For a COVID-19 related hardship that accrues between September 1, 2020 – January 31, 2021, tenants must also pay at

least 25 percent of the rent due to avoid eviction. Tenants are still responsible for paying unpaid amounts to landlords, but those unpaid amounts cannot be the basis for an eviction. Landlords may begin to recover this debt on March 1, 2021, and small claims court jurisdiction is temporarily expanded to allow landlords to recover these amounts. Landlords who do not follow the court evictions process will face increased penalties under the Act.”

On January 25, 2021, Governor Newsom issued a statement extending the current eviction moratorium through to June 31, 2021.

E. Investment Market

The investment market in San Francisco has traditionally been one of the strongest in the nation. Investors are primarily focusing on core, institutional-quality assets with low levels of risks, and especially those in primary markets where real estate recovery is typically faster.

In the San Francisco multifamily market, approximately 136 properties sold in the last twelve months, a 66 percent decrease from one year ago, as of April 6, 2021. The average market sale price per unit was \$590,000, a 7.9 percent decrease from a year prior. This equates to a twelve-month sales volume of \$1.2 billion, which is a 61 percent decrease from one year ago, at a market cap rate of approximately 3.7 percent. The cap rate increased from 3.5 percent one year ago.

In the subject submarket, a reported 9 properties sold in the past twelve months, a significant 75 percent decrease from a year prior. The average market sales price decreased slightly by 10 percent, to approximately \$526,000 per unit, which is significantly lower than the citywide average price per unit. This equates to a twelve-month sales volume of approximately \$21.5 million, another significant decrease from the year previous, at a cap rate of 3.9 percent, which is an increase from 3.72 percent a year prior and higher than the city average.

While the coronavirus has created an uncertain future for investors, buyers have always been attracted to San Francisco’s sound fundamentals and growth prospects. Due to the chronic undersupply of housing, demand will almost always outweigh supply in the long term. As CoStar notes, “Asset pricing rose to historic levels during the expansion cycle based on the market's sound fundamentals and strong historical rent growth, but pricing is now on the downswing in conjunction with rent potential. The majority of institutional investors in the US continue to target global gateway cities like San Francisco though. Furthermore, private buyers are competing for properties as the cost of capital remains relatively low and value-add deals still provide opportunities for attractive returns. Cap rates remain among the lowest among all markets in the country. However, with restrained credit conditions and reduced volume, cap rates are finally facing slight upward pressures.”

F. Conclusion

Watts, Cohn and Partners, Inc.

The Covid-19 Pandemic appears to be having a generally detrimental effect on the San Francisco housing market. However, San Francisco's chronic housing shortage and rent control should hopefully prove to be some insulation against the drop in the rental housing market. Furthermore, San Francisco city leaders, as well as many local landlords, are currently working to minimize the impact the coronavirus will have on the housing market. Costar notes, "The trajectory of San Francisco's economy and commercial real estate markets will depend on how widely the virus spreads how long containment policies like social distancing need to be maintained, and how quickly those with lost jobs can find employment again. On the positive side, Oxford Economics projects that San Francisco's economic recovery will outpace most other markets due to its industry makeup."

In conclusion, the underlying fundamentals in San Francisco, including strong demand and high barriers to development, should help the city fare better than other parts of the country. However, a cautious attitude is warranted due to the uncertainty of the economy and markets in general. It is likely that economic conditions will continue to impact the for-sale and rental markets if layoffs continue.

G. Exposure Period

The exposure period is defined as "the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal." Thus, it is assumed to have occurred prior to the appraisal date. In contrast the marketing period is the estimated time that it would take to consummate the sale after the appraisal date.

To allow for adequate marketing and negotiating time and the closing of escrow, an exposure period for the subject is estimated at 12 months.

IV. PROPERTY DATA AND ANALYSIS

A. Site Description

The subject property consists of a single assessor parcel located at the with a street address of 2550 Irving Street, in the Sunset District neighborhood of San Francisco, California. The site is generally rectangular in shape with a notch removed at the western side of the parcel. The property has frontage on three streets: 240 feet Irving Street, 60 feet on 27th Avenue and 90 feet on 26th Avenue. The total site area is approximately 19,125 square feet, or 0.44 acres. The street address is 2550 Irving Street and it has a legal address of 2520 Irving Street. The property is identified by the San Francisco County Assessor as Block 1724 Lot 038.

Topography of the site is generally level. A soil report was not available for review by the appraisers. The precise nature and condition of the subsurface soils is not known. However, judging from the condition and appearance of the subject improvements as well as the developments on surrounding properties, it is assumed that soil conditions are satisfactory for the construction of conventional building improvements.

The property is served with typical urban utilities, including public water and sewer systems. Local companies supply electricity, gas and telephone service. The neighboring streets are fully paved and contain sidewalks, curbs, gutters and street lighting.

The site is presently improved with a two-story building commercial building known as Police Credit Union and was built in 1966, as well as surface parking lot that is paved. Based on public records, the building improvements contain approximately 18,561 square feet. The improvements are situated at the central and western portion of the site, fronting Irving Street and 26th Avenue. As discussed in the following chapter, the existing improvements represent an underutilization of the site. The highest and best use is for redevelopment to a more intensive use.

B. Environmental Observations

Upon inspection of the subject site, the appraiser did not observe any toxic contamination on the property. The Third Amendment to the purchase and sale agreement, dated July 24, 2020 indicates that the buyer is contributing \$50,000 towards the cost of the environmental studies to be performed by AllWest Environmental, Inc. and Haley & Aldrich, Inc. on and around the property. There is also an estimated \$120,000 in environmental mitigation costs for soil removal and a vapor intrusion mitigation system. This cost is considered minimal and given that most properties planned for new development in San Francisco require environmental investigation and likely some remediation work, it is considered consistent with the market.

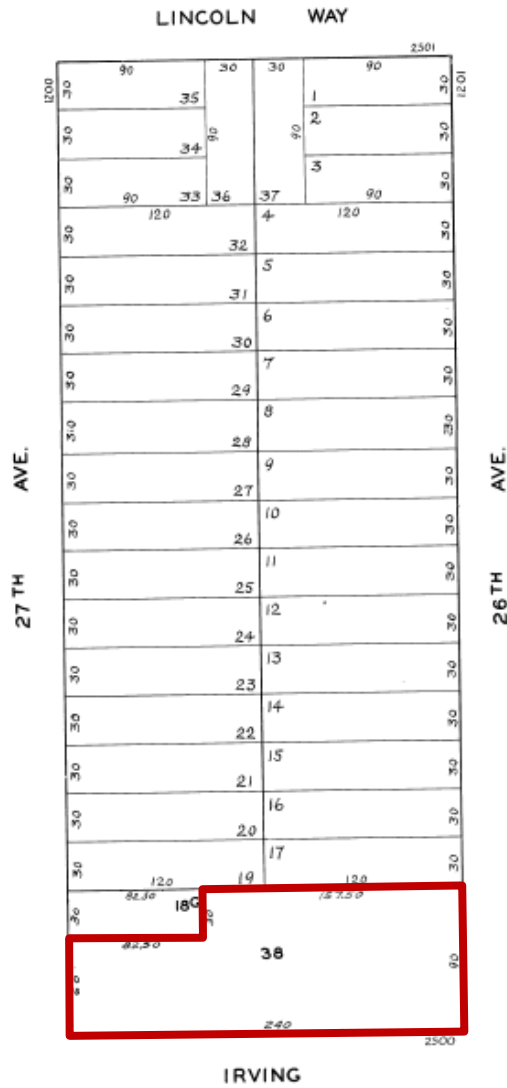
ASSESSOR'S MAP

LOTS MERGED
Lot 1 10' x 16' 18"
Lot 2 10' x 16' 18"
Lot 3 10' x 16' 18"
Lot 4 10' x 16' 18"
Lot 5 10' x 16' 18"
Lot 6 10' x 16' 18"
Lot 7 10' x 16' 18"
Lot 8 10' x 16' 18"
Lot 9 10' x 16' 18"
Lot 10 10' x 16' 18"

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1724
SUNSET BLK. 647

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The appraiser is not an expert in contamination and the reader is referred to the Limiting Condition in Chapter I of this report which assumes the site and building areas are clean of any toxic contaminants.

No wetlands were observed on the subject property.

C. Flood Zone and Seismic Information

The city of San Francisco is a participant in the National Flood Insurance Program administered by the Federal Emergency Management Agency (FEMA); however, flood insurance is currently not available. FEMA relies on flood insurance rate maps (FIRMs) to determine flood risk. There are currently no finalized and approved FIRMs for San Francisco. In 2007, FEMA published preliminary flood maps for San Francisco. Once the preliminary flood maps are finalized these FIRMs will be used to determine flood insurance rates and federally sponsored flood insurance will be available. Currently, properties in San Francisco do not have a flood zone designation.

According to governmental geological evaluations, the entire San Francisco Bay Area is located in a seismic zone. No active faults, however, are known to exist on the subject property. Inasmuch as similar seismic conditions generally affect competitive properties, no adverse impact on the subject property is considered. The subject is not located in an Alquist Priolo earthquake zone.

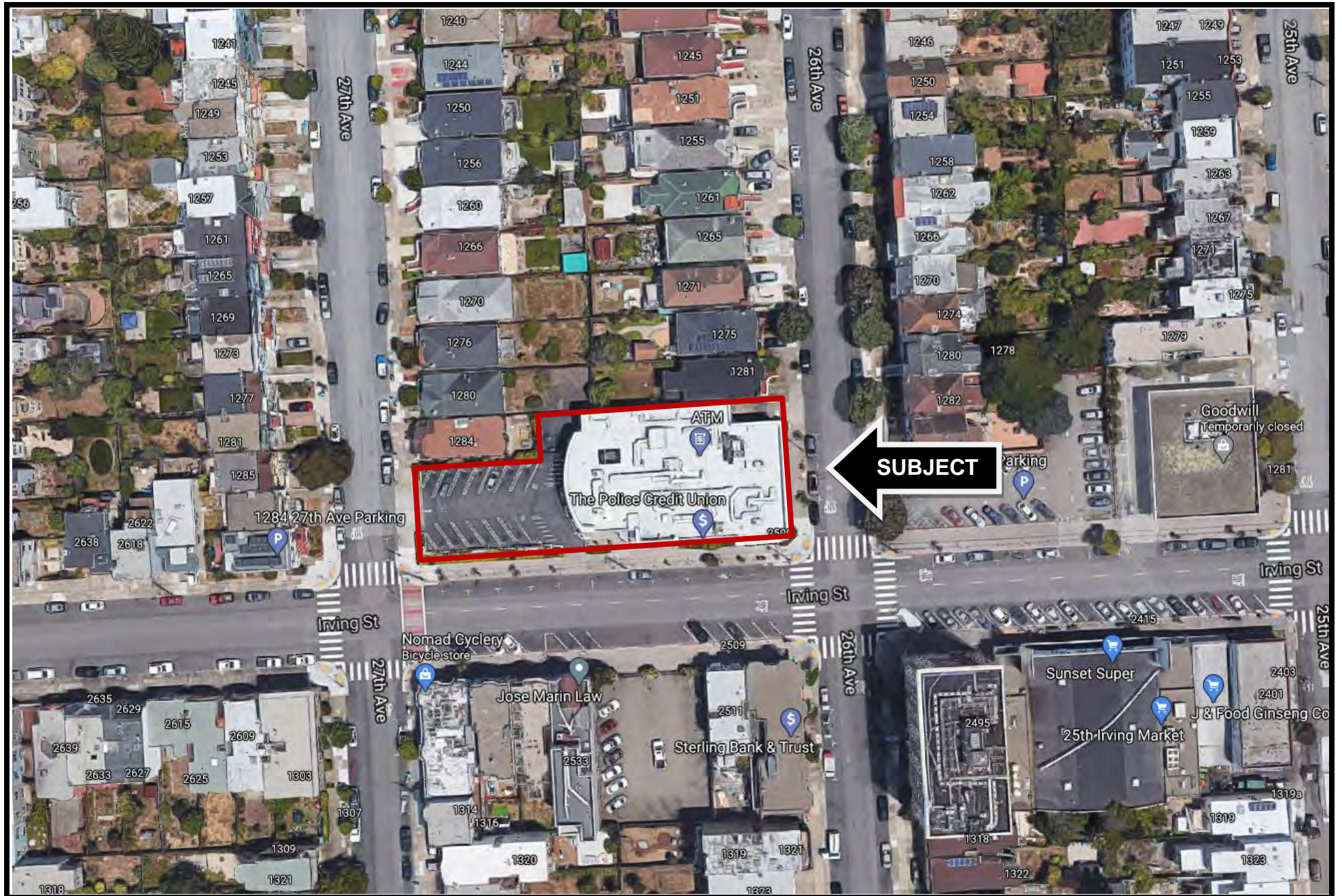
D. Ownership and Sales History

According to the preliminary title report provided for review, issued by Old Republic Title Company and dated October 30, 2020, the subject is owned by SF Police Credit Union, a California corporation. There have been no transfers of the subject property in the last three years according to our research.

The subject property is currently under contract to be purchased by Tenderloin Neighborhood Development Corporation (TNDC) a California non-profit public benefit corporation. The contract was signed on October 12, 2019 and the purchase price is \$9,000,000. This is equal to approximately \$471 per square foot.

There have been 7 Amendments to the Purchase and Sale Agreement, with the 7th Amendment dated March 1, 2021. The 7th Amendment indicates that the Closing Date may be extended to August 31, 2021, upon the buyer's deposit of \$250,000. This amount is nonrefundable to the buyer and will be credited against the purchase price at closing. The buyer has the right to extend the Closing Date for up to two periods of 45 days each by notifying the Seller and Title Company at least 10 days prior to the closing date. The buyer will be required to deposit \$50,000 for the 1st 45-day extension period and \$100,000 for the 2nd 45-day extension period. These deposits will be credited against the purchase price at closing. According to the

AERIAL MAP



purchaser \$400,100 has been made in deposits on the property as of the date of the appraisal.

The purchase agreement indicates that there is a Leaseback Agreement which will commence upon the close of escrow and expire 30 months after the closing date. The leaseback agreement includes the entire ground floor of the property approximately 10,750 square feet. The landlord may terminate the lease on 6 months prior notice to tenant, but it shall not be earlier than 24 months of the term. The tenant may terminate the lease at any time providing 6 months' notice. The rent is \$5,000 per month "Gross rent" and the seller is responsible for all utilities during this period. The landlord is responsible for property taxes and insurance. The tenant has the right to use the premise for the purpose of a credit union retail branch and office. The leaseback also includes 7 parking spaces.

According to the broker, the subject property was openly marketed for sale prior to entering contract.

E. Zoning and Use

The subject property is zoned NCD, Irving Street Neighborhood Commercial District, which is a portion of the NC-2 District. The district includes the non-residential currently zoned NC-2 properties fronting both sides of Irving Street between 19th and 27th Avenues. This designation is to provide a selection of convenience goods and services for the residents of the Outer Sunset District. The zoning designation allows a variety of commercial and residential uses.

Permitted commercial uses include retail sales and services, restaurants, bars, and medical, personal, or professional services. Commercial uses requiring a conditional use permit include formula retail, large scale urban agriculture, automotive uses (such as a gas station, car wash, parking lot/garage, or auto repair shop) tourist hotels, liquor stores, upper floor general offices and animal hospitals. Institutional uses such as childcare facilities, or other public/community facilities are permitted, but hospitals are not permitted. Industrial uses are not permitted.

The height limit is 40 feet and the maximum FAR for commercial uses is 2.5:1. Residential uses are allowed at a maximum density of one unit for every 800 square feet of lot area, or the density permitted in the nearest R District, whichever is greater. Usable open space is required at 100 square feet per dwelling unit (if private) or 133 square feet per unit if common. No parking is required.

The subject property is currently listed by the San Francisco Planning Department as having a CEQA category rating of "A – Historic Resource Present." The San Francisco Property Information website indicates that while the subject may be eligible due to its proximity to the Parkway Terrace Historic District, the Neighborhood Corridors Historic Resources Survey is still in progress and the subject's status is yet to be finalized. According to the City, the Parkway Terrace

SUBJECT PHOTOGRAPHS



Exterior on Irving Street



Exterior on Irving Street



Exterior on Irving Street



Exterior on 26th Avenue

SUBJECT PHOTOGRAPHS



Exterior on 26th Avenue



Parking Lot



Subject Parking Lot from Irving Street



Subject Parking Lot from Irving Street Street

SUBJECT PHOTOGRAPHS



Subject Neighborhood to the West on Irving Street



Subject Neighborhood to the East on Irving Street

Historic District was created to protect the “group of freestanding single-family buildings built between 1915 and 1926 by master builder Fernando Nelson, each on wide lots with generous side setbacks and designed with a consistent scale and materials and architectural style.” The subject has been placed under this category due to its proximity to the historic district. However, according to Ms. Stephanie Cisneros, Senior Planner Preservation – Southwest Quadrant, the subject was constructed in 1966 which falls out of this historic time period. Given these factors, the subject is not considered to be affected by any historical restrictions.

The subject commercial use appears to be a legal, conforming use.

Subject as Potential Market Rate Project

The subject property contains 19,125 square feet of land area. Based on the NCD-Irving Street Commercial District zoning a maximum of 24 units would be allowed with four stories under the base density with 3 or 14% on-site BMRs. Under the State Density Bonus program, a total of 32 residential units would be allowed with 6, or 19% on site BMRs. However, if the **HOME-SF Program** is utilized a higher number of units and an additional two stories would be allowed.

Under the HOME-SF Program, the required minimum dwelling unit mix, is no less than 40 percent two-bedroom units. Rear yards are required at residential levels of 25 percent. They must also meet useable open space requirements. Usable open space is required at 100 square feet per unit if all spaces are private or a ratio of 1.33 for common usable open space, as a substitute for private open space.

The advantage of the subject parcel is its good frontage on three sides. Assuming the 25 percent rear yard setback, the gross building area on each floor could be up to approximately 14,344 square feet. The increased height limit would be 60 feet, which is approximately 6 floors. The total allowed gross building area is estimated at approximately 86,063 square feet.

The zoning encourages ground floor commercial uses, which indicates a ground floor with approximately 14,344 square feet of retail space/residential entry/parking. The upper five floors indicate a gross building area of approximately 71,719 square feet. To derive a leasable building area, a deduction of 20 percent is made which takes into consideration hallway circulation and common area. The estimated potential leasable residential building area is 57,375 square feet.

The unit mix requirement, of at least 40 percent of the units are two-bedroom units, limits the possible number of units. Approximately 44 percent of the leasable building area, or 25,500 square feet, would therefore be dedicated to two-bedroom units. Assuming an average size of 850 square feet per two-bedroom unit, approximately (30) two-bedroom units would be required in a market-oriented project. Considering the young, profession demographics of the City in general, the

remaining 60 percent of the units would most likely be one-bedroom units. As shown in the market overview, one-bedroom units command a significant rental premium over studio units and are generally considered to be more economically feasible in this instance. Assuming an average of 675 square feet per one-bedroom unit equates to a total of (45) one-bedroom units. In total, the subject site could support an estimated 75 residential units. This is equal to a density of 171 dwelling units per acre.

Assuming of 75 units would be allowed with six stories under the HOME-SF Program, a total of 30% on-site affordable housing unit would be required, which is equal to 23 affordable units. The unit breakdown would be 52 market rate units and 23 affordable units with 8 affordable units at 55 percent of AMI, 7 unit at 80 percent AMI and 8 unit at 110 percent of AMI with ground floor commercial uses.

This number of units and density is supported by other comparable land sales in the subject market area. The property at 2800 Geary Boulevard was recently entitled under the HOME-SF program and is proposed for 43 residential units with ground floor retail and parking. It will include 13 BMR units. The proposed project has a site area of 11,680 square feet and a density of 160 units per acre. Therefore, in terms of development potential the subject as a market rate development is relatively similar with an estimated at 75 dwelling units with ground floor commercial uses at a density of 171 units per acre. Based on discussions with brokers this is considered to be the maximum allowed under zoning as a market rate project.

Subject Developer Proposed Project

The subject developer is currently proposing to develop the subject property with between 90 to 100 affordable units in a seven-story building. The property is proposed to contain 2,250 square feet of community space on the ground level and on-site parking for 11 vehicles. This is equal to a density of 242 dwelling units per acre. This is a higher density than allowed under zoning; however, there are several Affordable Housing Programs which allow eligible projects to have additional height and are exempted from density limits. In addition, these programs allow for administrative approval in lieu of the Planning Commission hearings. However, this is only available for 100% affordable projects.

Under the State Density Bonus Law (AB 1763), 100% affordable housing developments are allowed an 80% density bonus over the permitted base zoning. In addition, there is no maximum density if a project is located within one-half mile of a major transit stop. The proposed site and development can build up to seven stories (three additional stories or 33 feet of height) under the State Density Bonus Program. The property is also eligible for streamlined approval as it is proposed for 100% affordable housing.

F. Easements and Encumbrances

A preliminary title report issued by Old Republic Title Company and dated October 30, 2020 was provided for review. The title report notes that there is an easement affecting a portion of the subject land granted to Pacific Gas and Electric Company.

The title report indicates that there are Special Restrictions on the use of the property recorded June 1989. The restriction consists of conditions attached to a Conditional Use Application which permitted the expansion of the interior floor area and increased the number of off-street parking for the credit union by three spaces.

It also notes Declarations of Use, recorded by Dome Construction, recorded May 17, 2002. This instrument provides permission to occupy, construct and maintain an existing planter strip along 26th Avenue, Irving Street and 27th Avenue which encroaches into the public right-of-way. The title report notes the last recorded transfer was recorded June 24, 1987.

The preliminary title report shows no adverse easements, restrictions or encumbrances.

G. Assessed Valuation and Real Estate Taxes

The assessed value assigned by the San Francisco County Assessor to the subject properties for the current tax year totals \$3,927,541. The components of the assessed value are shown below.

2550 Irving Street					
Land	Improvements	Personal	Gross Value	Special	Total Taxes
\$ 2,677,878	\$ 1,249,663	\$ -	\$ 3,927,541	\$ 740.16	\$ 47,810.24

In California, real property is assessed at full market value as determined by the County assessor. A property assessed value increases by a maximum of two percent annually, as mandated by Proposition 13, until the property transfers or is improved. Upon sale, a property is taxed on the basis of one percent of purchase price plus existing bonded indebtedness. The current tax rate is 1.19846368 percent of the assessed value.

The ad valorem taxes for the current tax year for the subject property are \$47,070.08. Special charges total \$740.16 and includes LWEA 2018 Tax, SF Bay Parcel Tax, SFUSD Facility District, SFCCD Parcel Tax and SF Teacher Support.

H. Description of Existing Improvements

As requested by the client, the subject is appraised under the assumption that the subject improvements will be demolished and developed with multifamily housing.

However, for informational purposes it is noted that the subject property is improved with an owner-occupied San Francisco Police Credit Union. The two-story wood frame structure contains 18,561 square feet and was built in 1966, according to public records. The property has a ground floor bank area with surrounding private offices. The second floor is accessed by a stairway and elevator and contains offices. There is also on-site parking for approximately 15 vehicles.

The existing structure is of average quality and appears to be in fair to average condition. Although it is generally functional for its current use, it does not contribute to site value.

V. HIGHEST AND BEST USE AND VALUATION METHODOLOGY

A. Highest and Best Use

The highest and best use is that use, from among reasonably probable and legal alternative uses, found to be legally permissible, physically possible, financially feasible, and which results in the highest land value.

The four criteria the highest and best use must meet are physical possibility, legal permissibility, financial feasibility, and maximum productivity. Analysis of the subject's highest and best use is made as if the site were vacant, and as improved with the existing improvements.

1. *As-If Vacant*

a. *Physically Possible*

The subject is an irregular shape parcel with frontage on three streets. It is generally level and at street grade. The subject site is functional and presents no physical constraints on highest and best use.

b. *Legally Permissible*

This property is zoned NCD which allows a wide variety of residential uses with associated commercial space. The height limit is 40 feet, and the residential density is one unit per 800 square feet of lot area. This equates to a maximum of 24 units with 3 on-site BMRs units (19% BMR) for the subject site. This is equal to a density of 55 dwelling units per acre. However, if the HOME-SF Program is utilized a higher number of units and an additional two stories would be allowed, with 30% BMR requirement.

As described in the Zoning section, current city zoning and HOME-SF program would allow for an estimated 75-unit mixed use multifamily development. The unit breakdown under the Program would be 70 percent at market rent and 30 percent BMR units, with BMR rents restricted to 55%, 80% and 110% of AMI levels. The subject as a market rate project would have an estimated maximum density of 171 dwelling units per acre with ground floor commercial space.

Although the subject is proposed for an affordable project with 90-100 units and ground floor community space, it is only allowed due to Senate Bill 35 and the State Bonus Law given that it is a 100 percent rent restricted project. Typically, 100 percent affordable projects show no positive land value and are therefore not considered the highest and best use of the site as vacant.

Therefore, based on the legal parameters, the highest and best use of the subject site as-if vacant is for the development of a market rate 75-unit, multifamily residential project with supporting ground floor commercial space.

c. Financially Feasible

The current strength of the residential market supports speculative construction of multi-family residential use. The subject's location would support ground floor commercial use in the residential development.

d. Maximally Productive

In the current market, the maximally productive use of a site like the subject is to entitle the site for multi-family residential building with ground floor commercial space at the maximum density permitted by zoning.

e. Conclusion

After analyzing the subject property based on the four highest and best use criteria, the highest and best use of the subject site, as-if vacant, is concluded to be for entitlement and development with a 75-unit multifamily residential project with ground floor commercial uses. The most likely buyer of the subject as-if vacant is a developer.

2. As Improved

The subject is improved with two-story commercial building which is used as Police Credit Union with supporting offices. The building was built in 1966 and is in fair to average condition. While functional, the improvements do not contribute value to the underlying land and are not consistent with the highest and best use as vacant.

The highest and best use as improved is concluded to be the construction of a market rate multifamily project with ground-floor retail, consistent with the highest and best use as vacant.

B. Valuation Methodology

The valuation of any parcel of real estate is derived principally through three approaches to the market value. From the indications of these analyses, and the weight accorded to each, an opinion of value is reached. Each approach is more particularly described below.

1. Cost Approach

This approach is the summation of the estimated value of the land, as if vacant, and the reproduction of replacement cost of the improvements. From these are deducted the appraiser's estimate of physical deterioration, functional obsolescence and economic obsolescence, as observed during inspection of the property and its environs. The Cost Approach is based on the premise that, except under most unusual circumstances, the value of a property cannot be greater than the cost of constructing a similar building on a comparable site.

2. Sales Comparison Approach

This approach is based on the principal of substitution, i.e., the value of a property is governed by the prices generally obtained for similar properties. In analyzing the market data, it is essential that the sale prices be reduced to common denominators to relate the degree of comparability to the property under appraisal. The difficulty in this approach is that two properties are never exactly alike.

3. Income Approach

An investment property is typically valued in proportion to its ability to produce income. Hence the Income Approach involves an analysis of the property in terms of its ability to provide a net annual income. This estimated income is then capitalized at a market-oriented rate commensurate with the risks inherent in ownership of the property, relative to the rate of return offered by other investments.

The subject property is valued at its highest and best use via the Sales Comparison Approach. The Income and Cost Approaches lack relevance for redevelopment sites.

VI. FEE SIMPLE LAND VALUATION BY THE SALES COMPARISON APPROACH

In the Sales Comparison Approach, the value of the subject is estimated by comparison with recent sales of similar sites planned for redevelopment as residential and/or mixed/use residential with ground floor retail.

As previously discussed, the subject property is proposed for development with 90 to 100-unit affordable apartment project. The affordable units will be targeted for San Francisco's essential workers and families. The project is proposed to contain 2,250 square feet of community focused space on the ground floor as well as 11 on-site parking spaces. However, as the date of value, the subject property is not entitled and there are no regulatory agreements or restrictions for the affordable housing units are recorded on the subject property.

Therefore, for the analysis of the subject in as-is condition we will use the estimated potential number of units which would be allowed under the HOME-SF Program, given the constraints of the existing zoning. This would allow an estimated 75-unit mixed use multifamily development on the parcel, which would consist of 70 percent market rate units and 30 percent BMR units as required by the city. (The proposed 100 percent affordable project would likely show no residual land value and is therefore not the highest and best use of the land site). This is equal to a density of 171 units per acre.

The table on the following page lists the recent sales of properties intended for redevelopment considered similar to the subject. The comparables are summarized in the table on the following page and individually discussed below.

A. Comparable Land Sales

Comparable 1 is located at 198 Valencia Boulevard in the Mission District neighborhood of San Francisco. The comparable contains a total of 9,000 square feet on a single parcel. The corner site has frontage on the northwest corner of Valencia Street and Duboce Avenue. The site is currently improved with a one-story service commercial building occupied by an Oil Changer. The underlying zoning is NCT-3, Moderate Scale Neighborhood Commercial Transit District. The height limit is 50 feet. The property is entitled for a development with 28 units and ground level commercial uses and 19 parking spaces. This equates to a residential density of 136 dwelling units per acre.

In December 2020, this property sold for \$6,150,000 or \$683 per square foot of site area and \$219,643 per proposed unit. The property will include 4 BMR units.

Comparable 2 is located at 4200 Geary Boulevard in the Richmond neighborhood of San Francisco. The comparable contains a total of 16,750 square feet on three parcels. The corner site has frontage on the northeast corner of Geary Boulevard and 6th Avenue. The site is currently improved with a two-story mortuary that is vacant and is located on one parcel, the other two parcels are vacant. The underlying

COMPARABLE LAND SALES

Appraisal of 2550 Irving Street
San Francisco, California

No.	Location/Neighborhood	Sale Date	Land Area	Sale Price	Price Per SF Land Area Per Unit	Proposed or Allowed Density Dwelling Units DU/Acre BMR % of Units	Planned Development	Zoning Height Limit Proposed Stories	Grantor/ Grantee/ Document No.
1	198 Valencia Street Mission San Francisco Block 3502-108	12/20	9,000 SF 0.21 AC	\$6,150,000 <i>Entitled</i>	\$683 \$219,643	28 DUs 136 Du/Ac <i>Proposed</i> 14% BMR	Property was improved with a one story oil automotive use, which is planned to be demolished. Proposed for 5 story building over ground level commercial space and parking.	NCT-3 50' 5 Stories	Valencia Gamundi LLC/ JS Sullivan Development #06900986
2	4200 Geary Boulevard Richmond San Francisco Block 3501 Lots 006 and -007	5/20	16,750 SF 0.38 AC	\$10,500,000 <i>Unentitled</i>	\$627 \$107,143	98 DUs 255 Du/Ac <i>Proposed</i> 100% BMR	Property improved with a partial two story 16,822 sf funeral home planned to be demolished. Proposed for 98 senior affordable units with 1,500 sf of retail sf.	NC-3, Geary Blvd 40'-X 7 Stories	Cathay Mortuary (Wah Sang) Inc./ 4200 Geary Blvd LP #916761
3	2800 Geary Boulevard Richmond San Francisco Block 1069 Lot 013	9/19	11,680 SF 0.27 AC	\$4,000,000 <i>Unentitled</i>	\$342 \$93,023	43 DUs (2) 160 Du/Ac <i>Proposed</i> 30% BMR	Property improved with 9,320 sf auto repair facility planned to be demolished. Proposed for 43 residential units and retail use. Under HOME-SF Program.	NCD, Geary Blvd 40'-X 6 Stories	Bridgestone Retail Operations/ South Van Ness 490 LP #834146
4	1515 South Van Ness Ave Mission San Francisco Block 6571 Lots 001A, -001 and -008	8/19	34,216 SF 0.79 AC	\$18,500,000 <i>Entitled</i>	\$541 \$117,834	157 DUs 200 Du/Ac <i>Proposed</i> 100% BMR	Improved with 31,680 sf warehouse planned to be demolished. Entitled for mixed use development with 157 residential units and 5,241 sf of retail. City plans to build affordable hsg on site.	NCT Mission St 55-65' 6 Stories	LMC San Francisco I Holdings LLC/ City and County of San Francisco #82000820
5	618-630 Octavia Hayes Valley Block 0793 Lots 037 and 038	2/19	9,451 SF 0.22 AC	\$4,600,000 <i>Unentitled</i>	\$487 \$153,333	30 DUs (1) 138 Du/Ac <i>Proposed</i> 23% BMR	Proposed for 30 units with 3 BMR units, 4 replacement units (rent controlled) and 1,100 sf of commercial space with State Density Bonus. The is an existing 4 unit apt bldg on site which was owner occupied at time of sale.	NCT-Hayes Gough 40'-X 6 Stories	Chung HLH Survivor Trust/ Canakkale LLC #732388
	Subject	Contract 10/19	19,125 SF 0.44 AC	\$9,000,000 <i>Unentitled</i>	\$471 \$120,000	75 DUs (2) 171 Du/Ac (Allowed) 30% BMR	Property Improved with 2 story credit union that is planned to be demolished. Property proposed for 90-100 affordable residential units with community space on	NCD- Irving St. 40'-X 6 Stories	

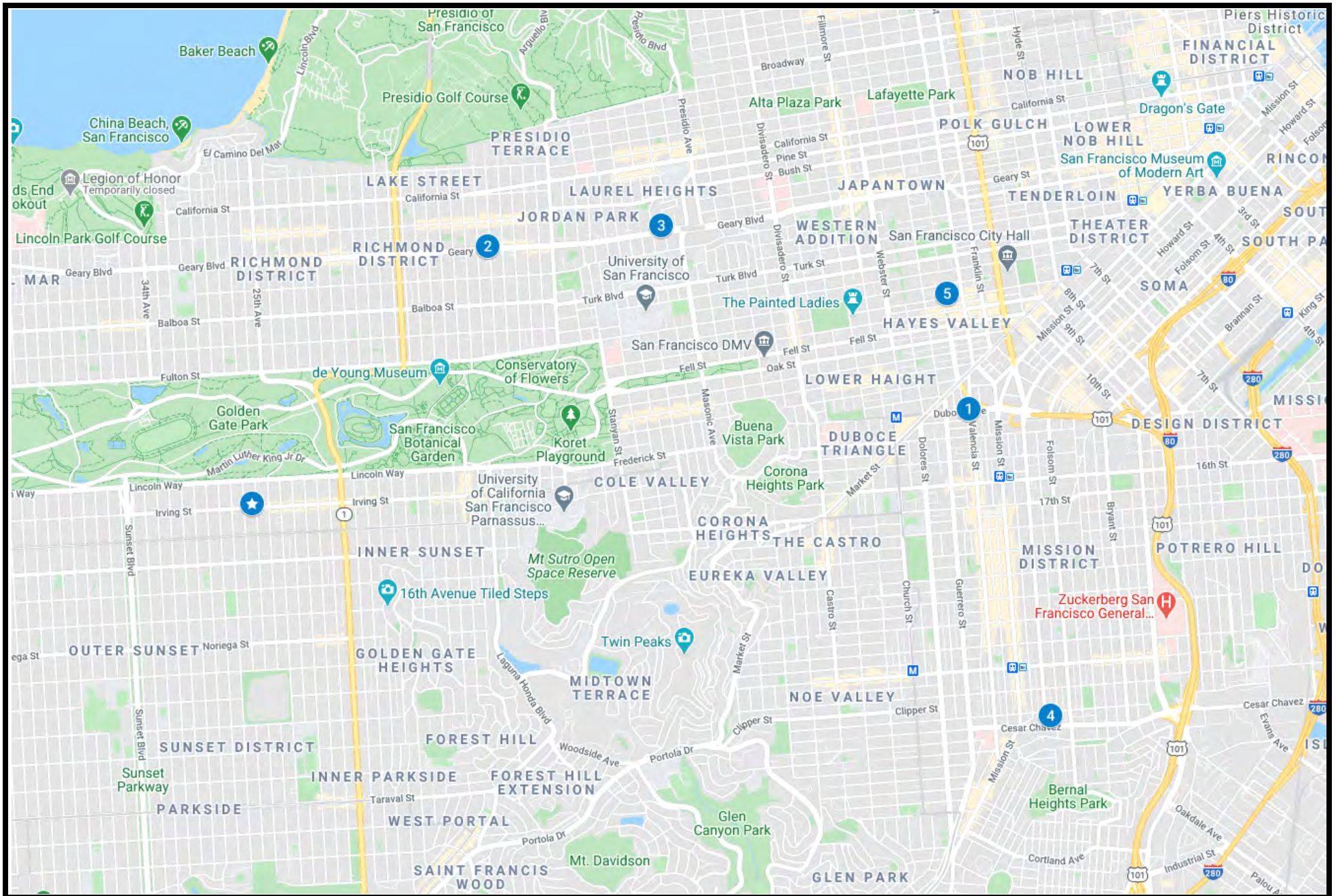
(1) Based on proposed project submitted to the City

(2) Estimated number of units based on State Density Bonus Program or Local/HOME-SF Program

Source: Watts, Cohn & Partners, Inc., May 2021

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COMPARABLE LAND SALES MAP



zoning is NC-3, Geary Boulevard Neighborhood Commercial. The property is proposed for a development with 98 affordable senior units and ground level commercial uses. This equates to a residential density of 255 dwelling units per acre.

In May of 2020, this property sold for \$10,500,000 or \$627 per square foot of site area and \$107,143 per proposed unit.

Comparable 3 is located at 2800 Geary Boulevard in the Richmond neighborhood of San Francisco. The comparable contains a total of 11,678 square feet on a single parcel. The site has approximately 89 feet of frontage on Geary and 122 feet of frontage on Wood Street. The comparable is improved with a one story 9,320 square foot automotive building. The underlying zoning is NCD, Geary Boulevard Neighborhood Commercial. The property is proposed to be developed with a mixed-use project with 43 units and ground level commercial use under the HOME-SF bonus height program. The density is equal to 160 units per acre. The project will include 30% BMR units.

In September of 2019, this property sold for \$4,000,000, or \$342 per square foot of site area and \$93,023 per proposed residential unit. The property was originally in contract for \$5,000,000, or \$428 per square foot. However, once the extent of toxic issues became known and the buyer agreed to fund the clean-up costs on the site, the property closed at a lower sale price of \$4,000,000.

Comparable 4 is located at 1515 South Van Ness Avenue in the Mission District of San Francisco. The comparable contains a total of 34,216 square feet on three parcels. The site has approximately 245 feet of frontage on 26th Street and 172 feet of frontage on South Van Ness Avenue. One parcel is improved with a single-story warehouse building and the other two parcels are vacant. The underlying zoning is NCT Mission Street. At the time of sale, the current improvements were proposed for demolition and the property was entitled for a mixed-use development with 157 residential units and 5,241 square feet of retail. This equates to a residential density of 200 dwelling units per acre.

In August of 2019, this property was purchased for \$18,500,000 or \$541 per square foot of site area and \$117,834 per proposed unit. The property was purchased by the City and County of San Francisco for affordable housing.

Land Sale 5 is the sale of 618-630 Octavia Street in the Hayes Valley neighborhood of San Francisco. The property is located midblock between Fulton and Grove Streets. The comparable consists of two parcels of which one was improved with a four-unit apartment building that was built in 1962. The building contains 2,473 square feet. The other adjacent parcel is located at 618 Octavia Street and is a rectangular shaped vacant parcel which had been used for parking. The two parcels contain 9,451 square feet of land area or 0.22 acres. The property is zoned NCT-

Hayes Gough, under the Market and Octavia Area Plan. The property has a height limit of 40 feet. The apartment building was vacant at the time of sale.

The purchaser is currently seeking entitlements for 30 residential units and 1,100 square feet of commercial space, under the State Density Bonus Program with seven BMR units. This is equal to a density of 138 units per acre.

The property was purchased in February 2019 by a developer for \$4,600,000. This is equal to \$487 per square foot of land area and \$153,333 per unit.

B. Analysis

The subject property is valued as-is assuming that it is entitled at the maximum density likely to be approved given the constraints of the existing zoning and the HOME-SF Program. The program would allow for two additional stories, or a total of six stories. It was previously estimated that a total of 75 residential units (including 23 BMR units) could be developed on the subject property. This is equal to a density of 171 units per acre.

By further analyzing the comparable sales, and adjusting for various factors, an appropriate unit value can be concluded for the subject. The comparables indicate a range of unadjusted unit values between \$93,023 and \$219,643. The range on a land area basis is \$342 to \$627. For residential development sites, comparison is typically based on a price per planned or approved lot/unit basis. However, for unentitled residential sites that lack approvals, a value on a per square foot of land area basis is considered to be a stronger indicator with secondary weight given to the price per potential unit.

It should be emphasized that although the adjustment process is a mechanical one, the analysis applied by the appraiser is actually less mechanical and more intuitive in nature. Specific adjustments, in all approaches to value, are intended to represent the appraiser's best judgment concerning the differential between each comparable and the subject. Any specific adjustment should be considered general in nature and the overall process is intended to narrow the pattern indicated by the comparable data.

The comparables range in size from 9,000 to 34,216 square feet, and the subject site area is within the range of the comparables in terms of size. A total of 75 units is used in our analysis which is equal to a density of 171 units per acre. The comparables reflect proposed densities of 136 to 255 dwelling units per acre.

Proposed density affects both price per dwelling unit and price per square foot of land, but in opposing ways. Density and price per dwelling unit are inversely related, while density and price per square foot of land area are positively correlated. In other words, all else equal, a higher density site will sell for less on

COMPARABLE LAND SALE ADJUSTMENT GRID

Appraisal of 2550 Irving Street
San Francisco, California

		Sale 1	Sale 2	Sale 3	Sale 4	Sale 5
	Subject	198 Valencia Street Mission	4200 Geary Boulevard Richmond	2800 Geary Boulevard Richmond	515 South Van Ness Ave Mission	618-630 Octavia Hayes Valley
Dwelling Units	75	28	98	43	157	30
Density per Acre	171	136	255	160	200	138
Land Area	19,125	9,000	16,750	11,680	34,216	9,451
Sale Date		12/20	5/20	9/19	8/19	2/19
Transaction Price		\$6,150,000	\$10,500,000	\$4,000,000	\$18,500,000	\$4,600,000
Unadjusted Price Per SF		\$683	\$627	\$342	\$541	\$487
Financing Terms		0%	0%	0%	0%	0%
Conditions of Sale		0%	0%	0%	0%	0%
Adjusted Sale Price		\$6,150,000	\$10,500,000	\$4,000,000	\$18,500,000	\$4,600,000
Adjusted Price/SF		\$683	\$627	\$342	\$541	\$487
Market Conditions		0.0%	-5%	-5%	-5%	-5.0%
Adjusted Price/Per SF		\$683	\$596	\$325	\$514	\$462
Location	Irving Street	-10.0%	-5.0%	0.0%	2.5%	-5.0%
Size	19,125	-5.0%	0.0%	0.0%	5.0%	-5.0%
Site Utility	3 Street Frontages	5.0%	5.0%	10.0%	0.0%	10.0%
Site Conditions		0.0%	0.0%	25.0%	0.0%	0.0%
Density	171 DU/AC	0.0%	-5.0%	0.0%	0.0%	0.0%
Height Limit	40'	0.0%	0.0%	0.0%	-2.5%	0.0%
Entitlements	None	-10.0%	0.0%	0.0%	-10.0%	0.0%
BMR %	30.0%	-10.0%	0.0%	0.0%	0.0%	-5.0%
Total Adjusted %		-30.0%	-5.0%	35.0%	-5.0%	-5.0%
Adjusted Price/SF		\$478	\$566	\$439	\$488	\$439

19,125 Per SF

\$470 per sf =

\$8,988,750

Value (Rounded)

\$9,000,000

Source: Watts, Cohn & Partners, Inc., May 2021
21-WCP-032

a per dwelling unit basis, and more on a per square foot of land area basis, than a lower density site.

The sales occurred between February 2019 and December 2020. All of the land sales, with exception of Comparable 1, took place or were in contract prior to the Covid-19 virus and pandemic. Although there is no definitive market evidence as of the date of this appraisal of the impact on land value, discussions with brokers suggest downward pressure on land values in the near term which is logical. However, longer term the general sense at least in San Francisco is that the housing shortage will persist, and the City will remain a highly desirable place. This suggests the land market might simply slow as sellers resist lowering prices and wait for market clarity. Nonetheless, in the short term a seller will likely need to reduce price expectations in order to achieve a timely sale. Therefore, a downward adjustment is made to Sales 2, 3, 4, and 5 for market conditions given the current uncertainty in the real estate market.

All of the comparables include existing improvements planned for demolition. Therefore, no adjustment for the cost of demolition is applied, as the contributory value of the improvements on an interim basis, during entitlements, offsets the demolition cost.

There are many variables that determine the quantity of inclusionary units for each site. These variables include timing and concessions. Timing is an important component, as inclusionary requirements have changed over time. A developer can achieve concessions by swapping some requirements for more or less BMR units, such as more or less required open space, or a higher residential tower. These factors are considered when applying the BMR adjustments.

Land Sale 1 is the sale of a property at 198 Valencia Street in the Mission District. The property was purchased with entitlements at \$683 per square foot. The location of the neighborhood is considered superior to the subject's location requiring a downward adjustment. The property is also smaller in size. The comparable is a corner site and the three-street frontage of the subject is superior. An upward adjustment for site utility is made. The density and height limit are similar to the subject. However, the comparable received entitlements prior to the sale. A negative adjustment is also made for the superior lower BMR requirement of the comparable. Overall, a lower per square foot value is indicated for the subject.

Land Sale 2 pertains to the sale of a development site at 4200 Geary Boulevard in the Richmond District. The property was purchased for \$627 per square foot. The property is similar to the subject in terms of its zoning, height limit and size. It is proposed for 100% affordable senior housing. The comparable is considered to have a superior location and a downward adjustment is indicated. The density is also higher. A partial offsetting adjustment is made for the comparable's corner street frontage which is considered inferior to the subject in terms of site utility. Overall, a lower unit value is indicated on a per square foot basis.

Land Sale 3 is the sale of 2800 Geary Boulevard in the Richmond neighborhood of San Francisco. The comparable was purchased for \$342 per square foot. The property is situated at the northwest corner of Geary Boulevard and Wood Street, just west of the tunnel at Masonic Avenue. The property is similar to the subject in terms of density, height limit and zoning. Although the property has a corner location, the access to the site is primarily from Wood Street as Geary Boulevard is only one way along the street frontage as west bound Geary emerges from a tunnel. The comparable is therefore considered difficult to access and an upward adjustment is made for site utility. An upward adjustment is also made for Site Conditions as the property had toxic issues with unknown costs of clean up at the time of sale which the buyer agreed to fund. An upward adjustment is made for clean-up risks under Site Conditions. The comparable is similar to the subject in other respects. After adjustments, a higher unit value is warranted for the subject.

Land Sale 4 is the August 2019 sale of 1515 South Van Ness Avenue in the Mission District. It sold with entitlements for \$541 per square foot. This property is similar to the subject in terms of zoning and density. However, it is larger than the subject and has an inferior location. Offsetting factors are the superior height limit of the comparable and that the property is entitled. Overall, a lower unit value is indicated for the subject.

Land Sale 5 is the sale of a development located in Hayes Valley. The comparable has a superior neighborhood location in Hayes Valley and is smaller in size warranting a downward adjustment. However, the comparable has a mid-block location that is inferior in terms of site utility. A negative adjustment is also indicated given that comparable has a lower 23% BMR requirement. Overall, on a land area basis, a lower per square foot value is indicated.

The subject property is currently under contract to be purchased for \$9,000,000 which is equal to approximately \$471 per square foot. The subject was openly marketed and entered into contract in October 2019.

Conclusions

After adjustments, the comparables indicate a range of values from approximately \$439 to \$566 per square foot of site area. The subject is a good site that has three street frontages with good utility and visibility. There are limited larger sites available in the western portion of San Francisco.

Based on the analysis of the comparables, the physical and locational attributes of the subject, as well as market conditions, a per square foot value of between \$450 and \$500 is estimated. A mid-range per square foot value of \$470 is concluded. Applying this to the total site area results in a total market value for the subject as a redevelopment site, by the Sales Comparison Approach, as follows:

$$\begin{array}{rclcl} 19,125 \text{ SF} & \times & \$470 / \text{SF} & = & \$8,988,750 \\ \text{Rounded} & & & & \$9,000,000 \end{array}$$

The concluded value is equivalent to approximately \$120,000 per residential unit based on 75 residential units as allowed under the current zoning and HOME-SF Program. This is below Comparables 1 and 5 but is higher than Comparables 2 and 4 which is considered reasonable given that the properties with higher densities typically sell for lower prices per unit, and vice versa. In addition, Comparable 3 had toxic issues which suggests a higher unit value for the subject. Therefore, the concluded value appears to be supported and reasonable.

VII. VALUE CONCLUSION

Based on the research and analyses contained in this report, and subject to the assumptions and limiting conditions contained herein, it is the opinion of the appraisers that the fee simple market value of the subject property, assuming it is a vacant land development site, as of March 29, 2021, is estimated to be:

NINE MILLION DOLLARS

(\$9,000,000)

It is the opinion of the appraiser that the above concluded market value for the subject property could be achieved within 12 months of exposure period as of the date of value.

ADDENDA

EXHIBIT A

The land referred to is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

(A) Beginning at the point of intersection of the Northerly line of Irving Street with the Westerly line of 26th Avenue; running thence Westerly along the Northerly line of Irving Street 82 feet and 6 inches; thence at a right angle Northerly 90 feet; thence at a right angle Easterly 82 feet and 6 inches to the Westerly line of 26th Avenue; thence Southerly along the Westerly line of 26th Avenue 90 feet to the point of beginning.

Being a portion of Outside Land Block No. 647.

(B) Beginning at a point on the Northerly line of Irving Street, distant thereon 82 feet and 6 inches Westerly from the Westerly line 26th Avenue; running thence Westerly along the Northerly line of Irving Street 25 feet; thence at a right angle Northerly 90 feet; thence at a right angle Easterly 25 feet; thence at a right angle Southerly 90 feet to the point of beginning.

Being a portion of Outside Land Block No. 647.

(C) Beginning at a point on the Northerly line of Irving Street, distant thereon 107 feet and 6 inches Westerly from the Westerly line of 26th Avenue; running thence Westerly along the Northerly line of Irving Street 25 feet; thence at a right angle Northerly 90 feet; thence at a right angle Easterly 25 feet; thence at a right angle Southerly 90 feet to the point of beginning.

Being a portion of Outside Land Block No. 647.

(D) Beginning at a point on the Northerly line of Irving Street, distant thereon 82 feet and 6 inches Easterly from the point formed by the intersection of the Northerly line of Irving Street with the Easterly line of 27th Avenue; running thence Easterly along said Northerly line of Irving Street 25 feet; thence at a right angle Northerly 90 feet; thence at a right angle Westerly 25 feet; thence at a right angle Southerly 90 feet to the Northerly line of Irving Street and the point of beginning.

Being a portion of Outside Land Block No. 647.

(E) Beginning at the point of intersection of the Easterly line of 27th Avenue and the Northerly line of Irving Street; running thence Northerly along said line of 27th Avenue 60 feet; thence at a right angle Easterly 82 feet and 6 inches; thence at a right angle Southerly 60 feet to the Northerly line of Irving Street; thence at a right angle Westerly along said line of Irving Street 82 feet and 6 inches to the point of beginning.

Being part of Outside Land Block No. 647.

Assessor's Lot 038; Block 1724



275 Battery Street, Suite 1500
San Francisco, CA 94111
(415) 397-0500 Fax: (415) 397-0199

PRELIMINARY REPORT

TENDERLOIN NEIGHBORHOOD DEVELOPMENT
CORPORATION
49 Powell Street, 3rd Fl.
San Francisco, CA 94102

Second Amend

Our Order Number 0227022715-MN

When Replying Please Contact:

Buyer:
Tenderloin Neighborhood Development
Corporation

Martha Nakagawa
MNakagawa@ortc.com
(415) 397-0500

Property Address:

2520 Irving Street, San Francisco, CA 94122

In response to the above referenced application for a policy of title insurance, OLD REPUBLIC TITLE COMPANY, as issuing Agent of Old Republic National Title Insurance Company, hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said Policy or Policies are set forth in Exhibit I attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the Homeowner's Policy of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit I. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit I of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of October 30, 2020, at 7:30 AM

OLD REPUBLIC TITLE COMPANY
For Exceptions Shown or Referred to, See Attached

OLD REPUBLIC TITLE COMPANY
ORDER NO. 0227022715-MN
Second Amend

The form of policy of title insurance contemplated by this report is:

CLTA Standard Coverage Policy -1990; AND ALTA Loan Policy - 2006. A specific request should be made if another form or additional coverage is desired.

The estate or interest in the land hereinafter described or referred or covered by this Report is:

Fee

Title to said estate or interest at the date hereof is vested in:

S F Police Credit Union, a California corporation

The land referred to in this Report is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

(A) Beginning at the point of intersection of the Northerly line of Irving Street with the Westerly line of 26th Avenue; running thence Westerly along the Northerly line of Irving Street 82 feet and 6 inches; thence at a right angle Northerly 90 feet; thence at a right angle Easterly 82 feet and 6 inches to the Westerly line of 26th Avenue; thence Southerly along the Westerly line of 26th Avenue 90 feet to the point of beginning.

Being a portion of Outside Land Block No. 647.

(B) Beginning at a point on the Northerly line of Irving Street, distant thereon 82 feet and 6 inches Westerly from the Westerly line 26th Avenue; running thence Westerly along the Northerly line of Irving Street 25 feet; thence at a right angle Northerly 90 feet; thence at a right angle Easterly 25 feet; thence at a right angle Southerly 90 feet to the point of beginning.

Being a portion of Outside Land Block No. 647.

(C) Beginning at a point on the Northerly line of Irving Street, distant thereon 107 feet and 6 inches Westerly from the Westerly line of 26th Avenue; running thence Westerly along the Northerly line of Irving Street 25 feet; thence at a right angle Northerly 90 feet; thence at a right angle Easterly 25 feet; thence at a right angle Southerly 90 feet to the point of beginning.

Being a portion of Outside Land Block No. 647.

(D) Beginning at a point on the Northerly line of Irving Street, distant thereon 82 feet and 6 inches Easterly from the point formed by the intersection of the Northerly line of Irving Street with the Easterly line of 27th Avenue; running thence Easterly along said Northerly line of Irving Street 25 feet; thence at a right angle Northerly 90 feet; thence at a right angle Westerly 25 feet; thence at a right angle Southerly 90 feet to the Northerly line of Irving Street and the point of beginning.

Being a portion of Outside Land Block No. 647.

(E) Beginning at the point of intersection of the Easterly line of 27th Avenue and the Northerly line of Irving Street; running thence Northerly along said line of 27th Avenue 60 feet; thence at a right angle Easterly 82 feet and 6 inches; thence at a right angle Southerly 60 feet to the Northerly line of Irving Street; thence at a right angle Westerly along said line of Irving Street 82 feet and 6 inches to the point of beginning.

OLD REPUBLIC TITLE COMPANY
ORDER NO. 0227022715-MN
Second Amend

Being part of Outside Land Block No. 647.

Assessor's Lot 038; Block 1724

At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

1. Intentionally Deleted
2. Taxes and assessments, general and special, for the fiscal year 2020 - 2021, as follows:

Assessor's Parcel No	:	LOT 038; BLOCK 1724	
Bill No.	:	171497	
1st Installment	:	\$23,905.12	NOT Marked Paid
2nd Installment	:	\$23,905.12	NOT Marked Paid
Land Value	:	\$2,677,878.00	
Imp. Value	:	\$1,249,663.00	
3. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Section 75, et seq., of the Revenue and Taxation Code of the State of California.
4. Any special tax which is now a lien and that may be levied within the City of San Francisco Unified School District Community Facilities District No. 90-1, notice(s) for which having been recorded.

NOTE: Among other things, there are provisions in said notice(s) for a special tax to be levied annually, the amounts of which are to be added to and collected with the property taxes.

NOTE: The current annual amount levied against this land is \$39.04.

NOTE: Further information on said assessment or special tax can be obtained by contacting:

Name : San Francisco Unified School District
Telephone No. : (415) 241-6480

OLD REPUBLIC TITLE COMPANY
ORDER NO. 0227022715-MN
Second Amend

5. The herein described property lying within the proposed boundaries of the City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing), as follows:

District No. : 2009-1
For : San Francisco Sustainable Financing
Disclosed by : Map filed December 7, 2009, in Book 1 of Maps of Assessment and Community Facilities Districts, Page 33.

6. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : Pacific Gas and Electric Company, a corporation
For : Wires and cables for the distribution of electricity
Recorded : [April 21, 1924 in Reel 862 of Official Records, Image 240](#)

Upon the terms and conditions contained therein.

7. Conditions contained and/or referred to in an instrument,

Entitled : Notice of Special Restrictions under the City Planning Code
By : Edward J. Summerville, Agent
Recorded : [June 16, 1989 in Official Records under Recorder's Serial Number E381845](#)

Note: Reference is made to said instrument for full particulars.

8. Conditions contained and/or referred to in an instrument,

Entitled : Declaration of Use
By : Dome Construction
Recorded : [May 17, 2002 in Official Records under Recorder's Serial Number 2002-H168982-00](#)

Note: Reference is made to said instrument for full particulars.

9. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.

10. Any unrecorded and subsisting leases.
11. Satisfactory evidence furnished to this Company:
- a) as to the due formation and continued existence of S F Police Credit Union, a California corporation as a legal entity under the laws of California; and
 - b) documents from its board of directors authorizing this transaction and specifying the officers to execute on behalf of the corporation.
12. The requirement that this Company be provided with a suitable Owner's Declaration (form ORT 174). The Company reserves the right to make additional exceptions and/or requirements upon review of the Owner's Declaration.

----- **Informational Notes** -----

- A. The applicable rate(s) for the policy(s) being offered by this report or commitment appears to be section(s) 1.1 and 2.1.
- B. The above numbered report (including any supplements or amendments thereto) is hereby modified and/or supplemented to reflect the following additional items relating to the issuance of an American Land Title Association loan form policy:

NONE

NOTE: Our investigation has been completed and there is located on said land a commercial building known as 2520 Irving Street, San Francisco, CA 94122.

The ALTA loan policy, when issued, will contain the CLTA 100 Endorsement and 116 series Endorsement.

Unless shown elsewhere in the body of this report, there appear of record no transfers or agreements to transfer the land described herein within the last three years prior to the date hereof, except as follows:

NONE

OLD REPUBLIC TITLE COMPANY
ORDER NO. 0227022715-MN
Second Amend

C. NOTE: The last recorded transfer or agreement to transfer the land described herein is as follows:

Instrument
Entitled : Individual Grant Deed
By/From : Paul B. Currivan, Jane F. Currivan and Gregory C. Currivan
To : S F Police Credit Union, a California corporation
Recorded : [June 4, 1987 in Official Records under Recorder's Serial Number E001760](#)

D. November 18, 2020 The above Second Amended Preliminary Report, has been modified for the following :

- x Taxes
- x Plant Date
- x to remove Lots 47,48,49 Block 1781 from the report

PURCHASE AND SALE AGREEMENT
(APN 1724-038)

This Purchase and Sale Agreement (the “Agreement”) is made as of the last date indicated by the signatures of Buyer and Seller below (the “Agreement Date”), by and between THE POLICE CREDIT UNION OF CALIFORNIA, a California nonprofit corporation, formerly known as the SF Police Credit Union, California nonprofit corporation (“Seller”), and TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION, a California non-profit public benefit corporation (“Buyer”).

RECITALS

A. Seller is the fee owner of that certain real property consisting of one (1) parcel of land (Assessor’s Parcel No. 1724-038) located at 2520-2550 Irving Street, in the City and County of San Francisco, State of California consisting of approximately 19,125 square feet of land (the “Land”), together with improvements thereon (the “Improvements”). The Land and Improvements are defined collectively as the “Property.”

B. Buyer desires to buy, and Seller desires to sell, the Property on the terms and conditions set forth in this Agreement.

1. **PURCHASE AND SALE** Seller hereby agrees to sell to Buyer and Buyer hereby agrees to purchase from Seller all of Seller's right, title and interest in and to the Property, subject to the terms of this Agreement. In addition to the portion of the Land and the Improvements included within the term “Property,” as described above, the “Property” to be transferred hereunder shall also include all of Seller’s right title and interest in and to, if any, (i) all rights, privileges and easements appurtenant to the Property, including, without limitation, all minerals, oil, gas and other hydrocarbon substances on and under the Land (if owned by Seller), as well as all development rights and approvals (subject to any limitations in Section 4), air rights, water, water rights and water stock relating to the Property and any other easements, rights of way or appurtenances used in connection with the beneficial use and enjoyment of the Land (collectively, the “Appurtenances”), (ii) all other structures, fences, parking areas or improvements located on or under the Property (the foregoing together with the Appurtenances are included within the term “Improvements”), and (iii) all personal property located on or in or used in connection with the Property (the “Personal Property”), and all service contracts (if approved by Buyer during the Feasibility Review Period), and any governmental permits and approvals, environmental reports, surveys, other reports, studies and all other plans, specifications, books, records and files, any and all licenses, permits, and other governmental approvals, any and all warranties, guaranties, claims, demands and indemnities, and any and all other intangible rights relating to the ownership, use and operation of all or any part of the Property (collectively, the “Intangible Property”).

2. **THE PURCHASE PRICE** The purchase price of the Property shall be Nine Million and No/100ths Dollars (\$9,000,000.00) (the “Purchase Price”). The Purchase Price shall be payable as follows:

(a) Within three (3) business days following the Agreement Date, Buyer and Seller shall open an escrow with Old Republic Title Company, 275 Battery Street, Suite 1500, San Francisco, California, 94111, Attn: Martha Nakagawa (the "Title Company"), and shall deposit a fully signed copy of this Agreement into escrow with the Title Company, and shall execute such instructions as the Title Company may require which are not inconsistent with the provisions of this Agreement

(b) Within three (3) business days following the Agreement Date, Buyer shall deposit with the Title Company via check or wire transfer One hundred Dollars (\$100) (the "Option Payment") as non-refundable option consideration for the option to purchase the Property until the expiration of the Feasibility Review Period. The Option Payment shall be non-refundable to Buyer and not applicable to the Purchase Price at the Closing (defined in Section 11(a)).

(c) Within three (3) business days following the Agreement Date, Buyer shall deposit with the Title Company via check or wire transfer an earnest money deposit in the amount of One Hundred Thousand and No/100ths Dollars (\$100,000.00) (the "Initial Deposit"). The Initial Deposit shall remain fully refundable to Buyer until the expiration of the Feasibility Review Period and thereafter in accordance with this Agreement. Any accrued interest on the Initial Deposit shall be credited to Buyer.

(d) If this Agreement has not been terminated by the end of the Feasibility Review Period, then within three (3) business days following expiration of the Feasibility Review Period, Buyer shall deposit with the Title Company via check or wire transfer an additional earnest money deposit in the amount of One Hundred Fifty Thousand and No/100ths Dollars (\$150,000.00) (the "Second Deposit") together with instructions to the Title Company to immediately release the Initial Deposit, the Second Deposit and the Feasibility Extension Consideration (as defined in Subsection 3(a)) (if paid) to Seller. The Initial Deposit and the Second Deposit are collectively referred to herein as the "Deposit". The Deposit and the Feasibility Extension Consideration (if paid) shall be nonrefundable to Buyer, except as otherwise provided in this Agreement, and applicable towards the Purchase Price. Any accrued interest on the Deposit and the Feasibility Extension Consideration shall be credited to Buyer.

3. **FEASIBILITY REVIEW**

(a) The "Feasibility Review Period" shall be the period beginning on the Agreement Date and ending at 5:00 p.m. (Pacific Time) on the date which is one hundred (100) days following the Agreement Date. Buyer shall have the right to extend the Feasibility Review Period for a period of thirty (30) days ("Feasibility Extension Period") by providing written notice to Seller and Title Company not less than ten (10) days prior to the expiration of the Feasibility Review Period. Concurrently with Buyer's delivery of the notice extending Feasibility Review Period, Buyer shall deposit with Title Company the amount of Fifty Thousand and No/100ths Dollars (\$50,000.00) ("Feasibility Extension Consideration") together with instructions to the Title Company to release the Feasibility Extension Consideration to Seller if Seller so desires. Upon receipt by Seller, the Feasibility Extension Consideration shall be non-refundable to Buyer (except in the event of a Seller default) but shall be credited against

the Purchase Price at Closing.

(b) To the extent that these items exist and are in the Seller's possession or control, without the duty of inquiry, within ten (10) days following the Agreement Date Seller shall provide to Buyer true, correct and complete copies of the following due diligence items concerning the Property (the "Due Diligence Documents"):

- (i) All building plans and specifications;
- (ii) Any plans relating to grading, erosion control, water, sewer, storm drain, street improvement, landscape and parks or other infrastructure or improvements affecting the Land;
- (iii) Operating statements for the past three (3) years;
- (iv) All physical inspection reports;
- (v) The most current real property tax bills;
- (vi) Information on any applicable community facilities district assessments;
- (vii) All reports and studies regarding the physical condition of the Property, including but not limited to environmental, biological, archaeological, soils and engineering reports and studies;
- (viii) Surveys and topographic maps;
- (ix) Covenants, conditions and restrictions rights of use or access, whether or not recorded against the Property;
- (x) Notifications by any municipality regarding the Land or any portion thereof;
- (xi) Copies of agreements, service contracts or other documents affecting the Property, including any assignable warranties;
- (xii) Any land use or occupancy restriction affecting the Land;
- (xiii) Copies of any financing documents affecting the Property;
- (xiv) Copies of any non-confidential documents relating to disputes, litigation, or settlement of any claims from or against adjacent property owners that could affect Buyer's proposed development of the Property; and
- (xv) Any other information regarding the physical, legal or financial condition of the Property.

(xvi) Seller has retained AllWest Environmental to conduct ground water testing on north east corner of the Property ("AllWest Testing"). Notwithstanding anything in this Section 3(b) to the contrary, Seller shall provide to Buyer a true, correct and complete copy of the AllWest Testing report on the Property within ten (10) days following the Agreement Date.

(c) From and after the Agreement Date, Seller shall provide Buyer, its agents and representatives access to the Property, and Buyer, its agents and representatives shall be entitled to enter onto the Property during regular business hours to perform inspections, surveys, tests and appraisals of the Property, including invasive testing, and make any other investigations necessary or appropriate (including discussions with governmental agencies) to determine if the Property is suitable, in Buyer's sole and absolute discretion, for Buyer's intended use, subject to each of the following conditions:

- (i) Buyer shall provide written notice to Seller at least forty-eight (48) hours prior to any desired access.

(ii) After making such tests and inspections, Buyer agrees to promptly restore the Property to its condition prior to such tests and inspections.

(iv) Buyer shall indemnify and hold harmless Seller from all loss, cost and expense (including reasonable attorneys' fees) incurred, suffered by, or claimed against the Seller and caused by Buyer's exercising its rights under this Section 3(c), which indemnity obligation shall survive the expiration or termination of this Agreement.

(v) Buyer shall name, and shall cause its representatives, employees, agents and independent contractors to name, Seller as additionally insured party under Buyer's or its representatives, employees, agents and independent contractors' commercial general liability insurance on an "occurrence basis" against claims for "personal injury", including without limitation, bodily injury or death, or "property damage", for not less than \$1,000,000 per occurrence.

(vi) Buyer, in performing its inspections, surveys, tests and appraisals, shall not unreasonably interfere with Seller's business operations the Property, and agrees to coordinate its activities on the Property with Seller with at least three (3) business days' notice. Additionally, so as to not inconvenience Seller's members, the parties agree that none of the work undertaken by Buyer under this provision in the interior of the building on the Property shall take place during Seller's retail branch operating hours. Buyer may undertake work under this provision outside the building on the Property during Seller's retail branch operating hours so long as Seller's credit union members and employees have free and unfettered access to the entrance of the retail branch. Seller agrees to give Buyer one (1) full day for testing work in the parking lot of the Property, upon Buyer delivering to Seller five (5) business days' advance notice for work to occur. The parties will work together on a plan to coordinate the testing work in a manner that will allow limited parking areas for the retail branch as testing work occurs.

(d) During the Feasibility Review Period, Buyer shall have the right to approve or disapprove, in Buyer's sole and absolute discretion, the feasibility of Buyer's proposed use of the Property, including, without limitation, (i) a written commitment letter for acquisition of the Property from the San Francisco Mayor's Office of Housing and Community Development or a similar City agency, (ii) the ability to obtain governmental approvals, including historic designation allowing for the demolition of the existing structures, (iii) permits for Buyer's intended development of the Property, and (iv) financing.

(e) On or before the expiration of the Feasibility Review Period, Buyer shall provide Seller with (i) written notice (the "Approval Notice") of its approval of those matters described in Subsections 3(b) (c) and (d) and any other matters related to the condition of the Property (the "Due Diligence Matters"), as determined by Buyer in its sole and absolute discretion. If Buyer does not provide the Approval Notice prior to the expiration of the Feasibility Review Period, then this Agreement shall automatically terminate as of the expiration of the Feasibility Review Period. If prior to the expiration of the Feasibility Review Period, Buyer delivers notice that any Due Diligence Matter is disapproved ("Disapproval Notice"), then Seller will have ten (10) days

after delivery of Buyer's Disapproval Notice to deliver written notice to Buyer ("Seller's Cure Notice"), with respect to any disapproved Due Diligence Matter, specifying either (i) the manner in which Seller will remove or cure such disapproved item, or (ii) that Seller will not remove or cure such disapproved item. If Seller fails to timely deliver its Seller's Cure Notice, Seller will be deemed to have not agreed to cure all items of the type described in the Disapproval Notice. Following any election or deemed election by Seller not to cure any such disapproved item contained in the Disapproval Notice, Buyer will have ten (10) days after delivery of Seller's Cure Notice to deliver to Seller Buyer's notice of its election to either (i) proceed with the purchase of the Property subject to any disapproved items Seller does not elect to cure, or (ii) terminate this Agreement. Upon a termination of this Agreement under this Subsection 3(e), the Title Company is instructed to return the Initial Deposit to Buyer. If Seller is obligated or elects to cure or remove a disapproved item and fails to do so at least five (5) business days prior to the Closing Date (defined in Section 11(b)), Seller shall be in material default under this Agreement and Buyer shall be entitled to all rights and remedies hereunder.

(f) Within five (5) business days following the Agreement Date Seller shall deliver to Buyer a preliminary title report for the Property ("Title Report"), together with copies of all documents relating to the title exceptions referred to in the Title Report. Notwithstanding anything to the contrary in this Agreement, on or before the Closing, Seller shall be obligated to remove all monetary liens and encumbrances securing the payment of money from title to the Property. Buyer shall have thirty (30) days from delivery of the Title Report to deliver written notice of any objections to the exceptions shown on the Title Report ("Title Objections"). Seller will have ten (10) days after delivery of Buyer's Title Objection notice to deliver written notice to Buyer ("Seller's Title Notice"), (i) with respect to any Title Objections that are monetary liens or encumbrances securing the payment of money and that arise or result from any act or omission of Seller, specifying the manner in which it will remove or cure such objection, and (ii) with respect to any other Title Objections, specifying either (I) the manner in which Seller will remove or cure such Title Objection, or (II) that Seller will not remove or cure such Title Objection. If Seller fails to timely deliver its Seller's Title Notice, Seller will be deemed to not have agreed to cure all Title Objections of the type described in this Subsection 3(f)(ii). Following any election or deemed election by Seller not to cure any such Title Objection, Buyer will have ten (10) days after delivery of Seller's Title Notice to deliver to Seller Buyer's notice of its election to either (i) proceed with the purchase of the Property, or (ii) terminate this Agreement. Upon a termination of this Agreement under this Subsection 3(f), the Title Company is instructed to return the Initial Deposit to Buyer. If Seller is obligated or elects to cure or remove a Title Objection and fails to do so at least five (5) business days prior to the Closing Date, Seller shall be in material default under this Agreement and Buyer shall be entitled to all rights and remedies hereunder.

4. **REPRESENTATIONS AND WARRANTIES OF SELLER.** The effect of the representations and warranties made in this Agreement shall not be diminished or deemed to be waived by any inspections, tests or investigations made by Buyer or its agents. Seller represents and warrants to Buyer that the following matters are true and correct as of the execution of this Agreement and, will be true and correct as of the Closing:

(a) Seller is a California nonprofit corporation, duly formed, in good standing and validly operating under the laws of the State of California.

(b) Seller has the right, power and authority to sell, convey and transfer the Property to Buyer as provided herein, and to perform Seller's obligations hereunder and no further consents or approvals are required as a condition to any of the foregoing.

(c) This Agreement and all of the documents to be delivered by Seller to Buyer at the Closing will be duly authorized, executed and delivered by Seller, and will be legal and binding obligations of Seller enforceable in accordance with their respective terms (except to the extent that such enforcement may be limited by applicable bankruptcy, insolvency, moratorium and other principles relating to or limiting the rights of contracting parties generally).

(d) To the best of Seller's knowledge, there are no (a) condemnation, zoning or other land-use regulation proceedings, either instituted or planned to be instituted, which would detrimentally affect the value or use of the Property, and (b) assessments affecting the Property other than as set forth in the Title Report.

(e) To the best of Seller's knowledge, there are no pending actions, suits, proceedings, judgments, orders, decrees, defaults, delinquencies or deficiencies or other actions affecting the Property or Seller's interest therein, nor are there any attachments, execution proceedings, assignments for the benefit of creditors, insolvency, bankruptcy, reorganization or other proceedings pending against Seller, nor are any such proceedings contemplated by Seller. Seller has received no notice of any of the foregoing actions or proceedings and, to the best of Seller's knowledge, none of the same have been threatened against Seller, the Property or any interest therein.

(f) Except as disclosed in the Due Diligence Materials, there are no individuals or entities with any lease or other agreement which grants any rights to use and/or occupy any portion of the Property.

(g) Except to the extent disclosed in the Due Diligence Materials, Seller has no actual knowledge of (i) the existence or prior existence on the Property of any hazardous materials or toxic substances (collectively, "Hazardous Materials" as defined below) , (ii) of any violations at the Property of any federal, state, or local law, ordinance, or regulation relating to industrial hygiene or to the environmental conditions on, under, or about the Property, including but not limited to soil and groundwater conditions, (iii) of any environmental, health, or safety hazards on, under, or about the Property, including but not limited to soil and groundwater conditions. Moreover, Seller has not and hereby covenants that it will not through the Closing, use, treat, store or dispose of any Hazardous Materials at the Property in violation of any federal, state, or local law, regulation or ordinance, and to the best of Seller's knowledge there are no Hazardous Materials located on or about the Property.

Definition: Hazardous Materials: The term "Hazardous Material(s)" shall mean (1) any oil or any fraction thereof or petroleum products or "hazardous substance" as defined in Section 101(14) of CERCLA (42 U.S.C. Section 9601(14) or Section 25281(h) or 25316 of the California Health and Safety Code at such time; any "hazardous waste," "infectious waste" or "hazardous material" as defined in Section 25117, 25117.5 or 25501 (j) of the California Health

and Safety Code at such time; any other waste, substance or material designated or regulated in any way as “toxic” or “hazardous” in the RCRA (42 U.S.C. Section 6901 et seq.), CERCLA Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.), Safe Drinking Water Act (42 U.S.C. Section 300 (f) et seq.), Toxic Substances Control Act (15 U.S.C. Section 2601 et seq.), Clean Air Act (42 U.S.C. Section 7401 et seq.), California Health and Safety Code (Section 25100 et seq. Section 39000 et seq.), or California Water Code (Section 13000 et seq.) at such time, or any other federal, state or local statute, law, ordinance, resolution, code, rule, regulation, order or decree regulating, relating to, or imposing criminal or civil liability or standards of conduct concerning, any hazardous, toxic or dangerous waste, substance or material, as now or at any time hereafter in effect; (2) any additional wastes, substances or material which at such time are classified, considered or regulated as hazardous or toxic under any other present or future environmental or other similar laws (whether common law, statute, rule, regulation, or otherwise) relating to the Property or for the protection of human health, the environment or natural resources; and (3) any substance, product, waste or other material of any nature whatsoever which may give rise to liability under any of the above statutes or under any statutory or common law theory based on negligence, trespass, intentional tort, nuisance or strict liability or under any reported decisions of a state or federal court. Hazardous Materials do not include substances of a type and quantity normally used in the operation and maintenance of improved real property, provided such materials are used in accordance with all applicable laws.

(h) To the best of Seller’s knowledge, the Due Diligence Materials to be delivered to Buyer are true, correct and complete, and there are no defaults, notices of default or other material circumstances regarding the matters investigated by Buyer pursuant to Section 3 of this Agreement which have not been disclosed to Buyer.

(i) To the best of Seller’s knowledge, neither the Property nor its operation violates in any way any applicable laws, ordinances, rules, regulations, judgments, orders, or covenants, conditions and restrictions, whether federal, state, local, foreign, or private. The Improvements are not in violation of any applicable building or zoning codes, building moratorium or environmental protection codes, laws, regulations, or ordinances.

(j) **Seller’s Knowledge.** As used in this Agreement, reference to Seller’s knowledge, whether “best” or “actual”, means the current actual (not imputed or constructive) knowledge of Eddie Young (“Seller’s Representative”), without independent inquiry, and such term shall not include the knowledge of any other person or firm, it being understood by Buyer that (i) Seller’s Representative was not involved in the operation of the Property before Seller’s acquisition of the Property, (ii) Seller’s Representative is not charged with knowledge of any of the acts or omissions of predecessors in title to the Property or the management of the Property before Seller’s acquisition of the Property, and (iii) Seller’s Current Actual Knowledge shall not apply to, or be construed to include, information or material which may be in the possession of Seller generally or incidentally, but of which Seller’s Representative is not actually aware.

5. **RELOCATION**

(a) Buyer’s acquisition of the Property may trigger compliance with local, state

and/or federal relocation laws (the "Relocation Laws"). In order to meet the requirements of the Relocation Laws, from and after the Agreement Date and with at least 24 hours prior notice to Seller, Buyer or its designee may (with the participation of Seller if Seller desires) communicate with tenants to provide any notices required or permitted under applicable Relocation Laws, and/or to make investigations to determine tenants' eligibility for relocation benefits. Seller shall cooperate with Buyer as necessary to permit Buyer to comply with its obligations under the Relocation Laws, at no out-of-pocket cost to Seller.

(b) Buyer intends to purchase the Property when a satisfactory agreement is reached and is prepared to pay the Purchase Price for the Property. Because Federal funds may ultimately be used in the purchase, however, Buyer is required to disclose to Seller the following information:

- (i) The Buyer does not have authority to acquire the Property by eminent domain. In the event Buyer and Seller cannot reach an amicable agreement for the purchase of the Property, subject to the terms of this Agreement, Buyer will not pursue this proposed acquisition.
- (ii) The Purchase Price represents the current market value of the Property.
- (iii) In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), owner-occupants who move as a result of a voluntary acquisition are not eligible for relocation assistance. Buyer shall have no liability to Seller for funding of relocation activities.

6. **REPRESENTATIONS AND WARRANTIES OF BUYER.** Buyer represents and warrants to Seller that the following matters are true and correct as of the execution of this Agreement and will be true and correct as of the Closing:

(a) Buyer is a California non-profit public benefit corporation, duly formed, in good standing and validly operating under the laws of the State of California.

(b) This Agreement and all of the documents to be delivered by Buyer to Seller at the Closing will be duly authorized, executed and delivered by Buyer, and will be legal and binding obligations of Buyer enforceable in accordance with their respective terms (except to the extent that such enforcement may be limited by applicable bankruptcy, insolvency, moratorium and other principles relating to or limiting the rights of contracting parties generally).

7. **COVENANTS AND CLOSING CONDITIONS**

(a) Seller hereby covenants with Buyer as follows:

(i) Seller agrees that as of the Closing, no part of the Property, or any interest therein, will be liened, encumbered or have been otherwise transferred in any manner, including but not limited to the granting of any leasehold rights of occupancy or rights of use without Buyer's prior written consent, which may be given or withheld by Buyer in its sole and absolute

discretion. Seller shall not enter into any new leases for the Property without the prior consent of Buyer, which consent may be withheld in Buyer's sole and absolute discretion.

(ii) Seller shall maintain the Property substantially in its condition existing as of the Agreement Date, reasonable wear and tear excepted, and Seller will make no alterations to the Property without Buyer's prior written consent, which may be given or withheld by Buyer in its sole and absolute discretion.

(iii) Seller shall (I) timely make all payments of property taxes and other assessments that become due and payable respecting the Property prior to the Closing, (II) obtain and maintain in effect through the Closing and shall timely pay all premiums for commercially reasonable amounts of comprehensive general liability, casualty (full replacement cost) and other appropriate insurance on the Property, and (III) shall timely make all principal and interest payments required under any mortgages encumbering the Property (which mortgages shall be removed from title prior to the Closing as required pursuant to Section 3(f) of this Agreement).

(iv) Seller shall promptly notify Buyer of any change in any condition with respect to the Property or of any event or circumstance which makes any representation or warranty of Seller to Buyer under this Agreement materially untrue or misleading, or any covenant of Seller under this Agreement incapable of being performed.

(b) The obligations of Buyer hereunder are subject to the fulfillment of each of the following conditions as of the Closing ("Buyer's Closing Conditions"), which Buyer's Closing Conditions are solely for Buyer's benefit and may be waived in writing by Buyer in its sole discretion:

(i) Seller shall be in a position to convey, transfer or assign, as applicable, the Property and the Title Company shall be irrevocably and unconditionally committed to issue the Owner's Policy (defined in Section 8), each in accordance with the terms of and as described in Section 8, on the Closing Date;

(ii) No material adverse change in the title to, condition of, or otherwise respecting the Property or Seller's interest therein shall have occurred and all of Seller's representations and warranties contained in this Agreement shall be true, complete and correct as of the Closing Date;

(iii) All Seller's Closing Documents (defined in Section 8) shall have been timely deposited into escrow with the Title Company by Seller and Seller must have performed and complied with all covenants, agreements, and conditions required by this Agreement to be performed or complied with by it before or on the Closing Date.

(c) Seller obligation to sell the Property is expressly contingent upon the execution and delivery at Closing of a leaseback agreement ("Leaseback Agreement") to be entered into by and between Seller, as tenant, and Buyer, as Landlord, for the entire ground floor of the Property (approximately 10,750 square feet). The Leaseback Agreement shall be substantially in the form attached hereto as Exhibit A and shall contain the following material provisions: (a) the

Leaseback Agreement shall commence upon the Closing Date and terminate on the date that is a minimum of thirty (30) months after the Closing Date; (b) the rental shall be Five Thousand and No/100ths Dollars (\$5,000.00) per month; (c) the maximum rent hold over shall up to six (6) months shall be Thirty Thousand and No/100ths Dollars (\$30,000.00) (Five Thousand and No/100ths Dollars (\$5,000.00) per month); (d) Seller shall be responsible for the payment of Seller's pro rata share of any and all utilities during the term of the Leaseback Agreement (if not separately metered) and Seller's own janitorial service; (e) Seller shall use the Property solely for the purpose of Credit Union retail branch and office; (f) Buyer shall give Seller at least six (6) months' notice to vacate no earlier than the twenty-fourth (24th) month; and (g) Seller shall have the exclusive use of seven (7) parking spaces as depicted on Schedule 1 of the Leaseback Agreement. By signing this Agreement Seller agrees and acknowledges that the Leaseback Agreement does not constitute a new tenancy and that Seller will not be eligible for federal or state relocation assistance. Notwithstanding the foregoing, Seller may terminate the Leaseback Agreement at any time providing Seller gives at least six (6) months written notice to Buyer.

8. **SELLER'S CLOSING DOCUMENTS** At least one business day prior to the Closing, Seller shall have deposited into escrow with the Title Company the following documents (the "Seller's Closing Documents"): (a) a grant deed showing title vested in Buyer or it's assignee in a form mutually acceptable to the parties (the "Deed"), executed by Seller, in recordable form, conveying good and marketable fee title to the Property to Buyer free and clear of all claims, liens and encumbrances of every kind and description except those approved by Buyer in accordance with Section 3, which will be evidenced at Closing by an ALTA standard policy of title insurance, or other type of policy as requested by Buyer, in the amount of the Purchase Price (the "Owner's Policy"); (b) a duly executed bill of sale conveying the Personal Property to Buyer free and clear of liens, encumbrances and restrictions of every kind and description, (c) a duly executed Leaseback Agreement; (d) an affidavit certifying that Seller is not a "foreign person" within the meaning of Section 1445(f)(3) of the Internal Revenue Code; (e) reasonable proof of Seller's power and authority to enter into and perform under this Agreement (including the authority of Seller's signatories); and (f) any other documents, instruments or agreements reasonably necessary to close the transaction as contemplated by this Agreement.

9. **BUYER'S CLOSING DOCUMENTS** At least one business day prior to the Closing, Buyer shall deliver to Seller or Title Company: (a) the Purchase Price, less the Deposit, Feasibility Extension Consideration (if paid) and any other amounts to be credited to Buyer pursuant to this Agreement, by wire transfer; (b) a duly executed Leaseback Agreement; (c) reasonable proof of the authority of Buyer's signatories; and (d) any other documents, instruments or agreements reasonably necessary to close the transaction as contemplated by this Agreement.

10. **PRORATIONS AND ADJUSTMENTS** The following shall be prorated and adjusted between Seller and Buyer as of the day of the Closing: (a) accrued general real estate and ad valorem taxes and assessments for the current tax year; and (b) such other items that are customarily prorated in transactions of this nature. For purposes of calculating prorations, Buyer shall be deemed to be in title to the Property for the entire day upon which the Closing occurs. All such prorations shall be made on the basis of the actual number of days of the month which shall have elapsed as of the day of the Closing and based upon a thirty (30) day month and a

three hundred sixty (360) day year. The amount of such prorations shall be adjusted in cash after the Closing as necessary, as and when complete and accurate information becomes available.

11. **CLOSING**

(a) **Closing.** Subject to the terms and conditions (including all conditions to Buyer's obligations to perform under this Agreement) set forth in this Agreement and unless otherwise mutually agreed by Buyer and Seller in writing, or unless this Agreement has been terminated in accordance with its terms, the parties shall consummate the purchase of the Property (the "Closing") through closing on the Closing Date.

(b) **Closing Date.** The "Closing Date" means the Initial Closing Date, subject to any applicable Extension Term. The "Initial Closing Date" means thirty (30) days following the expiration of the Feasibility Review Period, if and as extended. Buyer may extend the Initial Closing Date for up to two (2) periods of thirty (30) days each (each a "Buyer Extension Term") by notifying Seller and the Title Company at least ten (10) days prior to the Initial Closing Date or expiration of the first Buyer Extension Term, as applicable. Concurrently with delivery of the notice of extension by Buyer, Buyer shall deposit Thirty-Five Thousand and No/100ths Dollars (\$35,000.00) with the Title Company for each Buyer Extension Term, together with instructions to the Title Company to release such Closing extension deposit to Seller if Seller so desires. Upon receipt by Seller, such Closing extension deposit shall be non-refundable to Buyer (except in the event of a Seller default) and shall not be credited against the Purchase Price at Closing.

(c) **Deposit of Documents and Funds.** Upon the dates required pursuant to Section 8 and Section 9:

(i) Seller shall deposit into escrow the Seller's Closing Documents.

(ii) Buyer shall deposit into escrow those funds and documents described in Section 9.

(d) **Closing Conditions.** Title Company shall close escrow on the Property when (i) all of Buyer's Closing Conditions have been satisfied or waived, (ii) all Seller's Closing Documents have been deposited or delivered as required, and (iii) all documents and funds described in Section 9 have been deposited into escrow by Buyer.

(e) **Closing.** The Title Company shall close escrow by:

(i) Dating all undated closing documents as of the Closing Date;

(ii) Recording the Deed (which grant deed shall provide for delivery thereof to Buyer after recordation);

(iii) Issuing or irrevocably and unconditionally committing to issue the required Owner's Policy to Buyer; and

(iv) Paying the Purchase Price to Seller, less any credits to Buyer pursuant to this Agreement, and subject to any amounts required to be paid for closing costs as set forth in Section 12.

12. **CLOSING COSTS**

(a) **Seller.** Seller shall pay (i) all city and county transfer taxes; (ii) all costs associated with removing any claims, liens or encumbrances from the Property as required under this Agreement, and (iii) its own document drafting charges.

(b) **Buyer.** Buyer shall pay (i) the premium for the Owner's Policy and if Buyer desires an ALTA extended coverage owner's policy of title insurance, the additional premium over the premium for the Owner's Policy; (ii) the Title Company escrow fee; and (iii) its own document drafting charges.

(c) All other closing costs, transfer taxes, recording fees, and any other costs related to this escrow shall be payable by Seller and Buyer according to the customary practices for the transfer of real property in the County of San Francisco.

13. **DAMAGE, CONDEMNATION** If, prior to Closing, any material portion of the Property is damaged or taken by eminent domain (or is the subject of a pending taking which has not been consummated), Seller shall immediately notify Buyer of such a fact, and Buyer shall have the option to terminate this Agreement upon notice given to the Seller no later than thirty (30) days after the date of Seller's notice. If this Agreement is terminated pursuant to this provision, the Title Company (or Seller, as applicable) shall return the Initial Deposit and the Second Deposit, any documents and funds in escrow to the party depositing such documents and funds, and Buyer and Seller shall each pay one-half (½) the cost of any cancellation fees or costs of Title Company. Thereafter neither Buyer nor Seller shall have any further rights or obligations hereunder, each to the other, except as otherwise set forth in this Agreement. If this Agreement is not terminated, Seller shall assign and turn over at the Closing, and Buyer shall be entitled to receive and keep, all insurance proceeds for damage or awards for the taking by eminent domain relating to the Property, and Buyer and Seller shall proceed to the Closing pursuant to the terms hereof, without modification of the terms of this Agreement and without any reduction in the Purchase Price.

14. **BROKERS** Seller represents that it has not engaged any person entitled to any brokerage commission or finder's fee in connection with this transaction except for Capital Realty Group (Brett Barron and Michael Silva) ("Seller's Broker"). Buyer represents that it has not engaged any person entitled to any brokerage commission or finder's fee in connection with this transaction except for TRI Commercial Real Estate Services, Inc. (Gary Cohen) ("Buyer's Broker"). Seller will pay a commission to Buyer's Broker of two and one-half (2.5%) of the Purchase Price at Closing and shall pay a commission to Seller's Broker pursuant to a separate agreement between Seller and Seller's Broker. Other than with respect to Seller's obligations with respect to the Seller's Broker and Buyer's Broker, no party shall have any obligation to pay any real estate, brokerage or other commission or fee in connection with the matters contained in this Agreement or the conveyance of the Property to Buyer. The parties hereby indemnify and

hold each other free and harmless from and against any and all costs and liabilities including, without limitation attorneys' fees, for causes of action or proceedings which may be instituted by any broker, agent or finder, licensed or otherwise, claiming through, under or by reason of the conduct of the other in connection with this transaction. The foregoing representation and indemnity shall survive the Closing.

15. **DEFAULT**

(a) **BUYER DEFAULT IN THE EVENT THE CLOSING DOES NOT OCCUR DUE TO A MATERIAL DEFAULT BY BUYER OF ITS OBLIGATIONS UNDER THIS AGREEMENT, THE INITIAL DEPOSIT, THE SECOND DEPOSIT AND THE FEASIBILITY EXTENSION CONSIDERATION SHALL BE PAID TO AND RETAINED BY SELLER AS LIQUIDATED DAMAGES. THE PARTIES HERETO EXPRESSLY AGREE AND ACKNOWLEDGE THAT SELLER'S ACTUAL DAMAGES IN THE EVENT OF A MATERIAL DEFAULT BY BUYER WOULD BE EXTREMELY DIFFICULT OR IMPRACTICABLE TO ASCERTAIN AND THAT THE AMOUNT DESCRIBED IN THIS SECTION 15 REPRESENTS THE PARTIES' REASONABLE ESTIMATE OF SUCH DAMAGES. SELLER SHALL HAVE NO RIGHT TO ADDITIONAL DAMAGES OR ANY OTHER REMEDIES UNDER THIS AGREEMENT, AND SELLER WAIVES ALL RIGHT TO AN ACTION FOR SPECIFIC PERFORMANCE OF THIS AGREEMENT.**

SELLER'S INITIALS:  BUYER'S INITIALS: 

(b) Seller Default. In the event the purchase and sale of the Property does not occur due to a default by Seller of its obligations under this Agreement (including without limitation a breach of any representation or warranty made by Seller), then Buyer shall be entitled to the return of the Initial Deposit, the Second Deposit and Feasibility Extension Consideration and shall further have, as its sole and exclusive remedies in such event, the right to bring an action for specific performance, and to pursue an action for damages against Seller relative to such default.

16. **"AS-IS" SALE AND ENVIRONMENTAL INDEMNIFICATION AND RELEASE**

(a) "AS-IS" Sale. Except as otherwise specifically provided in this Agreement, Seller makes no representation or warranty regarding any aspect of the condition of the Property, its past use, or its suitability for Buyer's intended use. Without limiting the generality of the foregoing provision, but subject to any representations, warranties and covenants expressly set forth in this Agreement that are agreed to survive the Closing, Buyer hereby acknowledges and agrees that, except as expressly provided herein, it is purchasing the Property in its "AS IS, WHERE IS, WITH ALL FAULTS," condition as of the Closing, and neither Seller nor any employee or agent of Seller has made or will make, either expressly or implicitly (except as set forth in this Agreement), and Buyer has not relied upon (except as set forth in this Agreement), any representations, guaranties, promises, statements, assurances or warranties of any kind concerning the Property.

(b) Buyer's Environmental Indemnification and Release. In the event that Closing occurs, Buyer agrees to indemnify and hold Seller, its agents, contractors, subcontractors, employees or invitees harmless from any and all claims, damages, fines, judgments, penalties, costs, liabilities, or losses arising from or due to the presence of Hazardous Material(s) on the Property either existing at the time of or which may have been brought to it after the Closing Date, provided that Buyer shall have no obligation under this Section 16 for Hazardous Material(s) which are introduced to or released on the Property by Seller (collectively, the "Released Claims" or Indemnification"). Notwithstanding the forgoing, the parties agree that for a period of four (4) years from the Closing ("Term"), should Buyer be compelled by judicial or administrative agency action (together, "Action") to incur costs to indemnify Seller in connection with the Released Claims, Seller will contribute to Buyer up to a total of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) towards Buyer's actual costs associated with the Indemnification ("Seller Contribution"); thereafter, and for purposes of clarification, after payment of the full amount of Seller's Contribution or the expiration of the Term, whichever occurs first in time, Buyer shall then be solely responsible for any and all costs associated with an Action based on the Released Claims. Buyer shall submit to Seller copies of any Action and commercially reasonable back-up documentation of its costs expended on the Indemnification a condition for payment. Additionally, for any action brought by an employee of Seller who works at the Property post-Closing ("Employee"), Seller agrees to hold Buyer harmless from any claims made by an Employee that are deemed to have been caused by Hazardous Material(s) on the Property ("Employee Claim"). Seller's hold harmless of an Employee Claim shall survive the Closing for a period of ten (10) years.

(c) Except as otherwise specifically provided in this Agreement, and in consideration of the covenants, representations, terms, and provisions of this Agreement, Buyer understands and hereby agrees that this Agreement acts as a full and final release by Buyer and its successors of any and all of the Released Claims, whether known or unknown, arising, accruing, or based on facts, events or circumstances in existence on or before the date hereof, whether known or unknown, that Buyer may have, had or may ever have relating to the Released Claims. In connection with this general release, Buyer hereby waives any and all rights which exist or may exist under California Civil Code Section 1542 and any other comparable provision of state, federal, or common law. Civil Code Section 1542 provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.



Seller's Initials

17. Seller's Cooperation. Seller acknowledges that prior to the Closing Buyer may seek certain governmental permits and approvals for the development of the Property. Seller agrees

to cooperate with Buyer and take all actions and join in all applications and execute all documents reasonably necessary to allow Buyer to pursue and obtain such permits and approvals, provided that such cooperation shall be at no cost or liability to Seller. Buyer shall have no liability to Seller by reason of undertaking these activities in connection with governmental permits or approvals.

18. **MISCELLANEOUS**

(a) Each individual and entity executing this Agreement hereby represents and warrants that he, she or it has the capacity set forth on the signature pages hereof with full power and authority to bind the party on whose behalf he, she or it is executing this Agreement to the terms hereof.

(b) This Agreement is the entire Agreement between the parties hereto with respect to the subject matter hereof and supersedes all prior agreements between the parties with respect to the matters contained in this Agreement. Any waiver, modification or consent with respect to any provision of this Agreement must be set forth in writing and duly executed by the parties. No waiver by any party of any breach hereunder shall be deemed a waiver of any other or subsequent breach.

(c) Time is of the essence in the performance of and compliance with each of the provisions and conditions of this Agreement. Each party agrees to act diligently and in good faith in performing its obligations under this Agreement.

(d) All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered or sent by registered or certified mail, postage prepaid, return receipt requested, or electronic mail, shall be deemed received upon (i) if personally delivered, the date of delivery to the address of the person to receive such notice, (ii) if mailed, three (3) business days after the date of posting by the United States post office, (iii) if delivered by overnight delivery, one (1) business day after mailing, and (iv) upon receipt when sent by electronic mail if sent to the email address set forth below.

Seller: The Police Credit Union of California,
1250 Grundy Lane
San Bruno, CA 94066
Attention: Eddie Young
Telephone: (415) 682-3322
Email: eddie@sfpcu.org

with a copy to (but which shall not constitute notice):
Petredis Law Offices
50 W. San Fernando Street, Suite 1315
San Jose, CA 95113
Telephone: (408) 521-4532
Email: nicholas@petredis.com

Buyer: Tenderloin Neighborhood Development Corporation
201 Eddy Street
San Francisco, California 94102
Attention: Colleen Ma
Telephone: (415) 776-2151
Email: cma@tndc.org

with a copy to:

Gubb & Barshay LLP
505 14th Street, Suite 450
Oakland, CA 94612
Attn: Scott Barshay
Telephone: (415) 781-6600
Email: kelliott@gubbandbarshay.com

Any party may change its address for notice by written notice given to the other in the manner provided in this Section. Any such communication, notice or demand shall be deemed to have been duly given or served on the date personally served, if by personal service, or on the date shown on the return receipt or other evidence of delivery, if mailed.

(e) The parties agree to execute such instructions to Title Company and such other instruments and to do such further acts as may be reasonably necessary to carry out the provisions of this Agreement.

(f) The making, execution and delivery of this Agreement by the parties hereto has been induced by no representations, statements, warranties or agreements other than those expressly set forth herein.

(g) Wherever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision of this Agreement shall be invalid or prohibited thereunder, such invalidity or prohibition shall be construed as if such invalid or prohibited provision had not been inserted herein and shall not affect the remainder of such provision or the remaining provisions of this Agreement.

(h) Section and paragraph headings of this Agreement are solely for convenience of reference and shall not govern the interpretation of any of the provisions of this Agreement.

(i) This Agreement shall be governed by and construed in accordance with the laws of the State of California.

(j) In the event of any dispute between the parties regarding this Agreement, prior to exercising any remedies hereunder the parties shall first attempt in good faith to resolve the dispute through non-binding mediation before a neutral mediator at JAMS, or any other mutually agreeable neutral mediator. The parties shall meet with the mediator as requested by the mediator

within a thirty (30) day period in an attempt to resolve the dispute. Each party shall pay for one-half of the cost of the mediator and for its own costs. If the dispute cannot be resolved through mediation, then the parties may proceed to exercise the remedies available to them under this Agreement.

(k) If any action is brought by either party against the other party, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees, costs and expenses incurred in connection with the prosecution or defense of such action. For purposes of this Agreement, the term "attorneys' fees" or "attorneys' fees and costs" shall mean the fees and expenses of counsel to the parties hereto, which may include printing, copying and other expenses, air freight charges, and fees billed for law clerks, paralegals and other persons not admitted to the bar but performing services under the supervision of an attorney.

(l) Subject to Subsection 17(m), this Agreement shall be binding upon and inure to the benefit of each of the parties hereto and to their respective transferees, successors, and assigns.

(m) Neither this Agreement nor any of the rights or obligations of Seller hereunder shall be transferred or assigned by Seller without the prior written consent of Buyer, which may be given or withheld in Buyer's reasonable discretion. Buyer may assign this Agreement and Buyer's rights and obligations hereunder without the Seller's written consent to (i) a nonprofit public benefit corporation affiliated with Buyer, or (ii) a limited partnership in which Buyer or an affiliated nonprofit public benefit corporation or limited liability company is the general partner or the managing general partner. Buyer shall deliver a copy of the fully executed written assignment and assumption agreement to the Title Company prior to the Closing. No other assignment may be made without the prior written consent of the Seller, which may be given or withheld in Seller's sole and absolute discretion.

(n) All Exhibits attached hereto are incorporated by reference.

(o) Notwithstanding anything to the contrary contained herein, this Agreement shall not be deemed or construed to make the parties hereto partners or joint venturers, or to render either party liable for any of the debts or obligations of the other, it being the intention of the parties to merely create the relationship of Seller and Buyer with respect to the Property to be conveyed as contemplated hereby.

(p) This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute but one and the same instrument. Executed counterparts of this Agreement may be delivered by email and such delivery will have the same effect as delivery of an original executed counterpart of this Agreement.

(q) If requested to do so by Seller, Buyer shall cooperate in a simultaneous or tax deferred exchange by permitting Seller to assign this Agreement to a third party (also "Exchange Facilitator") and by accepting a conveyance of the Property from the Exchange Facilitator. The assignment may take effect only simultaneously with the Closing, and in no event shall Seller be relieved of any liability under this Agreement by reason of the assignment and in no event shall the Exchange Facilitator have any right to enforce this Agreement that Seller would not have if

there had been no assignment. Buyer shall not be required to bear any escrow, title, or other expenses in excess of those Buyer would bear if there were no exchange, nor shall Buyer be required to expend any sums of money in connection with the exchange. Buyer shall not be required to execute any document creating personal liability or assume or be exposed to any liability in connection with an exchange. In no event shall Buyer be required to take title to any property other than the Property, and in no event shall Buyer be responsible for any tax consequences to Seller or any other party in connection with an exchange. Seller agrees and covenants to defend, indemnify, protect, and save harmless Buyer from any liability, damages, loss, cost and expense (including reasonable attorneys' fees) of whatsoever kind and nature arising out of any exchange.

Signatures on Following Page

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the Agreement Date.

SELLER:

THE POLICE CREDIT UNION OF CALIFORNIA, a
California nonprofit corporation

By:  _____
DocuSigned by:
C50E59B0B8694A2...


Name in Print: Eddie Young

Its: President & CEO

Date: 10/12/2019 _____

BUYER:

TENDERLOIN NEIGHBORHOOD DEVELOPMENT
CORPORATION, a California non-profit public benefit
corporation

By:  _____
DocuSigned by:
8589FBFC4FBF458...

Name in Print: Don Falk _____

Its: Chief Executive Officer _____

Date: 10/11/2019 _____

EXHIBIT "A"

LEASEBACK AGREEMENT

This Leaseback Agreement ("**Lease**") is entered into on _____, _____, by and between **THE POLICE CREDIT UNION OF CALIFORNIA**, a California nonprofit corporation ("**Tenant**"), **TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION**, a California non-profit public benefit corporation ("**Landlord**").

Recitals

A. Landlord, as buyer, and Tenant, as seller, entered into that certain Purchase and Sale Agreement dated September __, 2019 ("**Purchase Agreement**") whereby Landlord purchased from Tenant that certain real property consisting of one (1) parcel of land (Assessor's Parcel No. 1724-038) located at 2520-2550 Irving Street, in the City and County of San Francisco, State of California consisting of approximately 19,125 square feet of land, together with improvements thereon (collectively, the "**Property**"). Pursuant to the Purchase Agreement, Landlord agreed to leaseback the entire ground floor of the Property (approximately 10,750 square feet) (the "**Premises**") to Tenant. The Premises is described on the attached Schedule 1 and is hereby incorporated by this reference.

B. Tenant desires to lease from Landlord, and Landlord desires to lease to Tenant, the Premises upon the terms and conditions set forth in this Lease.

Agreement

1. Grant of Lease.

1.1 Lease Date. Effective upon the Closing Date (as defined in the Purchase Agreement) (the "**Lease Date**"), Landlord hereby leases to Tenant, and Tenant hereby accepts and leases from Landlord, the Premises, together with all rights privileges, easements and appurtenances relating thereto, to have and to hold for the Term of this Lease (as defined below).

1.2 State of Title; Quiet Enjoyment. Landlord covenants that, upon the Lease Date, it shall have full right and power to enter into this Lease. Tenant accepts the Premises subject to all existing liens, encumbrances, charges, conditions, covenants, easements, restrictions, rights-of-way and other matters of record. Provided that Tenant is not in default of this Lease, Landlord agrees that Landlord will not do anything to prevent Tenant's quiet and peaceful possession of the Premises during the Term.

2. Term. The term of this Lease shall commence on the Lease Date and shall expire on the date that is thirty (30) months after the Closing Date after the Lease Date ("**Term**"). Landlord may terminate this Lease on six (6) months' prior written notice to Tenant ("**Landlord's Termination Notice**"), provided, however, that the Termination Notice shall be given no earlier than the twenty-fourth (24th) month of the Term. Tenant may terminate this Lease at any time by providing six (6) months' prior written notice to Landlord ("**Tenant's Termination Notice**").

3. Rent.

3.1 Amount of Rent. Tenant shall pay Landlord a monthly rent in the amount of Five Thousand and No/100ths Dollars (\$5,000.00) (the “**Rent**”). Rent shall be paid in equal monthly installments, without notice, deduction or offset, in advance, on or before the first day of each month during the Term; provided, however, if the Lease Date is not the first day of a calendar month, then Tenant shall pay to Landlord, on the Lease Date a pro rata portion of the Rent for such partial calendar month, prorated based on a 30-day month. Rent shall be paid to Landlord at the address shown in Section 13 or to such other person or address as Landlord may from time to time specify by written notice to Tenant. Tenant shall pay on demand from Landlord Tenant’s pro rata share of any and all utilities during the Term (if not separately metered) and Seller’s own janitorial service. If any utilities are separately metered, Tenant shall pay the cost of such utilities directly to the applicable utility company during the Term.

3.2 Rent Obligations. Except to the extent expressly provided in this Lease, no happening, event, occurrence or situation during the Term of this Lease, nor present or future laws, whether foreseen or unforeseen, and however extraordinary, shall relieve Tenant from its liability to pay to Landlord the Rent required by this Lease.

4. Taxes and Expenses.

4.1 Expenses. Rent required to be paid by Tenant to Landlord under this Lease shall “Gross rent.” Landlord shall be responsible for payment of property tax and any payments related to bonds encumbering the Premises.

4.2 Payment of Personal Property Taxes. Tenant shall pay before delinquency any personal property taxes, license fees or income taxes related to Tenant’s business.

4.3 Landlord’s Taxes. Landlord shall pay any municipal, county, state or federal taxes imposed on the Premises attributable to Landlord’s development of the Property or rent received under this Lease. Landlord shall pay any real property taxes and bond assessments related to the Premises.

5. Use.

5.1 Use of Premises. Subject to the provisions of this Section 5, Tenant shall have the right to use the Premises solely for the purpose of Credit Union retail branch and office. On or before the end of the Term, Tenant shall remove all its personal property from the Premises, and all property of Tenant not removed hereunder shall be deemed, at Landlord’s option, to be abandoned by Tenant and Landlord may store such property in Tenant’s name at Tenant’s expense, and/or dispose of the same in any manner permitted by law. Tenant shall repair any and all material damage to the Premises caused by Tenant’s removal of its furniture, trade fixtures or property hereunder.

5.2 Tenant’s Right of Approval. Tenant shall have the right to approve the use of any other tenant at the Property. Prior to executing any other lease at the Property, Landlord shall give Tenant written notice of the name of the proposed tenant and the specific use(s) that the proposed tenant proposes (“Proposed Use”). Tenant shall have five (5) business

days to approve or deny the Proposed Use in Tenant's sole absolute discretion by giving written notice to Landlord.

5.3 Designated Parking Spaces. Tenant shall have the exclusive use of seven (7) parking spaces labeled P01, P09, P10, P11, 12, P13, and P14 as depicted on Schedule 1.

5.4 Alterations and Liens. Tenant shall not make any alteration or improvement to the Premises whatsoever without having first obtained Landlord's written consent, such consent not to be unreasonably withheld, delayed or conditioned. Tenant shall not suffer or permit any mechanic's, materialmen's, attachment, execution or other liens or stop notices to attach to or be filed against the Premises, the building and improvements located thereon, any improvements erected by Tenant on the Premises in the future, Tenant's leasehold interest in this Lease, against Landlord, or against any lender holding funds for any work of improvement upon the Premises. In the event that any such lien, stop notice or similar proceeding is filed or commenced, Tenant shall, within thirty (30) days after notice of the filing thereof, cause the same to be discharged of record by payment, deposits, order of court; provided, however, that Tenant shall have the right to contest, with due diligence the validity or amount of any lien or stop notice if Tenant shall give to Landlord security therefore, reasonably acceptable to the Landlord, an amount equal to one and one-half (1 ½) times the original amount of any such claim.

5.5 Pre-approval of Tenant Improvements. Notwithstanding the provisions of Section 5.4, Landlord approves Tenant's improvements ("TI's") shown on the Proposed Plan – First Floor of the Premises as depicted in Schedule 1. For clarification, Landlord approves Tenant's TI's to build four (4) new doors and to install card reader access hardware to an existing door.

5.6 Non-Responsibility. Nothing in this Lease shall be deemed or construed in any way as constituting the consent or request of Landlord, express or implied, by inference or otherwise, to any contractor, subcontractor, laborer or materialmen, for the performance of any labor or the furnishing of any materials for any improvements, alteration, repair or replacement of the building and improvements on the Premises, nor as giving Tenant any right, power or authority to contract for or permit, on Landlord's behalf or as to Landlord's interest, the rendering of any services or the furnishing of any materials. Subject to Section 5.1, Tenant shall notify Landlord in writing in advance of any work performed on the Premises so as to reasonably allow Landlord time to post a notice of non-responsibility, or similar notice allowed under applicable law.

6. "As-Is" Lease. EXCEPT AS EXPRESSLY SET FORTH IN THIS LEASE, TENANT HEREBY ACKNOWLEDGES AND AGREES THAT IT IS LEASING THE PREMISES IN ITS PRESENT "AS IS/WHERE IS WITH ALL FAULTS" CONDITION AND WITH ALL DEFECTS AND, UNLESS OTHERWISE EXPRESSLY PROVIDED IN THIS LEASE, NEITHER LANDLORD NOR ANY EMPLOYEE OR AGENT OF LANDLORD HAS MADE OR WILL MAKE, EITHER EXPRESSLY OR IMPLIEDLY, AND LANDLORD SPECIFICALLY NEGATES AND DISCLAIMS, ANY REPRESENTATIONS,

GUARANTIES, PROMISES, STATEMENTS, ASSURANCES OR WARRANTIES OF ANY KIND CONCERNING THE PREMISES.

TENANT'S INITIALS

LANDLORD'S INITIALS

7. Maintenance of the Premises. Tenant acknowledges that Landlord has not taken possession of the Premises and Tenant hereby agrees that Tenant shall be solely responsible for all costs associated with any maintenance, replacement or repair with respect to the Premises or any portion thereof. Any such responsibilities are solely for the Tenant's purposes, and Tenant has no responsibility to perform any maintenance, replacement or repair for any purpose of the Landlord. Notwithstanding the foregoing, Tenant shall maintain the Premises in a comparable condition as it was at the signing of the Lease. At the expiration of the Term or earlier termination of this Lease, Tenant shall promptly surrender the Premises to Landlord in neat and clean condition.

8. Insurance. During the term of this Lease, Tenant shall maintain a policy of commercial general liability insurance providing coverage on an occurrence form basis with limits of not less than Two Million Dollars (\$2,000,000.00) each occurrence for bodily injury and property damage combined, and Five Million Dollars (\$5,000,000.00) annual, general aggregate and Landlord shall maintain a policy of property insurance insuring the Real Property.

9. Waiver of Subrogation. Landlord and Tenant each hereby waive all rights of recovery against the other and against the officers, employees, agents and representatives of the other, on account of loss by or damage to the waiving party of its property or the property of others under its control, to the extent that such loss or damage is insured against under any fire and damage insurance coverage.

10. General Prohibition on Assignment, Assignment of Other Agreements. Except as provided herein, Tenant shall not voluntarily or involuntarily mortgage, assign, pledge, hypothecate, or otherwise encumber all or any part of its interest under the Lease without the express prior written consent of Landlord, which may be withheld in Landlord's sole discretion. Any attempted sale, assignment, pledge, hypothecation, or other transfer or encumbrance of Tenant's interest under the Lease in violation of this Section shall be invalid and of no force or effect. Accordingly, Tenant shall not be relieved of any of its obligations under this Lease and post transfer assignee shall not acquire any right under this Lease.

11. Defaults and Remedies.

11.1 Defaults. The occurrence of any of the following shall constitute a material breach and default of this Lease by Tenant:

11.1.1 A failure by Tenant to pay when due the Rent required by this Lease, where such failure continues for ten (10) days after written notice thereof from Landlord; and/or,

11.1.2 A failure of Tenant to observe and perform any other provision of this Lease to be observed or performed by Tenant where such failure continues for thirty (30) days after written notice thereof from Landlord; provided, that if the nature of such default is curable but the same cannot with due diligence be cured within thirty (30) days, Tenant shall not be deemed to be in default if Tenant, within such thirty (30)-day period, commences curing the default and thereafter diligently prosecutes the same to completion.

11.2 Remedies. In the event of Tenant's default, Landlord may, terminate Tenant's right to possession of the Premises by any lawful means, in which case this Lease shall terminate and Tenant shall immediately surrender possession of the Premises to Landlord.

12. Holding Over.

12.1 Holding Over. In the event that Landlord has not given the Termination Notice to Tenant, Tenant may remain in possession of the Premises after expiration of the Term for up to six (6) months. Such possession by Tenant shall be deemed to be a month-to-month tenancy terminable on thirty (30) days' notice given at any time by either party. All provisions of this Lease, including, without limitation payment of Rent but excluding those pertaining to the Term shall apply to the month-to-month tenancy.

12.2 Holding Over Without Consent. If Tenant, without Landlord's consent, Tenant remains in possession of the Premises after the expiration of the Termination Notice, all provisions of this Lease shall apply except that the Rent shall be Twenty Five Thousand and 00/100ths Dollars (\$25,000) per month, and the tenancy shall be a tenancy at sufferance.

13. Notices. All notices, demands, consents, requests or other communications required to or permitted to be given pursuant to this Agreement shall be in writing, shall be given only in accordance with the provisions of this Section, shall be addressed to the parties in the manner set forth below, and shall be conclusively deemed to have been properly delivered: (a) upon receipt when hand delivered during normal business hours (provided that, notices which are hand delivered shall not be effective unless the sending party obtains the signature of a person at such address that the notice has been received); (b) upon receipt when sent by electronic mail if sent before 5:00 p.m. on a business day to the email address set forth below with recipient confirmation of receipt thereafter; (c) upon the day of delivery if the notice has been deposited in an authorized receptacle of the United States Postal Service as first-class, registered or certified mail, postage prepaid, with a return receipt requested (provided that, the sender has in its possession the return receipt to prove actual delivery); or (d) upon delivery after the notice has been deposited with a nationally recognized overnight courier to be delivered by overnight delivery (provided that, the sending party receives a confirmation of actual delivery from the courier). The addresses of the parties to receive notices are as follows:

TO TENANT:	The Police Credit Union of California 1250 Grundy Lane San Bruno, CA 94066 Attention: Eddie Young Telephone: (415) 682-3322 Email: eddie@sfpku.org
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TO LANDLORD: Tenderloin Neighborhood Development Corporation
201 Eddy Street
San Francisco, California 94102
Attention: Colleen Ma
Telephone: (415) 776-2151
Email: cma@tndc.org

Each party shall make an ordinary, good faith effort to ensure that it will accept or receive notices that are given in accordance with this Section, and that any person to be given notice actually receives such notice. Any notice to a party which is required to be given to multiple addresses shall only be deemed to have been delivered when all of the notices to that party have been delivered pursuant to this Section. If any notice is refused, the notice shall be deemed to have been delivered upon such refusal. Any notice delivered after 5:00 p.m. (recipient's time) or on a non-business day shall be deemed delivered on the next business day. A party may change or supplement the addresses given above, or designate additional addressees, for purposes of this Section by delivering to the other party written notice in the manner set forth above. The parties agree that the attorney for any party shall have the authority to deliver binding notices on his/her client's behalf to the other party(ies) hereto.

14. Miscellaneous.

14.1 Waiver. No delay or omission in the exercise of any right or remedy of Landlord on any default by Tenant shall impair such a right or remedy or be construed as a waiver. Landlord's consent to or approval of any act by Tenant requiring Landlord's consent or approval shall not be deemed to waive or render unnecessary Landlord's consent to or approval of any subsequent similar act by Tenant.

14.2 Time of Essence. Time is of the essence of each provision of this Lease.

14.3 Non-Merger. If Landlord shall become the holder of any mortgage or deed of trust or other security instrument creating a lien on the leasehold estate of Tenant, or if Landlord shall acquire the building and improvements on the Premises or leasehold estate, or if Tenant, subtenant or assignee of Tenant, shall acquire the entire fee simple interest in the Premises, or if the holder of any mortgage or deed of trust or other security instrument creating a lien on the leasehold estate acquires fee title to the Premises (while such mortgage or deed of trust is in existence on the leasehold estate), no merger of any estate in the Premises shall occur and all estates shall always be kept separate and distinct.

14.4 Successors. This Lease shall be binding on and inure to the benefit of the parties and their successors, subject to the provisions of Section 10.

14.5 Rent Payable in U.S. Money. Rent must be paid in lawful money of the United States of America.

14.6 Governing Law. This Lease shall be construed and interpreted in accordance with the laws of the State of California.

14.7 Modification. This Lease cannot be amended or modified except by written agreement executed by the parties hereto.

14.8 Captions. The captions of this Lease shall have no effect on its interpretation.

14.9 Singular and Plural. When required by the context of this Lease, the singular shall include the plural.

14.10 Severability. The unenforceability, invalidity, or illegality of any provision shall not render the other provisions unenforceable, invalid, or illegal.

14.11 Joint Obligations. Any agreements, promises, and/or covenants herein imposed upon Tenant under the provisions of this Lease shall constitute joint covenants and conditions to Tenant's rights under this Lease.

14.12 Counterparts. This Lease may be executed in multiple counterparts and shall be valid and binding with the same force and effect as if all parties had executed the same Lease.

15. Relocation. Tenant agrees and acknowledges that this Lease does not constitute a new tenancy and that Tenant will not be eligible for federal or state relocation assistance under local, state and/or federal relocation laws.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates written below.

LESSOR:

**TENDERLOIN NEIGHBORHOOD
DEVELOPMENT CORPORATION**, a
California non-profit public benefit corporation

TENANT:

**THE POLICE CREDIT UNION OF
CALIFORNIA**, a California nonprofit
corporation

By: _____

Name: _____

Its: _____

Date: _____

By: _____

Name: _____

Its: _____

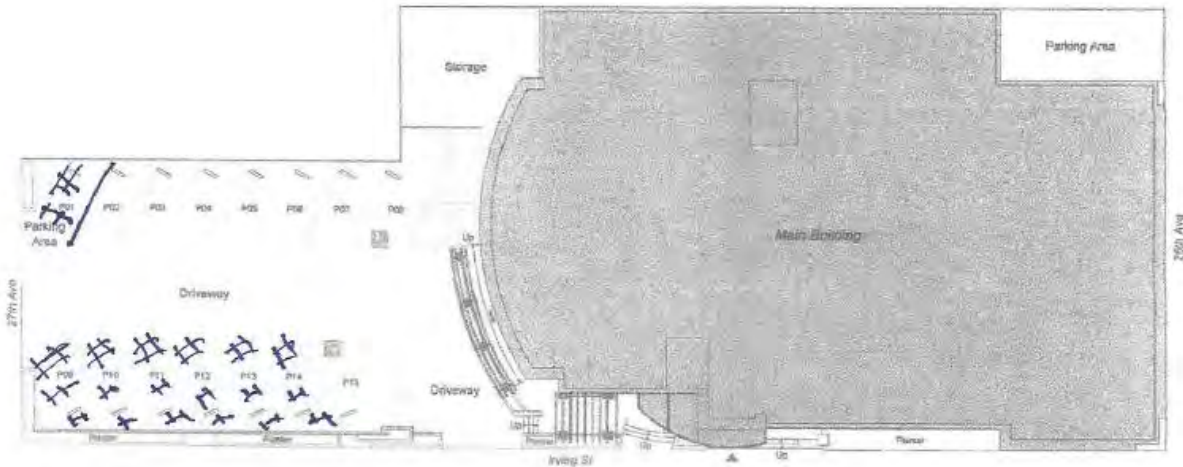
Date: _____

Schedule 1 Page 2 of 2

Schedule 1 Page 1 of 2

Property and Premises

2550 IRVING STREET | SAN FRANCISCO, CA 94122



Cross-hatched parking for Tenant's exclusive use.

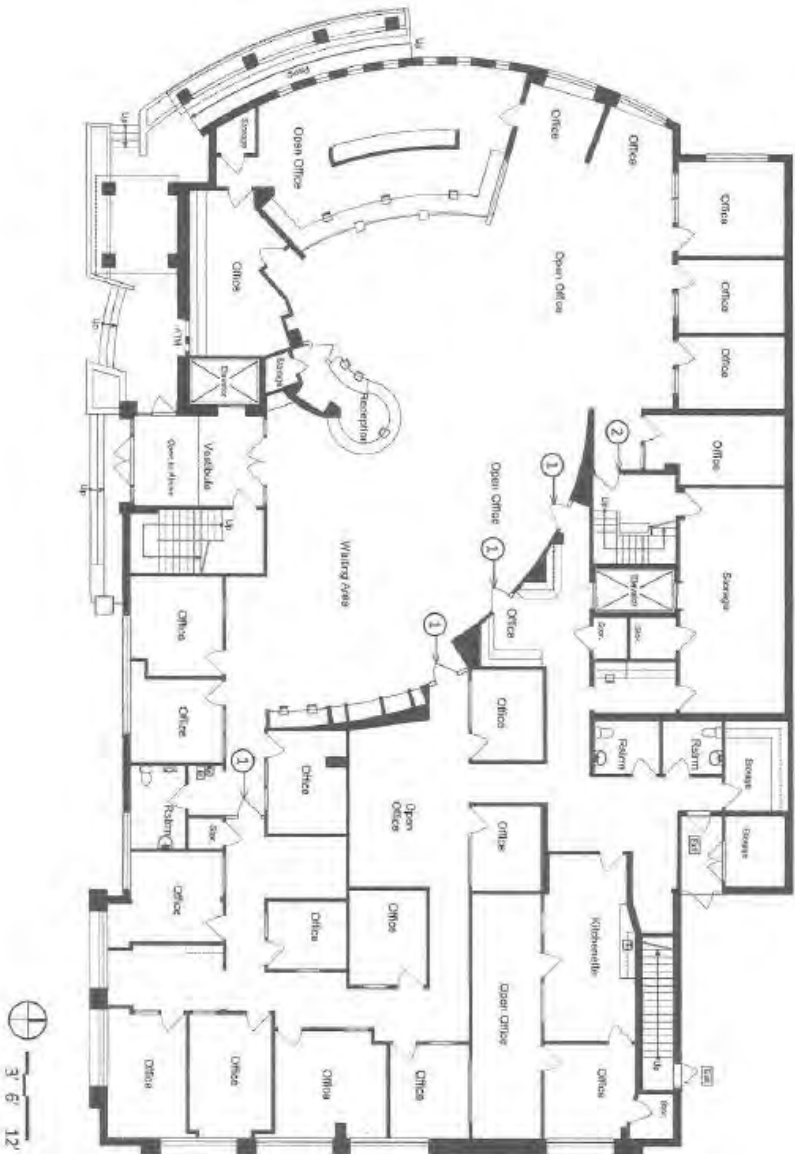


Rendering by River Fish Visuals • www.riverfishvisuals.com • 415.610.9009
All measurements are approximate. While deemed reliable, no information
on these floor plans should be relied upon without independent verification.

Prepared by Janet Baroni, CLS® Real Estate
Tel: 415.450.7505
Email: janetbaroni@clsaudio.org

Schedule 1 Page 2 of 2

2550 Irving Street | Proposed Plan | First Floor



KEY NOTES (UNCIRCLED APPLY THROUGHOUT)

- 1 INSTALL NEW DOOR
- 2 INSTALL CARD ACCESS HARDWARE TO EXISTING DOOR

FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT (this "Amendment") is made this 10 day of December, 2019, by and between THE POLICE CREDIT UNION OF CALIFORNIA ("Seller"), and TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION ("Buyer").

RECITALS

A. Seller and Buyer are parties to that certain Purchase and Sale Agreement having an Agreement Date of October 12, 2019 (the "Agreement").

B. All capitalized terms not otherwise specifically defined in this Amendment shall have meanings ascribed to such terms in the Agreement.

C. Seller and Buyer desire to amend the Agreement in the particular respect set forth below.

NOW, THEREFORE, for valuable consideration, the receipt and adequacy of which is hereby acknowledged, Seller and Buyer do hereby agree as follows:

1. Feasibility Review. The first sentence of Section 3(a) of the Agreement is deleted and replaced with the following sentence: The "Feasibility Review Period" shall be the period beginning on the Agreement Date and ending at 5:00 p.m. (Pacific Time) on February 26, 2020; provided, however, that if Buyer's vapor testing of the Property is not completed by 5:00 p.m. (Pacific Time) on December 15, 2019, the Feasibility Review Period shall be extended day for day that the vapor testing is delayed due to weather for up to thirty (30) days.

2. Closing Date. Section 11(b) of the Agreement is amended and restated in its entirety to read as follows:

"(b) Closing Date. The "Closing Date" means the Initial Closing Date, subject to any applicable Extension Term. The "Initial Closing Date" means thirty (30) days following the expiration of the Feasibility Review Period, if and as extended. Buyer may extend the Initial Closing Date for one (1) period of thirty (30) days ("Buyer Extension Term") by notifying Seller and the Title Company at least ten (10) days prior to the Initial Closing Date. Concurrently with delivery of the notice of extension by Buyer, Buyer shall deposit Thirty-Five Thousand and No/100ths Dollars (\$35,000.00) with the Title Company for the Buyer Extension Term, together with instructions to the Title Company to release such Closing extension deposit to Seller if Seller so desires. Upon receipt by Seller, such Closing extension deposit shall be non-refundable to Buyer (except in the event of a Seller default) and shall not be credited against the Purchase Price at Closing."

3. Counterparts. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument. Executed counterparts of this Amendment may be executed electronically and

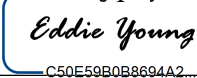
delivered by email and such execution and delivery will have the same effect as execution and delivery of an original executed counterpart of this Amendment.

4. Ratification. Except as expressly amended in this Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first written above.

SELLER:

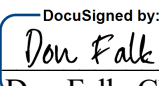
THE POLICE CREDIT UNION OF CALIFORNIA,
a California nonprofit corporation

By: 
C50E59B0B8694A2
Eddie Young, President & CEO
12/20/2019

Date: _____

BUYER:

TENDERLOIN NEIGHBORHOOD
DEVELOPMENT CORPORATION,
a California non-profit public benefit corporation

By: 
Don Falk, Chief Executive Officer

Date: 12/10/2019

SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT (“Second Amendment”) is made this 14th day of February, 2020, by and between THE POLICE CREDIT UNION OF CALIFORNIA, formerly known as the SF Police Credit Union, California nonprofit corporation (“**Seller**”), and TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION (“**Buyer**”).

RECITALS

A. Seller and Buyer are parties to that certain Purchase and Sale Agreement having an Agreement Date of October 12, 2019, as amended by that certain First Amendment to Purchase and Sale Agreement dated December 10, 2019 (“First Amendment”). The Agreement and First Amendment are hereafter collectively referred to as the “Agreement” unless otherwise noted.

B. All capitalized terms not otherwise specifically defined in this Second Amendment shall have meanings ascribed to such terms in the Agreement.

C. Seller and Buyer desire to amend the Agreement in the particular respect set forth below.

NOW, THEREFORE, in consideration of the covenants contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and incorporating these Recitals herein, Seller and Buyer do hereby agree as follows:

AGREEMENT

1. Feasibility Review. The first sentence of Section 3(a) of the Agreement is deleted and replaced with the following sentence: The “Feasibility Review Period” shall be the period beginning on the Agreement Date and ending on the earlier of: **(i)** 5:00 p.m. (Pacific Time) on Thursday, June 25, 2020; or, **(ii)** the date Buyer is in receipt of a final, executed agreement with the Regional Water Quality Control Board, SF Bay Region (“RWQCB”) or equivalent governmental agency, under the California Land Reuse and Revitalization Act of 2004 (a “CLRRRA Agreement”), or an equivalent agreement between Buyer and the RWQCB, or equivalent governmental agency, which provides substantially the same immunities and protections as a CLRRRA Agreement (a “CLRRRA Agreement Equivalent”), with respect to the Property.

2. Covenants and Closing Conditions. Amend/add a new subsection (iv) to Section 7(b) as follows:

(iv): Buyer shall be in receipt of a final, executed agreement with the Regional Water Quality Control Board, SF Bay Region (“RWQCB”) or equivalent governmental agency, under the California Land Reuse and Revitalization Act of 2004 (a “CLRRRA Agreement”), or an equivalent agreement between Buyer and the RWQCB, or equivalent governmental agency, which provides substantially the same immunities and protections as a CLRRRA Agreement (a “CLRRRA Agreement Equivalent”), with respect to the Property.


3. Counterparts. This Second Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument. Executed counterparts of this Second Amendment may be executed electronically and delivered by email and such execution and delivery will have the same effect as execution and delivery of an original executed counterpart of this Second Amendment.

4. Ratification. Except as expressly amended in this Second Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

IN WITNESS WHEREOF, the parties have executed this Second Amendment as of the date first written above.

SELLER:

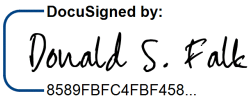
THE POLICE CREDIT UNION OF CALIFORNIA,
a California nonprofit corporation

By:  _____
Eddie Young, President & CEO

Date: 2/14/2020

BUYER:

TENDERLOIN NEIGHBORHOOD
DEVELOPMENT CORPORATION,
a California non-profit public benefit corporation

By:  _____
Donald S. Falk, Chief Executive Officer

Date: 2/13/2020

THIRD AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS THIRD AMENDMENT TO PURCHASE AND SALE AGREEMENT ("Third Amendment") is made this 24th day of July, 2020, by and between THE POLICE CREDIT UNION OF CALIFORNIA, formerly known as the SF Police Credit Union, California nonprofit corporation ("Seller"), and TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION ("Buyer").

RECITALS

A. Seller and Buyer are parties to that certain Purchase and Sale Agreement having an Agreement Date of October 12, 2019, as amended by that certain First Amendment to Purchase and Sale Agreement dated December 10, 2019 ("First Amendment"), and as further amended in that certain Second Amendment to Purchase and Sale Agreement dated February 14, 2020 ("Second Amendment"). The Agreement, First Amendment and Second Amendment are hereafter collectively referred to as the "Agreement" unless otherwise noted.

B. All capitalized terms not otherwise specifically defined in this Third Amendment shall have meanings ascribed to such terms in the Agreement.

C. Seller and Buyer desire to amend the Agreement in the particular respect set forth below.

NOW, THEREFORE, in consideration of the covenants contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and incorporating these Recitals herein, Seller and Buyer do hereby agree as follows:

AGREEMENT

1. Buyer's Contribution for Environmental Studies. AllWest Environmental, Inc. ("AllWest") and Haley & Aldrich, Inc. ("H&A") have been retained by Seller to conduct environmental studies on and around the Property. Buyer has agreed to pay Seller Fifty Thousand and 00/100 Dollars (\$50,000.00) ("Contribution") towards the cost of the work to be performed by AllWest and H&A. Within three (3) business days from the date of this Third Amendment, Buyer shall wire the Contribution to escrow and the Contribution will be immediately released to Seller. The Contribution shall not be applied against the Purchase Price. Buyer's obligation to pay the Contribution to Seller shall survive termination of the Agreement for any reason including, but limited to, under the provisions of Section 3(e).

2. Feasibility Review Period. Section 3(a) of the Agreement is amended and restated in its entirety to read as follows:

The "Feasibility Review Period" shall be the period beginning on the Agreement Date and ending at 5:00 p.m. (Pacific Time) on Thursday, August 6, 2020.

3. Business Day. The following is added as new Section 18(r):

"In the event that any date for the performance by either party of any obligation hereunder or the exercise by either party of a right hereunder falls on a Saturday, Sunday, nationally established holiday or established holiday in the State of California, the time for performance of such obligation, or exercise of such right, will be deemed extended until the next business day following such date."

4. Counterparts. This Third Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument. Executed counterparts of this Third Amendment may be executed electronically and delivered by email and such execution and delivery will have the same effect as execution and delivery of an original executed counterpart of this Third Amendment.

5. Ratification. Except as expressly amended in this Third Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

6. **IN WITNESS WHEREOF**, the parties have executed this Third Amendment as of the date first written above.

SELLER:

THE POLICE CREDIT UNION OF CALIFORNIA,
a California nonprofit corporation

By: 
Eddie Young, President & CEO

Date: July 24, 2020

BUYER:

TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION,
a California non-profit public benefit corporation

By: 
Donald S. Falk, Chief Executive Officer

Date: July 27, 2020

FOURTH AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS FOURTH AMENDMENT TO PURCHASE AND SALE AGREEMENT ("Fourth Amendment") is made this 5th day of August, 2020, by and between THE POLICE CREDIT UNION OF CALIFORNIA, formerly known as the SF Police Credit Union, California nonprofit corporation ("Seller"), and TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION ("Buyer").

RECITALS

A. Seller and Buyer are parties to that certain Purchase and Sale Agreement having an Agreement Date of October 12, 2019 ("Agreement"), as amended by that certain First Amendment to Purchase and Sale Agreement dated December 10, 2019 ("First Amendment"), as further amended by that certain Second Amendment to Purchase and Sale Agreement dated February 14, 2020 ("Second Amendment"), and as further amended by that certain Third Amendment to Purchase and Sale Agreement dated July 24, 2020 ("Third Amendment"). The Agreement, First Amendment, Second Amendment and Third Amendment are hereafter collectively referred to as the "Agreement" unless otherwise noted.

B. All capitalized terms not otherwise specifically defined in this Fourth Amendment shall have meanings ascribed to such terms in the Agreement.

C. Seller and Buyer desire to amend the Agreement in the particular respect set forth below.

NOW, THEREFORE, in consideration of the covenants contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and incorporating these Recitals herein, Seller and Buyer do hereby agree as follows:

AGREEMENT

1. Feasibility Review Period. Section 3(a) of the Agreement is amended and restated in its entirety to read as follows:

The "Feasibility Review Period" shall be the period beginning on the Agreement Date and ending at 5:00 p.m. (Pacific Time) on Tuesday, August 11, 2020.

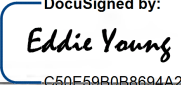
2. Counterparts. This Fourth Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument. Executed counterparts of this Fourth Amendment may be executed electronically and delivered by email and such execution and delivery will have the same effect as execution and delivery of an original executed counterpart of this Fourth Amendment.

3. Ratification. Except as expressly amended in this Fourth Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

4. **IN WITNESS WHEREOF**, the parties have executed this Fourth Amendment as of the date first written above.

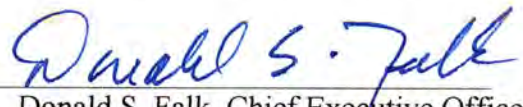
SELLER:

THE POLICE CREDIT UNION OF CALIFORNIA,
a California nonprofit corporation

By: 
C60E59B0B8694A2...
Eddie Young, President & CEO
Date: August ____, 2020 8/5/2020

BUYER:

TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION,
a California non-profit public benefit corporation

By: 
Donald S. Falk, Chief Executive Officer
Date: August 5, 2020

FIFTH AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS FIFTH AMENDMENT TO PURCHASE AND SALE AGREEMENT ("Fifth Amendment") is made this 5th day of August, 2020, by and between THE POLICE CREDIT UNION OF CALIFORNIA, formerly known as the SF Police Credit Union, California nonprofit corporation ("**Seller**"), and TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION ("**Buyer**").

RECITALS

A. Seller and Buyer are parties to that certain Purchase and Sale Agreement having an Agreement Date of October 12, 2019 ("Agreement"), as amended by that certain First Amendment to Purchase and Sale Agreement dated December 10, 2019 ("First Amendment"), as further amended by that certain Second Amendment to Purchase and Sale Agreement dated February 14, 2020 ("Second Amendment"), as further amended by that certain Third Amendment to Purchase and Sale Agreement dated July 24, 2020 ("Third Amendment"), as further amended by that certain Fourth Amendment to Purchase and Sale Agreement dated August 5, 2020 ("Fourth Amendment"). The Agreement, First Amendment, Second Amendment, Third Amendment and Fourth Amendment are hereafter collectively referred to as the "Agreement" unless otherwise noted.

B. All capitalized terms not otherwise specifically defined in this Fifth Amendment shall have meanings ascribed to such terms in the Agreement.

C. Seller and Buyer desire to amend the Agreement in the particular respect set forth below.

NOW, THEREFORE, in consideration of the covenants contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and incorporating these Recitals herein, Seller and Buyer do hereby agree as follows:

AGREEMENT

1. Feasibility Review Period. Section 3(a) of the Agreement is amended and restated in its entirety to read as follows:

The "Feasibility Review Period" shall be the period beginning on the Agreement Date and ending at 5:00 p.m. (Pacific Time) on Tuesday, August 17, 2020.


2. Counterparts. This Fifth Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument. Executed counterparts of this Fifth Amendment may be executed electronically and delivered by email and such execution and delivery will have the same effect as execution and delivery of an original executed counterpart of this Fifth Amendment.

3. Ratification. Except as expressly amended in this Fifth Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

4. **IN WITNESS WHEREOF**, the parties have executed this Fifth Amendment as of the date first written above.

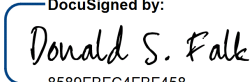
SELLER:

THE POLICE CREDIT UNION OF CALIFORNIA,
a California nonprofit corporation

By: 
C50E59B0B8694A2...
Eddie Young, President & CEO
Date: August 10, 2020

BUYER:

TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION,
a California non-profit public benefit corporation

By: 
8589FBFC4FBF458...
Donald S. Falk, Chief Executive Officer
Date: August 10, 2020

SIXTH AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS SIXTH AMENDMENT TO PURCHASE AND SALE AGREEMENT ("Sixth Amendment") is made this 14th day of August, 2020 ("Sixth Amendment Date"), by and between THE POLICE CREDIT UNION OF CALIFORNIA, formerly known as the SF Police Credit Union, California nonprofit corporation ("**Seller**"), and TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION ("**Buyer**").

RECITALS

A. Seller and Buyer are parties to that certain Purchase and Sale Agreement having an Agreement Date of October 12, 2019, as amended by that certain First Amendment to Purchase and Sale Agreement dated December 10, 2019 ("First Amendment"), as amended in that certain Second Amendment to Purchase and Sale Agreement dated February 14, 2020 ("Second Amendment"), as amended in that certain Third Amendment to Purchase and Sale Agreement dated July 24, 2020 ("Third Amendment"), as amended in that certain Fourth Amendment to Purchase and Sale Agreement dated August 5, 2020 ("Fourth Amendment"), and as further amended in that certain Fifth Amendment to Purchase and Sale Agreement dated August 5th, 2020 ("Fifth Amendment"). The Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment and Fifth Amendment are hereafter collectively referred to as the "Agreement" unless otherwise noted.

B. All capitalized terms not otherwise specifically defined in this Sixth Amendment shall have meanings ascribed to such terms in the Agreement.

C. Seller and Buyer desire to amend the Agreement in the particular respect set forth below.

NOW, THEREFORE, in consideration of the covenants contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and incorporating these Recitals herein, Seller and Buyer do hereby agree as follows:

AGREEMENT

1. Deposit. All references in the Agreement to the "Second Deposit" are deleted. All references in the Agreement to the "Initial Deposit" are deleted and replaced with "Deposit". Section 2(d) of the Agreement is deleted and Section 2(c) of the Agreement is amended and restated in its entirety to read as follows:

"Within three (3) business days following the Agreement Date, Buyer shall deposit with the Title Company via check or wire transfer an earnest money deposit in the amount of One Hundred Thousand and 00/100 Dollars (\$100,000.00) (the "Deposit"). The Deposit shall remain fully refundable to Buyer until the expiration of the Feasibility Review Period and thereafter in accordance with this Agreement. If this Agreement has not been terminated by the end of the Feasibility Review Period, then the Title Company shall release the Deposit to Seller and the Deposit shall be nonrefundable to Buyer, except as

otherwise provided in this Agreement, and applicable towards the Purchase Price. Any accrued interest on the Deposit shall be credited to Buyer.”

2. Feasibility Review. Buyer approves the Due Diligence Matters and this Section 2 of this Sixth Amendment constitutes Buyer’s Approval Notice pursuant to Section 3(e) of the Agreement.

3. Closing. Section 11(b) is amended and restated in its entirety to read as follows:

“The “Closing Date” means the Initial Closing Date, subject to any applicable CLRRRA Extension Term (defined below). The “Initial Closing Date” means the earlier of thirty (30) days following Buyer’s receipt of the CLRRRA Agreement or CLRRRA Agreement Equivalent (both as defined in the Second Amendment) and May 9, 2021. In the event that the CLRRRA Agreement or CLRRRA Agreement Equivalent has not been received by May 9, 2021, Buyer shall have the right to extend Closing Date for up to three (3) periods of thirty (30) days each (each a “CLRRRA Extension Term”) by notifying Seller and the Title Company at least ten (10) days prior to the expiration of the then-current CLRRRA Extension Term. Concurrently with delivery of the notice of the CLRRRA Extension Term by Buyer, Buyer shall deposit Thirty-Five Thousand and 00/100 Dollars (\$35,000.00) with the Title Company for each CLRRRA Extension Term, together with instructions to the Title Company to immediately release such CLRRRA Extension Term deposit to Seller. Upon receipt by Seller, such CLRRRA Extension Term deposit shall be non-refundable to Buyer (except in the event of a Seller default) but shall be credited against the Purchase Price at Closing.”

4. Environmental. The heading of Section 16 is amended and restated in its entirety to read as follows: **““AS-IS” SALE AND AGREEMENTS REGARDING ENVIRONMENTAL MATTERS”**.

5. Environmental Matters. Section 16(b) is amended and restated in its entirety to read as follows:

“16(b). Environmental Matters. Seller shall have no obligation under this Section 16(b) for Hazardous Material(s) which are introduced to or released on the Property by Buyer after the Closing Date (the “Released Claims”). Notwithstanding the foregoing, the parties agree that for a period of ten (10) years from the Closing (“Term”), should Seller be compelled as a result of a governmental judicial or administrative agency action (together, “Governmental Action”) against Buyer to incur costs, Seller will contribute to Buyer up to a total of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) towards Buyer’s actual costs associated with the Governmental Action (“Seller’s Contribution”); thereafter, and for purposes of clarification, after payment of the full amount of Seller’s Contribution or the expiration of the Term, whichever occurs first in time, Buyer shall then be solely responsible for any and all costs associated with Governmental Action, as limited and governed by Buyer’s negotiated obligations pursuant to Buyer’s agreement with DTSC (or equivalent governmental agency) under the CLRRRA Agreement or CLRRRA Agreement Equivalent. Buyer shall submit to Seller

copies of any Governmental Action and commercially reasonable back-up documentation of its costs expended on the Governmental Action as a condition of payment.

On-Site Liability: For any action brought post-Closing by an employee of Seller who works or has worked at the Property (“Employee Action”) for claims arising from vapor intrusion arising from the Hazardous Material(s) on or emanating from the Property existing at the time of the Closing Date, Seller agrees to indemnify, defend and hold Buyer harmless from any Employee Action that is alleged or deemed to have been caused by vapor intrusion from the Hazardous Material(s) on or emanating from the Property. The parties agree that Seller’s defense, indemnity and hold harmless of an Employee Action shall survive the Closing for a period of ten (10) years.

Off-Site Liability: For any action brought post-Closing by third parties for property damage/personal injury/contribution claims arising from vapor intrusion arising from Hazardous Material(s) on or emanating from the Property existing at the time of the Closing Date that have migrated off the Property (“Third Party Action”), Seller agrees to indemnify, defend and hold Buyer harmless from any Third Party Action, with the exception that “Third Party Action” shall not include an action brought by a tenant of Buyer’s to-be-constructed residential units. The parties agree that Seller’s defense, indemnity and hold harmless of an Employee Action or Third Party Action shall survive the Closing for a period of ten (10) years.”

6. Release. Section 16(c) is amended and restated in its entirety to read as follows:

16(c). Except as otherwise specifically provided in this Agreement and subject to Section 16(b) above, and in consideration of the covenants, representations, terms, and provisions of this Agreement, Buyer understands and hereby agrees that this Agreement acts as a full and final release by Buyer and its successors of the Released Claims, whether known or unknown, arising, accruing, or based on facts, events or circumstances in existence on or before the date hereof, whether known or unknown, that Buyer may have, had or may ever have relating to the Released Claims. In connection with this general release, Buyer hereby waives any and all rights which exist or may exist under California Civil Code Section 1542. Civil Code Section 1542 provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

Buyer’s Initials 

7. Counterparts. This Sixth Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument. Executed counterparts of this Sixth Amendment may be executed electronically and delivered by email and such execution and delivery will have the

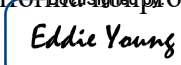
same effect as execution and delivery of an original executed counterpart of this Sixth Amendment.

8. Ratification. Except as expressly amended in this Sixth Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

IN WITNESS WHEREOF, the parties have executed this Sixth Amendment as of the date first written above.

SELLER:

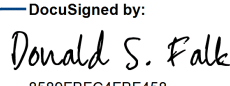
THE POLICE CREDIT UNION OF CALIFORNIA,
a California non-profit corporation

By: 
C50E59B0B8694A2...
Eddie Young, President & CEO

Date: 8/14/2020

BUYER:

TENDERLOIN NEIGHBORHOOD DEVELOPMENT
CORPORATION,
a California non-profit public benefit corporation

By: 
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Donald S. Falk, Chief Executive Officer

Date: 8/14/2020

SEVENTH AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS SEVENTH AMENDMENT TO PURCHASE AND SALE AGREEMENT (“Seventh Amendment”) is made this 1st day of March, 2021 (“Seventh Amendment Date”), by and between THE POLICE CREDIT UNION OF CALIFORNIA, formerly known as the SF Police Credit Union, California nonprofit corporation (“**Seller**”), and TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION (“**Buyer**”).

RECITALS

A. Seller and Buyer are parties to that certain Purchase and Sale Agreement having an Agreement Date of October 12, 2019, as amended by that certain First Amendment to Purchase and Sale Agreement dated December 10, 2019 (“**First Amendment**”), as amended in that certain Second Amendment to Purchase and Sale Agreement dated February 14, 2020 (“**Second Amendment**”), as amended in that certain Third Amendment to Purchase and Sale Agreement dated July 24, 2020 (“**Third Amendment**”), as amended in that certain Fourth Amendment to Purchase and Sale Agreement dated August 5, 2020 (“**Fourth Amendment**”), as amended in that certain Fifth Amendment to Purchase and Sale Agreement dated August 5, 2020 (“**Fifth Amendment**”), and as further amended in that certain Sixth Amendment to Purchase and Sale Agreement dated August 14, 2020 (“**Sixth Amendment**”). The Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment are hereafter collectively referred to as the “Agreement” unless otherwise noted.

B. All capitalized terms not otherwise specifically defined in this Seventh Amendment shall have meanings ascribed to such terms in the Agreement.

C. Seller and Buyer desire to amend the Agreement in the particular respect set forth below.

NOW, THEREFORE, in consideration of the covenants contained herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and incorporating these Recitals herein, Seller and Buyer do hereby agree as follows:

AGREEMENT

1. Closing. Section 11(b) is amended and restated in its entirety to read as follows:

“The “Closing Date” may be extended from Wednesday, March 3, 2021, to **Tuesday, August 31, 2021**, upon Buyer’s deposit of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) into escrow with the Title Company no later than the close of business on March 3, 2021 (“Closing Date Extension Deposit”), together with instructions to the Title Company to immediately release such Closing Date Extension Deposit to Seller. Upon receipt by Seller, the Closing Date Extension Deposit shall be non-refundable to Buyer (except in the event of a Seller default) but shall be credited against the Purchase Price at Closing.” Buyer shall have the right to extend the Closing Date for up to two (2) periods of forty-five (45) days each by notifying Seller and Title Company at least ten (10) days prior to the Closing Date then in effect. Concurrently

with Buyer's extension notice(s), Buyer shall deposit Fifty Thousand and 00/100 Dollars (\$50,000.00) for the 1st 45- day extension period ("1st Closing Date Extension") and One Hundred Thousand and 00/100 Dollars (\$100,000.00) for the 2nd 45-day extension ("2nd Closing Date Extension"), together with instructions to the Title Company to immediately release each deposit to Seller. Upon receipt by Seller, the 1st Closing Date Extension Deposit, and the 2nd Closing Date Extension Deposit shall be non-refundable to Buyer (except in the event of a Seller default) but shall be credited against the Purchase Price at Closing. For the avoidance of doubt, the Closing Date after Buyer's exercise of the 1st Closing Date Extension shall be **Friday, October 15, 2021**, and should Buyer then exercise of the 2nd Closing Date Extension, the Closing Date shall be **Monday, November 29, 2021.**"


2. Counterparts. This Seventh Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument. Executed counterparts of this Seventh Amendment may be executed electronically and delivered by email and such execution and delivery will have the same effect as execution and delivery of an original executed counterpart of this Seventh Amendment.

3. Ratification. Except as expressly amended in this Seventh Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

4. **IN WITNESS WHEREOF**, the parties have executed this Seventh Amendment as of the Seventh Amendment Date.

SELLER:

THE POLICE CREDIT UNION OF CALIFORNIA,
a California nonprofit corporation

By: 
Eddie Young, President & CEO

Date: 3/1/2021

BUYER:

TENDERLOIN NEIGHBORHOOD DEVELOPMENT CORPORATION,
a California non-profit public benefit corporation

By: 
Donald S. Falk, Chief Executive Officer

Date: 3/1/2021

QUALIFICATIONS OF SARA A. COHN, MAI
California Certified General Real Estate Appraiser No. AG014469

EXPERIENCE

Sara A. Cohn is a Partner with Watts, Cohn and Partners, Inc. a new firm providing commercial real estate valuation. From 1988 to 2016, she worked for Carneghi and Partners and was a Senior Project Manager/Partner in their San Francisco office. Carneghi and Partners, and now Watts, Cohn and Partners, provide real estate appraisal and consulting services in the San Francisco Bay Area. Clients include financial institutions, government agencies, law firms, development companies and individuals. Typical assignments include both valuation and evaluations of a broad variety of property types, uses and ownership considerations.

Ms. Cohn has over 30 years of appraisal experience. She has completed a wide variety of valuation and evaluation analyses. Ms. Cohn has extensive knowledge of the San Francisco Bay Area and has appraised many property types including office buildings, industrial properties, retail centers, hotels, residential projects, mixed-use properties and development sites. Recent work has involved the analysis of commercial buildings, residential subdivisions, valuation of affordable housing developments with bond financing and/or Low-Income Housing Tax Credits (LIHTCs), assessment districts, as well as co-housing projects.

EDUCATION

Bachelor of Arts, University of California, Berkeley, 1978

Successful completion of all professional appraisal courses offered by the Appraisal Institute as a requirement of membership.

Continued attendance at professional real estate lectures and seminars.

PROFESSIONAL AFFILIATION AND STATE CERTIFICATION

Appraisal Institute - MAI Designation (Member Appraisal Institute) No. 12017
Continuing Education Requirement Complete

State of California Certified General Real Estate Appraiser No. AG014469
Certified Through March 2021

State of California Licensed Landscape Architect No. 2102

Member, Board of Directors, Northern California Chapter of the Appraisal Institute,
2008-2010

Seminars Co-Chair, Northern California Chapter of the Appraisal Institute, 2005-2007



Business, Consumer Services & Housing Agency
BUREAU OF REAL ESTATE APPRAISERS
REAL ESTATE APPRAISER LICENSE

Sara A. Cohn

has successfully met the requirements for a license as a residential and commercial real estate appraiser in the State of California and is, therefore, entitled to use the title:

“Certified General Real Estate Appraiser”

This license has been issued in accordance with the provisions of the Real Estate Appraisers' Licensing and Certification Law.

BREA APPRAISER IDENTIFICATION NUMBER: AG 014469

Effective Date: March 10, 2021

Date Expires: March 9, 2023

Loretta Dillon, Deputy Bureau Chief, BRE

3054812

From: [Dra. Chelene](#)
To: [David Goldstein](#), [Ariel](#), [David Goldstein](#)
Subject: Re: File No. 2500, BOB meeting 7/30/21 DTSC and 2500 Irving St.
Date: Monday, July 19, 2021, at 10:46 AM
Attachments: [2500-IRVING-071921.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untreated sources.

Subject: Re: File No. 210763, BOB meeting 7/30/21 DTSC and 2500 Irving St.
Dear Supervisor Melgar:

I am the liaison with DTSC for MSNA and have been working closely with Arthur Machado, who is managing the final decision for TNSC's draft response plan. The draft response plan was not part of the record that was considered by the Budget and Finance Committee on July 14, 2021 even though MORICD referred to it as an "approval" plan in order to persuade the supervisors to move the loan forward to the full Board of Supervisors for a vote. We are at the beginning of DTSC's 30-day comment phase for the draft response plan. In order to bolster their case with the Budget and Finance Committee, MORICD's Amy Chan made the following statement to Supervisor Mar when he questioned why TNSC and MORICD couldn't have waited (as was stipulated by the loan and purchase agreement) until DTSC's public comment period was over and the response plan approved. Ms. Chan said: "We don't believe that there would be any new information coming from DTSC. As Jacob [Norman] has mentioned the draft response plan has already been reviewed and preliminarily approved. And there won't be any new information coming from that process, which will conclude in mid August."

As DTSC will tell you, they do not "preliminarily approve" a draft. Additionally, by assuming there will be no new information that will come from the comment period, MORICD and TNSC are dismissing an extremely important part of DTSC's process.

MORICD's mission. There is and will be new information coming. For example, because DTSC recently saw the state of the neighborhood 100-year old crumbling foundations, they are asking the Police Credit Union (PCU) to conduct vapor intrusion testing of selected homes. This testing is done over the course of a year and will yield for DTSC much new data and a clearer idea how much toxic vapor has come into the neighbors' homes. The PCU reached out to MSNA and DTSC, and we will be meeting with the PCU to discuss the data this week. This important information for the BOB is coming.

Based on the expert opinions of geologist Don Moore and Lemmy Siegel, Executive Director of the Center for Public Environmental Oversight, it is more likely than not that the draft response plan submitted by TNSC will have to be revised after the comment period closes 8/13/21. The draft response plan is downloadable at this DTSC link: <https://www.dtsc.ca.gov/Informational/ResponsePlans/ResponsePlans/Pages/2500-IRVING-071921.aspx>. <https://www.dtsc.ca.gov/Informational/ResponsePlans/ResponsePlans/Pages/2500-IRVING-071921.aspx>

The draft response plan recommends a Vapor Intrusion Mitigation System (VIMS) at a cost of \$70K plus \$50K for future monitoring costs. (see Draft Response Plan p. 17, Appendix C p. 2). This is already six times the \$120K cost projected by the appraisal, making the appraisal unreliable, among other reasons. However, both Mr. Moore and Mr. Siegel will testify that VIMS is inadequate for dealing with a site like the 2500 Irving Street block where the PCE plume that is under the property extends north under the adjacent houses. There is a reasonable probability that DTSC will recommend that VIMS for the contamination of Irving site. (see attached DTSC's document: "Pest Management and Remediation Guidance: Remediation of Chlorinated Volatile Organic Compounds in Various Zones Soil").

Both Mr. Moore and Mr. Siegel will testify that the original ESA Phase II recommendation of further neighborhood testing to discover the extent of the plume and testing to locate the PCE hot spots should be completed before any transfer of ownership for 2500 Irving. They also will testify that with two PCE gas plumes, one of which is underneath 2500 Irving, additional vapor intrusion testing in individual neighborhood houses is necessary to determine whether PCE gas has entered other buildings besides the Police Credit Union. Mr. Moore will testify that it is not possible without further testing to estimate the total remediation cost. However, with VIMS, PCE can be removed from the neighborhood without needing to conduct continued expensive monitoring for years.

If the full Board approves the resolution as submitted, even with disbursement contingent on final DTSC approval of a response plan, it is reasonably probable based on the evidence that the draft response plan will have to be revised. Revising the draft response plan will have an effect on the allocation of responsibility between the Police Credit Union whom I'm meeting with after the BOB meeting on Tuesday, and TNSC.

With this uncertainty affecting financial feasibility of the loan as submitted, it is recommended that the Board defer approval of the resolution until after the testing is completed and a response plan finalized with DTSC.

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**DEPARTMENT OF TOXIC SUBSTANCES CONTROL
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE
REMEDICATION OF CHLORINATED VOLATILE ORGANIC
COMPOUNDS IN VADOSE ZONE SOIL**

APRIL 2010

PREFACE

The Department of Toxic Substances Control (DTSC) is issuing this Proven Technologies and Remedies (PT&R) guidance for immediate use on cleanups at hazardous waste facilities and Brownfields sites. The PT&R approach described herein is an option for expediting and encouraging the cleanup of sites with elevated concentrations of chlorinated volatile organic compounds (cVOCs) in the vadose zone. The approach is designed to ensure safe, protective cleanup and to maintain DTSC's commitment to public involvement in our decision-making process. Please see Chapters 1 through 3 for details regarding the PT&R approach and how to determine whether this guidance is suitable for a given site.

DTSC fully expects that application of the PT&R approach to cleanup of sites with cVOCs in the vadose zone will identify areas that can be improved upon as well as additional ways to streamline the PT&R cleanup process. As the protocols in this document are implemented, issues may be identified which warrant document revision. DTSC will continue to solicit comments from interested parties for a period of one year (ending April 30, 2011). At that time, DTSC will review and incorporate changes as needed.

Comments and suggestions for improvement of *Remediation of Chlorinated Volatile Organic Compounds in Vadose Zone Soil* should be submitted to:

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- DTSC's Proven Technologies and Remedies Team;
- Director's Brownfields Revitalization Advisory Group;
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ABBREVIATIONS AND ACRONYMS

AFCEE	Air Force Center for Engineering and the Environment
ARARs	applicable or relevant and appropriate requirements
ASTM	ASTM International (formerly known as American Society of Testing and Materials)
bgs	below ground surface
Cal/EPA	California Environmental Protection Agency
Cal-OSHA	California Division of Occupational Safety and Health
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CHHSLs	California Human Health Screening Levels
CMS	Corrective Measures Study
COC	chemical of concern
CSM	conceptual site model
cVOC	chlorinated volatile organic compound
DQO	data quality objective
DTSC	Department of Toxic Substances Control
EDRP	excavation, disposal, and restoration plan
EE/CA	engineering evaluation/cost analysis
FS	Feasibility Study
HASP	health and safety plan
HSAA	Hazardous Substances Account Act
HWCL	Hazardous Waste Control Law
IC	institutional control
ITRC	Interstate Technology and Regulatory Council
LARWQCB	Los Angeles Regional Water Quality Control Board
LDR	land disposal restriction
LUC	Land Use Covenant
NCP	National Contingency Plan
NPDES	National Pollutant Discharge Elimination System
O&M	operation and maintenance

ABBREVIATIONS AND ACRONYMS (Continued)

PAH	polynuclear aromatic hydrocarbon
PCB	polychlorinated biphenyl
PCE	tetrachloroethene
PT&R	proven technologies and remedies
QA/QC	quality assurance/quality control
QAPP	quality assurance project plan
RAP	Remedial Action Plan
RAO	remedial action objective
RAW	Removal Action Workplan
RCRA	Resource Conservation and Recovery Act
RSL	USEPA Regional Screening Level
RWQCB	Regional Water Quality Control Board
SVE	soil vapor extraction
SVOC	semi-volatile organic compound
SWPPP	storm water pollution prevention plan
SWRCB	State Water Resources Control Board
TCE	trichloroethene
TPH	total petroleum hydrocarbons
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
VOC	volatile organic compound

EXECUTIVE SUMMARY

Widely used in the United States since the 1940s, chlorinated volatile organic compounds (cVOCs) are associated with a variety of uses, such as degreasing, cleaning, manufacturing processes, and dry cleaning operations. Approximately 15 percent of projects managed by the Department of Toxic Substances Control's (DTSC's) Brownfields and Environmental Restoration Program encounter cVOCs. Table ES-1 summarizes cVOCs commonly found during these environmental cleanup projects. Typically composed of one to two carbon atoms and one to six chlorine atoms (ESTCP, 2008), the properties of cVOCs allow wide dispersal in the environment and impacts to multiple environmental media (e.g., soil, soil vapor, groundwater, indoor air). A critical pathway for health risk assessment associated with cVOCs involves the potential health risks from indoor air exposures.

Table ES-1 Commonly Encountered Chlorinated VOCs

Carbon tetrachloride	1,1-Dichloroethane	1,1,2,2-Tetrachloroethane
Chlorobenzene	1,2-Dichloroethane	Tetrachloroethylene
Chloroethane	1,1-Dichloroethylene	1,1,1-Trichloroethane
Chloroform	1,2-Dichloroethylene	1,1,2-Trichloroethane
Chloromethane	1,2-Dichloropropane	Trichloroethylene
1,2-Dichlorobenzene	Ethylene dibromide	1,2,3-Trichloropropane
1,4-Dichlorobenzene	Methylene chloride	Vinyl chloride
Dichlorodifluoromethane	1,1,1,2-Tetrachloroethane	

Notes:

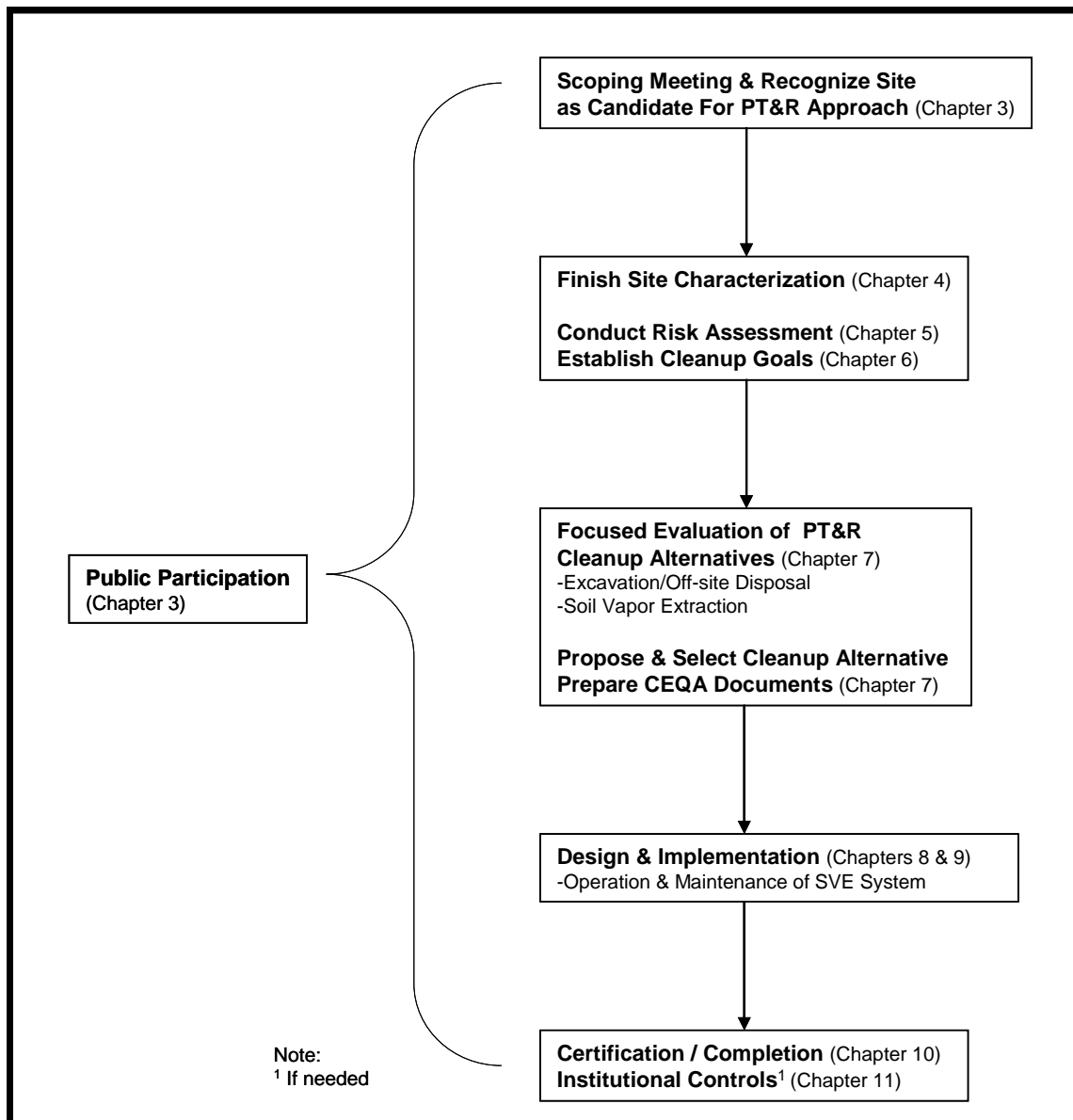
Table is not intended to be an all-inclusive list of cVOCs.

Bold indicates most commonly encountered cVOCs on DTSC cleanup projects.

DTSC has prepared this *Proven Technologies and Remedies Guidance – Remediation of Chlorinated Volatile Organic Compounds in Vadose Zone Soil* (PT&R guidance) as an option for expediting and encouraging cleanup of sites with elevated concentrations of cVOCs in vadose zone soil. The PT&R approach for cVOCs discussed herein (Figure ES-1) may be applied at operating or closing hazardous waste facilities and at Brownfields sites. This PT&R guidance can be used by any government agency, consultant, responsible party, project proponent, facility operator, and/or property owner addressing cVOCs in soil. Although expediting cleanup is emphasized, the PT&R approach is designed to ensure safe, protective remediation and to maintain DTSC's commitment to public involvement in our decision-making process.

Cleanup of contaminated sites may be governed by one or more federal or State laws, depending on such factors as the source and cause of the contamination, the type of chemical contamination found, and the type of operations conducted. The PT&R approach is consistent with these laws and will yield technically and legally adequate environmental solutions. The PT&R approach is also consistent with the U.S. Environmental Protection Agency (USEPA) presumptive remedy guidance (USEPA, 1996, 1997a).

Figure ES-1. General Overview of PT&R Approach for Sites with Vadose Zone Soils Impacted by Chlorinated VOCs.



PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE – REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOIL

This PT&R guidance is applicable on a case-by-case basis at sites where the remedial action objective (RAO) is to address vadose zone soils (i.e., unsaturated soils above the groundwater table) contaminated with cVOCs. The PT&R guidance will not be applicable to all sites with cVOC contamination in soil. Prior to applying this guidance to a site cleanup process, DTSC should be consulted and should concur with the use of the PT&R approach.

The results achieved through implementing the PT&R approach will depend on the site-specific RAOs which could range from removing as much cVOC mass as feasible during an interim removal action to achieving risk-based cleanup goals as part of the final remedy. The outcome of applying the PT&R approach may be the completion of an interim removal action, cleanup to levels that require on-going controls, or certification of the site for unrestricted use.

The PT&R approach (Figure ES-1) streamlines the cleanup process by (1) limiting the number of evaluated technologies to two PT&R alternatives; (2) facilitating remedy implementation; and (3) facilitating documentation and administrative processes. DTSC identified the two PT&R alternatives by conducting a study that reviewed and screened data for 90 sites throughout California where the primary contaminants were cVOCs in soil and where DTSC provided oversight of the soil cleanup. This study found that “excavation and off-site disposal” and “soil vapor extraction” (SVE) were the most frequently selected cleanup alternatives and therefore these remedies were selected as the PT&R alternatives for cVOCs in soil.

The objectives of this PT&R guidance are to:

- identify the types of sites that would be appropriate for application of the PT&R approach;
- identify the site data that should be collected to support the PT&R approach;
- provide an overview of guidance in characterizing risk and establishing cleanup goals;
- provide guidance for designing and implementing the PT&R alternatives; and
- provide sample documents, annotated outlines, and examples for the documents prepared as part of the cleanup process.

This PT&R guidance is not intended to replace the evaluation of innovative and new technologies. DTSC continues to encourage the use and evaluation of emerging technologies.

OVERVIEW OF PT&R APPROACH

Figure ES-1 and the following paragraphs summarize the steps of the PT&R approach. The PT&R approach uses the public participation process identified in the *DTSC Public Participation Policies and Procedures Manual* (DTSC, 2003).

Determine Suitability for PT&R Approach. To determine whether the PT&R approach is appropriate for a specific site, an evaluation should be conducted to determine whether the site characteristics make it amenable to the PT&R approach. Site characteristics that favor the PT&R approach are summarized in Table ES-2. Most notably, this PT&R guidance targets cleanup at sites where the primary environmental issue is cVOC contamination in vadose zone soils. Refer to Chapter 3 for details regarding these characteristics.

Table ES-2. Site Characteristics that Favor PT&R Approach

<ul style="list-style-type: none">• Primarily cVOC contamination• Ability to address any groundwater impacts through a separate remedial technology• Soil impacts that can be addressed by excavation/disposal or SVE	<ul style="list-style-type: none">• No emergency actions required• No ecological habitat or sensitive receptors impacted¹• Exposure pathways and land use scenarios consistent with PT&R approach¹
---	--

Note:

- ¹ The approach recommended for selection of cleanup goals in this PT&R guidance considers the human health impacts of cancer risk and noncancer hazard for residential and industrial/commercial land use exposure scenarios (see Chapter 5 for details). If a site has potential impacts to ecological receptors or surface water, the PT&R approach is not applicable.

Characterization Phase. The characterization phase establishes the nature and extent of contamination in environmental media such as soil and soil gas. Under the PT&R approach, sufficient data should be collected to determine that the PT&R approach is applicable as well as to support any fate and transport modeling, risk assessment, remedy selection, and the engineering design. As data are gathered, they are evaluated to help determine whether further site characterization, risk assessment, or cleanup may be necessary.

Risk Assessment. Evaluation of potential risks to human health and the environment posed by contaminants at the site is part of the site characterization process and supports the risk management decision-making process. Depending on when a site begins using the PT&R approach, some risk assessment steps may have already been conducted and may be sufficient to support subsequent activities. A human health risk assessment is conducted to characterize potential cancer risks and noncancer health hazards. A scoping level ecological risk investigation is conducted to evaluate the potential for complete exposure pathways between ecological receptors and constituents of concern. Sites requiring further ecological assessment are beyond the scope of this PT&R guidance. The risk to groundwater quality is evaluated using measured groundwater concentrations and/or groundwater concentrations predicted by fate and transport modeling. The results of the risk assessments are used to establish appropriate site-specific RAOs and risk-based cleanup goals.

Site-Specific Evaluation and Selection of Remedial Alternatives. The remedy selection document is drafted in accordance with the requirements applicable to the site/facility. The alternative evaluation should demonstrate that the RAOs identified for the site can be met. The alternatives would generally include no action, excavation/

disposal, and/or SVE. The necessary California Environmental Quality Act (CEQA) documents may be prepared concurrently with the remedy selection document. Typically, the draft remedy selection and CEQA documents are circulated concurrently for public comment. The SVE alternative will require on-going operation and maintenance (O&M) until the RAOs are achieved, and therefore will require a regulatory oversight agreement.

Cleanup Design and Implementation. The technical and operational plans for implementing the proposed alternative may be included in the remedy selection document, if appropriate, or prepared as a separate document once a final response action is approved. Once the final response action is implemented, a report documenting its implementation is submitted to DTSC. There are several types of response action documents which may be applied to the PT&R approach, as discussed further in the main text of this PT&R guidance.

Certification / Completion. When the approved remedy for cVOCs in the vadose zone has been fully implemented, DTSC will determine through performance metrics (including confirmation sampling) whether the RAOs established in the remedy decision document have been achieved. The possible determinations are: the RAOs have been achieved; the response action has been fully implemented, is operating successfully, and on-going O&M is needed until the RAOs are achieved; and/or additional remediation is necessary. Based on these findings, DTSC will issue a certification letter, a completion letter, or a letter requiring additional work to address cVOCs in the vadose zone.

Long-term Stewardship. Long-term stewardship applies to sites and properties where management of contaminated environmental media is necessary to protect human health and the environment over time. On-going controls (such as institutional controls for contamination remaining in place) and other measures will be needed, as discussed further in Chapter 11.

1.0 INTRODUCTION

Chlorinated volatile organic compounds (cVOCs) are encountered by approximately 15 percent of cleanup projects managed by the Department of Toxic Substances Control's (DTSC's) Brownfields and Environmental Restoration Program. Widely used in the United States since the 1940s, cVOCs are associated with a variety of uses, such as degreasing, cleaning, manufacturing processes, and dry cleaning operations. These compounds are also present in some household products and automobile fluids. Releases to the environment have occurred through various mechanisms, including surface discharges, leaking underground storage tanks, and inadequate disposal practices. Unfortunately, cVOCs have properties that make them disperse widely in the environment. Their volatile nature leads to the formation of vapor plumes in soil. Small quantities of cVOCs can contaminate large volumes of water at concentrations exceeding health risk screening levels and can persist as sources of on-going contamination for long periods of time. When released as free product, cVOCs can migrate downward to significant depths (potentially hundreds of feet) and through fine grained deposits. In addition, cVOC vapors can migrate upwards to the surface and produce elevated concentrations within indoor air spaces. Potential health risks from indoor air exposures are a critical pathway for health risk assessment.

This *Proven Technologies and Remedies Guidance – Remediation of Chlorinated Volatile Organic Compounds in Vadose Zone Soil* (PT&R guidance) has been prepared to streamline the cleanup process (a generic term used to refer to corrective action and remedial action cleanup processes) at sites with vadose zone soils contaminated with cVOCs. The proven technologies and remedies (PT&R) alternatives discussed in this PT&R guidance were determined to be effective based on:

- engineering and scientific analysis of performance data from past State and federal cleanups and
- review of the administrative records and procedures used to implement the technologies.

This PT&R guidance is one of three documents developed under DTSC's PT&R efforts that outline an option for streamlining the cleanup process, thus increasing the number of acres that are cleaned up and returned to beneficial use. Analogous documents pertaining to metals and organochlorine pesticides in soil can be obtained from the DTSC Web-site (www.dtsc.ca.gov/SiteCleanup/PTandR.cfm). The PT&R approach described herein can be applied to operating or closing hazardous waste facilities and to Brownfields sites. Although expediting the cleanup process is emphasized, the PT&R approach is designed to ensure safe and protective remediation.

1.1 PURPOSE AND OBJECTIVE

The purpose of this PT&R guidance is to encourage and support the use of DTSC's experience and to provide guidance on PT&Rs for expedited cleanup of sites with cVOCs in vadose zone soil. The PT&R guidance is intended for use by any government agency, consultant, responsible party and/or property owner addressing

potential cVOC contamination at a site. Prior to applying this PT&R guidance to a site cleanup process, the oversight agency must be consulted and must concur with use of the PT&R approach.

The objectives of the PT&R guidance are to:

- identify the characteristics that make a site conducive for application of the PT&R approach for cVOCs;
- provide recommendations for characterizing the nature and extent of contamination and collecting data needed to support the cleanup alternative evaluation;
- summarize guidance for characterizing risk and establishing cleanup goals;
- focus the site-specific evaluation of cleanup alternatives to the PT&R alternatives;
- provide guidance for post-cleanup evaluation to characterize the residual cVOC concentrations; and
- provide guidance on associated administrative requirements, such as documentation and implementation of the cleanup alternative selection process.

As discussed further in Section 1.3, the degree of cleanup achieved through implementing the PT&R approach will depend on the site-specific remedial action objectives (RAOs). Possible results of implementing the PT&R approach could include mass removal to the extent feasible, cleanup to levels requiring on-going controls, or cleanup to levels allowing unrestricted use.

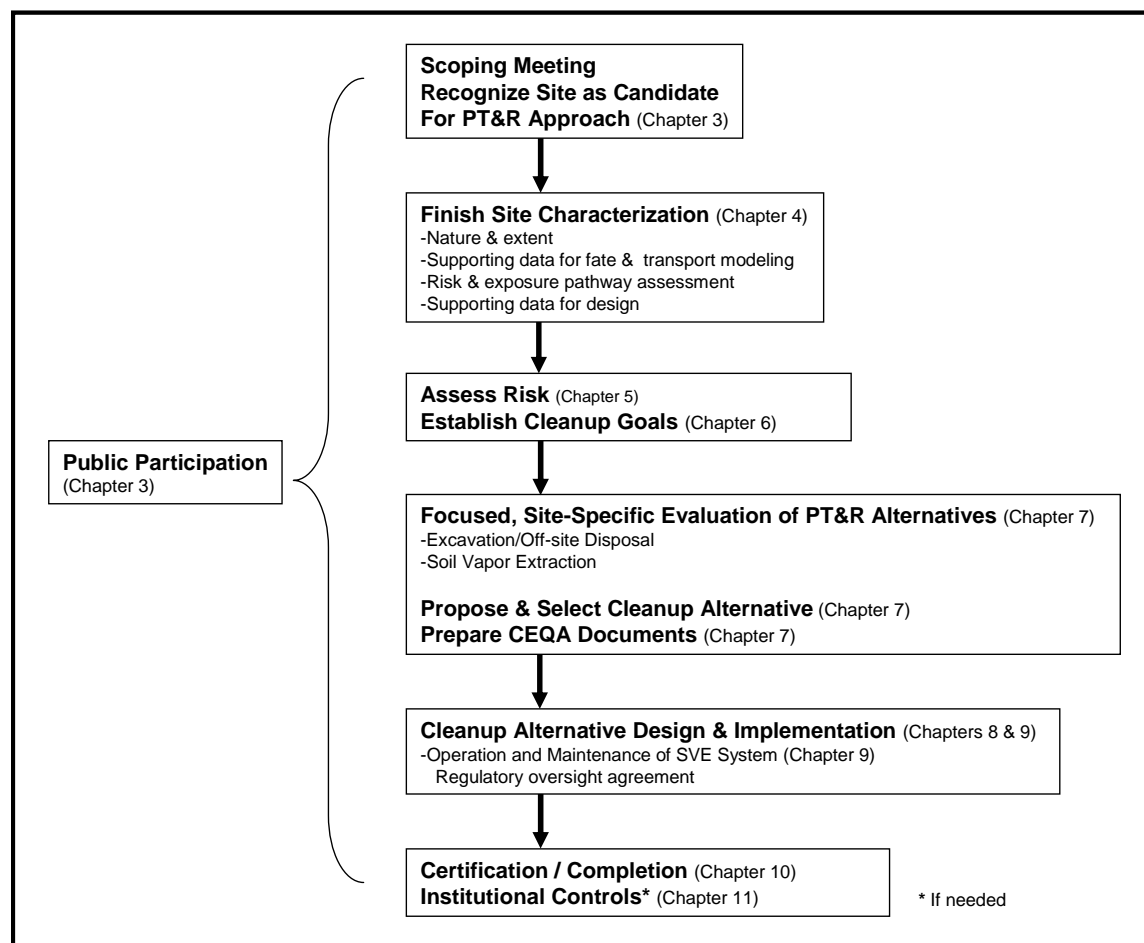
As illustrated in Figure 1, the PT&R approach follows typical steps used by standard cleanup processes. Because sites can begin applying the PT&R approach at various stages in the cleanup process, some topics discussed in this PT&R guidance may not be applicable to a given site. For example, risk characterization completed prior to initiating the PT&R approach could be used to support subsequent steps of the cleanup process. If risk characterization has not previously been conducted prior to using the PT&R approach, the approach described in Chapter 5 can be used to characterize the risk.

1.2 TECHNICAL BASIS FOR PT&R APPROACH AT SITES WITH VADOSE ZONE SOIL CONTAMINATED WITH CHLORINATED VOCs

DTSC conducted a study that reviewed and screened data for 90 sites where the primary contaminants were cVOCs in vadose zone soils (see Section 7.1 for details). The study identified the technologies that were consistently evaluated and technologies that were subsequently selected as the remedy. The results of the DTSC study revealed that “excavation and offsite disposal” (excavation/disposal) and/or “soil vapor extraction” (SVE) were the most frequently selected cleanup alternatives. Hence, excavation/disposal and SVE were selected as the PT&R alternatives for cVOCs in vadose zone soil.

The study also revealed that most sites had cVOC impacts to both vadose zone soil and groundwater. This typically resulted in selection of excavation/disposal and/or SVE to address the soil impacts and selection of another remedy to address the groundwater plume. Because groundwater cleanup times can be considerably longer than times for soil cleanups, the soil cleanup action was often implemented as an interim removal action to quickly address cVOC mass posing an on-going threat to groundwater.

Figure 1. PT&R Approach for Sites With Chlorinated VOCs in Vadose Zone Soil.



1.3 SCOPE AND APPLICABILITY

This PT&R guidance is designed to assist with the cleanup of cVOCs in vadose zone soil. The results achieved will depend on the site-specific RAOs and the overall purpose of implementing the PT&R approach (e.g., interim removal action, final remedy). A RAO could consist of removing as much cVOC mass as feasible during an interim removal action (such as to decrease the amount of cVOC mass migrating

toward groundwater). When implemented as the final remedy, RAOs may establish risk-based cleanup goals to be achieved by the removal action. As applicable, the PT&R approach should be coordinated with the groundwater remedy so that cVOCs in groundwater do not recontaminate vadose zone soils and vice versa. The outcome of applying the PT&R approach may be the completion of feasible mass removal, cleanup to levels that require on-going controls, or certification of the site for unrestricted use.

As discussed further in Section 3.2, this guidance is intended for sites that meet the following conditions:

- cVOCs are the primary contaminant of concern;
- no emergency or time-critical removal actions required;
- cVOC impacts to unsaturated soil can be addressed by excavation/disposal and/or SVE;
- groundwater impacts can be addressed by a separate remedial technology; and
- exposure pathways, receptors (human health), and land use scenarios (residential, industrial/commercial) applicable to the site are consistent with the PT&R approach (see Chapter 5 for details).

The PT&R approach is not applicable to all sites with cVOC impacts to soil. As discussed further in Section 3.3, the PT&R approach for cVOCs may not be appropriate for sites with:

- mixtures of contaminants (e.g., more complex treatment may be required);
- shallow bedrock;
- ecological habitat or sensitive receptors; and
- surface water features.

If any of these conditions are present, this PT&R guidance may not be appropriate for the site and a more extensive cleanup technology evaluation should be conducted.

DTSC continues to encourage the use and evaluation of emerging technologies and therefore this PT&R guidance is not intended to replace evaluation of innovative and new technologies.

2.0 OVERVIEW AND ORGANIZATION

Cleanup of contaminated sites may be governed by one of several federal or State laws, including the:

- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- Resource Conservation and Recovery Act (RCRA)
- Hazardous Waste Control Law (HWCL)
- Hazardous Substances Account Act (HSAA)

The law applicable to a given site depends on such factors as the source, cause of the release, and cleanup process under which the site is being addressed. The PT&R approach operates consistently with these laws and will yield technically and legally adequate environmental solutions. Any procedural differences between cleanup authorities will not substantively affect the outcome of the cleanup. The remedies evaluated and selected must be: (1) protective of human health and the environment; (2) able to achieve RAOs and cleanup goals; and (3) able to control or remediate sources of releases.

The PT&R approach (Figure 1) is consistent with DTSC's conventional cleanup processes through which sites undergo:

- site characterization (also referred to as site investigation);
- risk assessment;
- remedy screening and evaluation, such as under a Feasibility Study (FS) or Corrective Measures Study (CMS);
- remedy selection; and
- implementation of the corrective action and/or remedial action.

The PT&R approach streamlines the remedy screening, evaluation, and selection phases. In addition to being used as guidance for selecting the final remedy for a site, the PT&R approach is also suitable for interim removal actions to prevent or minimize the spread of contamination while final cleanup action alternatives are being evaluated. Because the PT&R guidance identifies excavation/disposal and SVE as the preferred alternatives, the data needed to support the remedy selection phase are potentially focused and reduced, thus decreasing time and investigation costs.

The use of the guidance document may have the following benefits:

- **Time and cost savings.** The guidance streamlines the cleanup process by (1) limiting the number of evaluated technologies; (2) facilitating corrective action and/or remedial action implementation by providing samples and annotated outlines for key documents; and (3) facilitating documentation and administrative processes.

- **Focused site characterization to support cleanup design.** Data needed to support the cleanup design is collected during site characterization activities. Preferably, the PT&R approach should be initiated as early as possible in the assessment and/or characterization phase.
- **Focused remedy selection.** The evaluation of cleanup alternatives is focused on the two most commonly implemented alternatives.
- **Transparent process.** Stakeholders are identified and involved early and throughout the cleanup process.

The PT&R guidance is organized into twelve chapters:

Chapter 1 presents introductory information, including the purpose, objective, scope, and applicability of the PT&R guidance.

Chapter 2 provides an overview of the PT&R approach and summarizes the organization of the PT&R guidance.

Chapter 3 summarizes the site assessment to determine its suitability for the PT&R approach. Community assessment is also discussed.

Chapter 4 identifies site characterization objectives and identifies key reference materials for characterization activities.

Chapter 5 summarizes risk assessment approaches.

Chapter 6 describes the development of cleanup goals, risk management considerations, evaluation of short-term risks during remedy implementation, and post-cleanup risk evaluation.

Chapter 7 summarizes and documents the DTSC study that is the basis for the PT&R alternatives. This chapter also addresses the focused evaluation and selection of the cleanup alternative.

Chapter 8 summarizes the design and implementation considerations for the excavation/disposal alternative.

Chapter 9 summarizes the design and implementation considerations for the SVE alternative.

Chapter 10 addresses the completion or certification of the remedy for cVOCs in the vadose zone.

Chapter 11 discusses long-term stewardship considerations.

Chapter 12 provides the references cited in this guidance document.

3.0 SITE ASSESSMENT

The PT&R approach is initiated by assessing whether this guidance may be applied to a given site with cVOCs in vadose zone soil. As discussed in Section 3.1, the decision to apply the PT&R approach can be made in a project scoping meeting between DTSC and project proponents. A potential outcome of the scoping meeting might be that the PT&R approach is not appropriate for the site and that standard DTSC cleanup processes should be implemented.

Because it was not realistic to develop a guidance document that addresses every possible site scenario, Sections 3.2 and 3.3 identify favorable site characteristics and potential limitations for applying the PT&R approach. The presence of limitations does not necessarily preclude use of the PT&R approach. If limitations are identified, DTSC and project proponents would make a determination as to whether it is appropriate and worthwhile to apply the PT&R approach with site-specific adjustments.

3.1 PROJECT SCOPING

The project scoping objectives under the PT&R approach are the same objectives that are used under any DTSC cleanup process. These objectives include:

- establishing a management approach for the project;
- developing a site cleanup strategy which is protective of human health and the environment;
- developing a project plan (i.e., the step-by-step strategy to be used for the site cleanup);
- recognizing unique site conditions to be addressed during the cleanup process (e.g., cultural resources, sensitive human receptors);
- identifying and assessing stakeholders; and
- scoping public participation activities.

3.1.1 Scoping Meetings

DTSC staff and project proponents should hold one or more project scoping meetings. Typical discussion topics during these meetings include:

- site background, physical setting, current/past land uses, and unique site characteristics;
- status of site investigation and cleanup;
- conceptual site model (CSM; i.e., types and locations of releases, affected environmental media [e.g., soil, soil vapor, groundwater, indoor air], contaminant migration pathways, current and potential future receptors, exposure pathways [e.g., direct contact, inhalation, vapor intrusion into indoor air, drinking water], potential risks);

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- regulatory framework for site cleanup;
- initial scope of work for completing site characterization, filling data gaps, and cleaning up the site;
- potentially applicable remedial technologies;
- preliminary identification of response actions and the implications of these actions (e.g., restricted land use, long-term stewardship);
- preliminary RAOs and cleanup goals;
- project planning, phasing, scheduling, and priorities; and
- stakeholder identification and public participation activities.

The scoping meeting would determine if the PT&R approach may be applied to all or part of the site cleanup, either as described in this PT&R guidance document or with site-specific adjustments (see Section 3.4). If the PT&R guidance is appropriate, the intended outcome of implementing the PT&R approach (e.g., mass removal, unrestricted use) and any long-term stewardship requirements associated with the contemplated cleanup approach should be addressed. If applicable, the scoping meeting should address how the PT&R approach for cVOCs in vadose zone soil will be coordinated with the groundwater remedy and/or vapor intrusion mitigation measures.

The outcome of the scoping meeting(s) may be summarized in a scoping document that includes:

- analysis and summary of site background and physical setting;
- summary of previous response actions, including all existing data;
- presentation of the CSM, human health risks, and data gaps;
- scope and objectives of remaining characterization and risk assessment activities;
- scope and objectives of the site cleanup;
- RAOs and cleanup goals;
- preliminary identification of possible response actions and data needed to support the evaluation of cleanup alternatives; and
- initial presentation of site remedial strategies (e.g., decision to apply the PT&R approach, coordination between PT&R approach and groundwater remedy).

3.1.2 Stakeholder Identification and Assessment

Stakeholder involvement is considered essential for the success of any cleanup action. At the onset of the proposed project, stakeholders should be identified and contacted for input. Stakeholders include any individuals, government organizations, environmental and other public interest groups, academic institutions, and businesses with an interest in the project. The identification of stakeholders is largely based on those entities or individuals who are already involved in the project, and contacting others with related

interests or those who may be in close proximity to the site. Stakeholders provide information on the preferences of the community and may also identify unaddressed issues. Early identification of stakeholders is necessary to ensure effective and timely participation to meet stakeholder expectations, and to improve the decision-making process.

3.1.3 Public Participation Activities

The PT&R approach acknowledges the importance of early community outreach and uses the public participation process identified in the *DTSC Public Participation Policies and Procedures Manual* (DTSC, 2003). The manual addresses public participation components of the cleanup process and compliance with State and federal laws and regulations. Summaries of the public participation elements for each DTSC program, California Environmental Quality Act (CEQA), and various public outreach activities are included. Also provided are checklists and recommended content for the public participation plan, fact sheets, public notices, and other public outreach activities. A link to sample public participation documents is provided in Appendix D.

The vapor intrusion pathway may be a concern for some cVOC sites. The public participation process should begin as soon as it is determined that cVOCs are present and a vapor intrusion evaluation is necessary. The *Vapor Intrusion Mitigation Advisory* (DTSC, 2009a) outlines public participation considerations for sites with vapor intrusion issues.

3.2 SITE CHARACTERISTICS THAT FAVOR THE PT&R APPROACH

This PT&R guidance is intended for remediation at sites where the primary environmental issue is cVOCs in vadose zone soil. The site characteristics summarized in Table 1 favor application of the PT&R approach.

3.3 SITE CHARACTERISTICS THAT MAY LIMIT THE USE OF THE PT&R APPROACH

Table 2 summarizes site conditions that may limit application of the PT&R approach. Additional rationale for the limiting characteristics is provided in the following paragraphs. Some of the limiting characteristics described below may not be applicable if the PT&R approach is being used as an interim removal action.

3.3.1 General Characteristics

Time-Critical Cleanup/Emergency Response Actions. The approach used for time-critical cleanup or emergency response actions (i.e., removal actions that are imminent and must be carried out immediately) will be more streamlined than the PT&R approach and will be subject to different regulatory requirements than non-time critical cleanup actions.

Potential Ecological Risk. Sites located in areas that are designated as environmentally sensitive (e.g., wetland areas, wildlife refuges, endangered species habitat), or that have other characteristics that suggest potential ecological impacts, are not candidates for the PT&R approach. Ecological risks may be present at sites where potential habitat, ecological receptors, surface water drainages, and/or surface water features are present. Because the cleanup process may be more complex (including the development of appropriate cleanup goals and potential ecological impacts by implementation of the remedy), these types of sites may not be suitable for the PT&R approach.

Surface Water Features. Sites with surface water may not be suitable for the PT&R approach. Surface water and associated zones of water saturation introduce variability and uncertainty in the distribution, migration, and concentration of cVOCs in soil and soil gas, and complicate the design and implementation of remedies. Also, surface water potentially impacted by runoff or subsurface migration of cVOCs from contaminated soil may be linked to ecological risk or have other risk considerations. The cleanup goals and alternatives recommended by this guidance document do not consider these risks.

Complex Sites. The PT&R approach may not be appropriate for complex sites that require a more elaborate cleanup strategy than is offered by this approach. Large sites may require integration of multiple cleanup approaches and may need to consider ecological risk when selecting the cleanup alternative. Sites with off-site contamination or potential off-site receptors require an evaluation beyond the scope of the PT&R approach.

Table 1. Site Characteristics that Favor the PT&R Approach

Applicable PT&R Alternative(s)	Favorable Characteristic	Primary Rationale for Favorable Characteristic
<ul style="list-style-type: none"> Excavation/disposal SVE 	cVOC contamination	<ul style="list-style-type: none"> PT&R alternatives are most common remedies used to address cVOCs in vadose zone.
	No emergency actions required	<ul style="list-style-type: none"> PT&R approach requires a planning period of at least six months.
	Industrial/commercial or residential land use scenario	<ul style="list-style-type: none"> Residential and industrial/commercial exposure scenarios are the most common scenarios evaluated. Standard default assumptions are available.
	Human receptors only	<ul style="list-style-type: none"> This guidance addresses health risk cleanup goals for human receptors.
	Groundwater impacts addressed by a separate remedy	<ul style="list-style-type: none"> The PT&R alternatives do not directly address groundwater.
<ul style="list-style-type: none"> Excavation/disposal 	Readily accessible contamination	<ul style="list-style-type: none"> Can be the most efficient means of removing impacts to shallow soils. Feasible depth for excavation is a site-specific decision.
	Co-located contaminants	<ul style="list-style-type: none"> Likely more feasible if the same excavation activities would remove cVOCs as well as other contaminant types.
<ul style="list-style-type: none"> SVE 	Conditions conducive to effective SVE	<ul style="list-style-type: none"> Conditions for effective SVE: homogeneous, permeable soils; adequate vadose zone thickness; volatile contaminants.

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Table 2. Site Characteristics that Limit the PT&R Approach

Applicable PT&R Alternative(s)	Limiting Characteristic	Primary Rationale for Limiting Characteristic
<ul style="list-style-type: none"> Excavation/disposal SVE 	Multiple contaminant groups	<ul style="list-style-type: none"> Multiple contaminant groups may be more efficiently cleaned up by alternate approaches.
	Emergency action required	<ul style="list-style-type: none"> These actions have different regulatory requirements and require a faster response than can be achieved under the PT&R approach.
	Ecological habitat or sensitive receptors	<ul style="list-style-type: none"> If the scoping-level ecological investigation identifies potentially complete exposure pathways, further assessment is necessary and is beyond the scope of this PT&R guidance.
	Potential for surface water impact	<ul style="list-style-type: none"> Impacts to surface water may have associated ecological risks. The risk assessment approach recommended by this guidance addresses human health risk only.
	Land use or exposure scenario other than residential or industrial/commercial	<ul style="list-style-type: none"> Other land use or exposure scenarios require site-specific evaluation and an adjustment to the PT&R approach. Default exposure assumptions generally are not available.
	Off-site contamination and potential receptors	<ul style="list-style-type: none"> Adds complexity to the cleanup process and the evaluation of receptors. Requires an evaluation beyond the scope of this guidance.
<ul style="list-style-type: none"> Excavation/disposal 	cVOC impacted soil cannot be excavated	<ul style="list-style-type: none"> Excavation is only feasible up to certain depths (based on site-specific considerations). Site infrastructure or conditions may preclude excavation.
	Multiple contaminant groups	<ul style="list-style-type: none"> Multiple contaminant groups may limit disposal options. Multiple excavations required if contaminants are not co-located.
<ul style="list-style-type: none"> SVE 	Soils with low air permeability	<ul style="list-style-type: none"> Fine-grained or high moisture content soils require a higher vacuum and typically require a longer remediation time, which increase the cost of SVE. SVE is not technically feasible in soil with very low permeability where sufficient air flow rates (pore gas velocity) cannot be created.
	Shallow groundwater	<ul style="list-style-type: none"> Sites with shallow groundwater may be better addressed via the groundwater remedy.
	cVOC contamination near capillary fringe	<ul style="list-style-type: none"> High moisture conditions near the capillary fringe decrease mass removal via SVE.
	Saturated soil	<ul style="list-style-type: none"> SVE is not effective under saturated conditions.
	Heterogeneous soil	<ul style="list-style-type: none"> Heterogeneity results in lower mass removal rates and prolongs operation time for the SVE system.
	Bedrock	<ul style="list-style-type: none"> This guidance does not address SVE in bedrock.
	High soil organic matter content	<ul style="list-style-type: none"> cVOCs sorb to soil organic matter, decreasing the mass removal rates and prolonging the operation time for the SVE system.
	Multiple volatile contaminant groups	<ul style="list-style-type: none"> Other treatment options may be needed for multiple types of volatile contaminants.
	Non-volatile contaminants	<ul style="list-style-type: none"> SVE is more effective for volatile compounds.

3.3.2 Excavation/Disposal

Inaccessible Soil Impacts. Soil impacted with cVOCs may not be accessible by excavation. Each site will have a maximum depth that is feasible for excavation. Some soil impacts may not be accessible because of buildings or other infrastructure. Excavation may be logistically infeasible because of adverse effects on site operations or activities.

Multiple Contaminant Groups. Excavation/disposal may not be suitable for sites that have a mixture of cVOCs and other contaminants and that may be more effectively or efficiently cleaned up by other approaches (such as when the contaminants are not co-located). Additional types of contaminants may affect soil disposal options.

3.3.3 Soil Vapor Extraction

Multiple Contaminant Groups. Mixtures of volatile contaminants generally require more complex SVE treatment systems (e.g., multiple treatments) than are described in Chapter 9. Contaminant matrices, such as high concentrations of oil and grease, pose additional complexities. Non-volatile contaminants cannot be addressed by SVE and would require a separate remedy.

Soil Properties. Low permeability, high soil organic matter content, and heterogeneous soils will have lower mass removal efficiencies. This guidance is not applicable for sites where SVE is being implemented to address cVOCs in bedrock.

Moisture Content. SVE is not effective in saturated soils. Low soil permeability is observed with higher soil moisture content, resulting in decreased mass removal efficiencies. SVE may not be effective in removing cVOC mass near the capillary fringe.

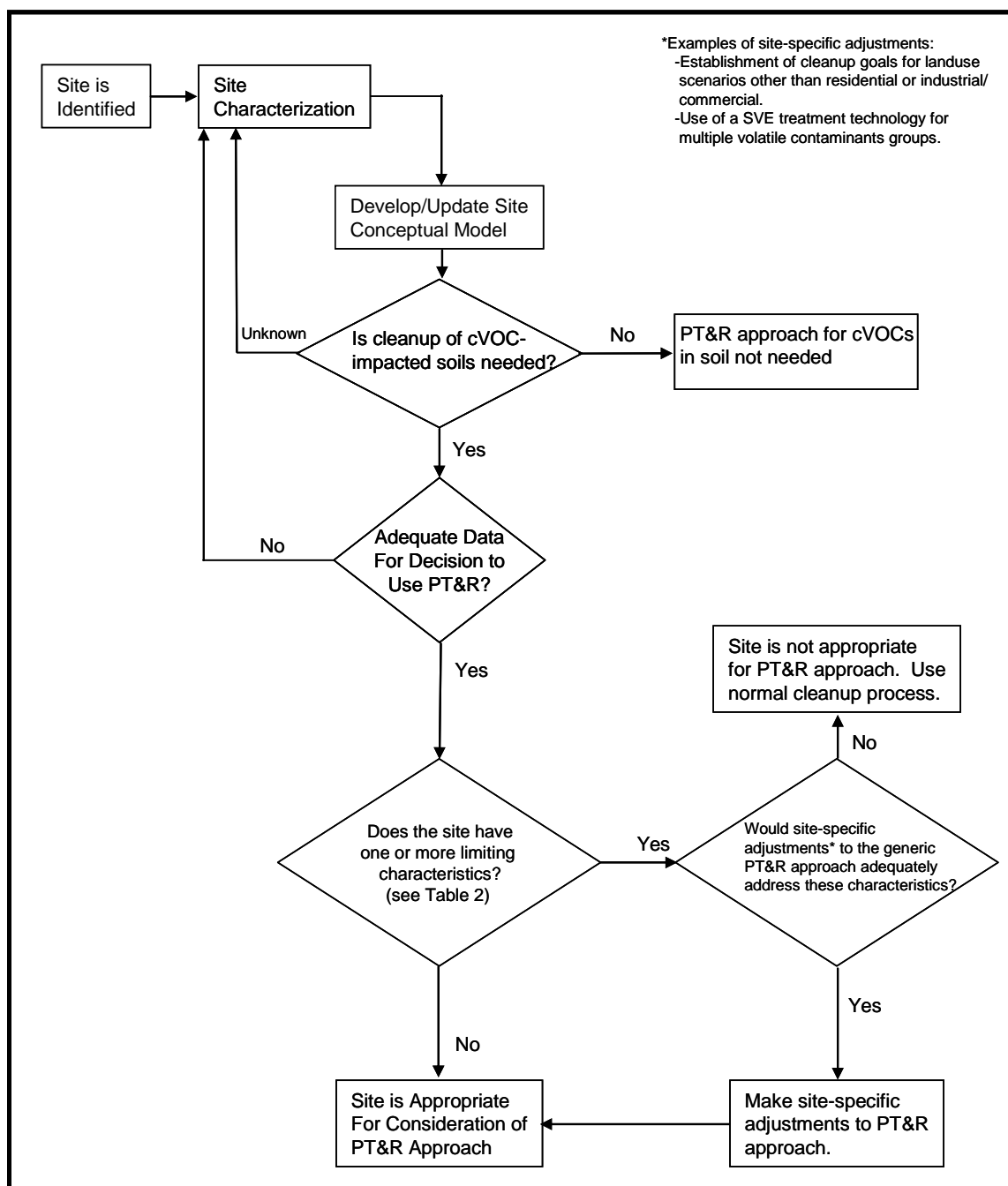
Shallow Groundwater. SVE is typically implemented at sites having sufficient vadose zone thickness to warrant its use. Sites with shallow groundwater may have high soil moisture content in the vadose zone or cVOCs contacting the capillary fringe, both conditions lead to inefficient removal of cVOCs by SVE. At sites with shallow groundwater, one option is to use excavation/disposal to address accessible cVOC-impacted soils and other remedial approaches to address the remaining cVOC mass in the subsurface.

3.4 DETERMINATION OF SUITABILITY FOR PT&R APPROACH

Figure 2 summarizes the recommended process for determining the suitability of the PT&R approach at a site. While a decision to apply the PT&R approach can be made at any point in the cleanup process, a site can be evaluated for suitability under the PT&R approach as soon as information is available that indicates a response action is necessary.

A CSM should be developed to assist with the determination of suitability for the PT&R approach. The CSM is intended to summarize all currently available information about the site, develop a preliminary understanding of the site, and identify data gaps. Appendix A provides the CSM for cVOCs in the subsurface. The identified data gaps should be used to determine whether sufficient information is available to make a decision that a site is suitable for the PT&R approach.

Figure 2. Process for Determining if the PT&R Approach for Chlorinated VOCs in Vadose Zone Soil is Appropriate for a Given Site



4.0 SITE CHARACTERIZATION

The primary objective of the characterization phase is to establish the nature, extent, and distribution of cVOC contamination (Section 4.1). Under the PT&R approach, another objective of the characterization effort is to collect the data needed to support any fate and transport modeling efforts (Section 4.2), and to support the engineering design (Section 4.3). Site characterization activities should be conducted in accordance with a DTSC-approved workplan, including a field sampling plan and a quality assurance project plan (QAPP). Appendix D includes a link to annotated outlines for a characterization phase workplan and a site characterization report.

The site characterization efforts should be designed to produce effective, decision quality data in a manner that is cost effective and timely. The Triad approach to data collection, described in the *Technical and Regulatory Guidance for the Triad Approach: A New Paradigm for Environmental Project Management* (ITRC, 2003), should be considered for sites using the PT&R approach. The *Standard Practice for Expedited Site Characterization of Vadose Zone and Ground Water Contamination at Hazardous Waste Contaminated Sites* (ASTM, 2004) may also be useful. The approaches described in these guidances can focus work towards rapid site characterization decisions. Additional information about the Triad approach can be found at the following link: www.triadcentral.org.

Low-cost passive or real-time measurement technologies (such as passive soil gas sampling, membrane interface probes, grab groundwater sampling) may be useful techniques for characterizing sites with cVOC impacts. These techniques allow for data collection programs covering wider areal or vertical extent over shorter time frames than can be achieved by traditional methods. The techniques can then be followed by higher quality data collection methods (i.e., active soil gas sampling, permanent vapor monitoring well installation, permanent groundwater monitoring well installation) to characterize the site, support the risk assessment, and the remedy design.

The characterization phase should culminate with an updated CSM and an analysis to ensure that the PT&R approach is still applicable (see Chapter 3). Appendix A presents the CSM for cVOCs in the subsurface.

4.1 SOIL, SOIL GAS, AND GROUNDWATER

This section provides brief discussions of investigation strategies and available resources for investigating soil, soil gas, and groundwater. Because numerous guidance documents are available to assist with the design and implementation of site investigations, this guidance does not include an extensive discussion of site characterization.

Soil Gas. Soil gas investigations are useful to obtain vapor phase data at sites potentially affected by volatile contaminants. Both passive and active soil gas data can be useful for site characterization. Where practicable, soil gas sampling is preferred over soil matrix and groundwater sampling for assessing cVOC impacts, including

characterization objectives such as source identification, determining spatial distribution, and assessing potential vapor intrusion risks. Soil gas sampling should consider the *Advisory – Active Soil Gas Investigation* (DTSC and LARWQCB, 2003; revision pending). Please check the DTSC web-site at the following link for updated versions of this advisory: www.dtsc.ca.gov/SiteCleanup/Vapor_Intrusion.cfm.

Soil Matrix. Soil matrix data provide the total cVOC concentration in subsurface soil which may be useful for defining the source location and high concentrations of cVOCs. In addition, soil matrix data are used to evaluate risks associated with direct contact exposure pathways for cVOCs in soil, such as the dermal contact, ingestion, and outdoor-air inhalation pathways. Soil matrix samples should be collected using the procedures described in the *Guidance Document for the Implementation of United States Environmental Protection Agency Method 5035: Methodologies for Collection, Preparation, Storage, and Preparation of Soils to be Analyzed for Volatile Organic Compounds* (DTSC, 2004).

Groundwater. Impacts to groundwater are often observed at sites with cVOC impacts to vadose zone soil and therefore should be evaluated as part of the site characterization activities. The California Environmental Protection Agency (Cal/EPA) has several guidance manuals for groundwater investigations (Cal/EPA, 1995) that can be used to characterize groundwater. In addition, resources included on the U.S. Environmental Protection Agency (USEPA; www.clu-in.org), Interstate Technology and Regulatory Council (ITRC; www.itrcweb.org), and ASTM International (ASTM; www.astm.org) websites may be useful.

4.2 DATA NEEDED TO SUPPORT MODELING EFFORTS

Fate and transport modeling is often used during the characterization phase for the purpose of evaluating the movement of cVOCs in the vadose zone, assessing the potential for cVOC migration to groundwater, developing soil cleanup goals for protection of groundwater, and estimating the potential risk posed by vapor intrusion into indoor air. Therefore, in addition to delineating concentrations of cVOCs in various environmental media (Section 4.1), site characterization should include sampling for site-specific soil properties to support these modeling efforts. For example, a site-specific screening analysis of the risk posed by the vapor intrusion pathway may require information regarding site stratigraphy and building parameters in addition to the following soil properties: bulk density, grain density, total porosity, grain size distribution, moisture content, fraction of organic carbon, and air permeability (DTSC, 2005a; revision pending). Other fate and transport models may require additional site-specific parameters, such as hydraulic conductivity, estimated recharge or infiltration rates, biodegradation rates, and chemical retardation factors. The input parameter requirements for the models anticipated for use at a site should be considered during workplan development.

4.3 DATA NEEDED TO SUPPORT DESIGN OF PT&R ALTERNATIVES

Under the PT&R approach, an objective of the characterization phase is to collect data needed to support the design process. Sufficient data should be collected to eliminate or minimize the need for additional field mobilizations during the site-specific remedy evaluation or design phases.

4.3.1 Excavation/Disposal

Data needed for design of the excavation can be collected with other site investigation activities. As applicable to a given site, the following data is necessary to adequately address the excavation limits and design:

- vertical and horizontal distribution of contaminants (i.e., areal extent of impacted soil and soil gas, depth of impact) and volume of soils to be excavated;
- identification of soil conditions that affect the selection of excavation equipment;
- depth to groundwater;
- climatology/seasonal variations (e.g., months with higher likelihood of rainfall events or higher groundwater table);
- survey map of site features (e.g., topography, existing structures, utilities, wells, surface water control measures, property boundaries);
- geotechnical data for each soil type (i.e., soil classification, Atterberg limits, moisture content, bulk density);
- structural contour map of the top of competent bedrock; and
- waste characterization (to support identification of applicable disposal options).

4.3.2 Soil Vapor Extraction

The data collected should be sufficient to identify the feasibility of SVE, to design a pilot-scale test (if needed), and to begin designing the SVE system. At a minimum, the following data should be collected in conjunction with the site characterization activities:

- depth and areal extent of cVOC impacts in the vadose zone;
- types and concentrations of cVOCs;
- nature and location of co-located contaminants that may affect SVE performance or selected treatment;
- depth to groundwater;
- soil moisture conditions;
- stratigraphy of the impacted zone (e.g., homogeneous sand, interbedded sands and silts);

- soil types and properties (e.g., structure, grain size distribution, air permeability, moisture content, organic carbon content); and
- survey map of site features (e.g., topography, existing structures, utilities, pavement), if applicable.

4.4 ADDITIONAL CHARACTERIZATION REFERENCES

The reader is referred to resources available on the DTSC, ITRC, USEPA, and ASTM websites, including the following references:

- *Preliminary Endangerment Assessment Guidance Manual* (DTSC, 1994);
- *Data Quality Objectives Decision Error Feasibility Trials Software (DEFT)-Users Guide, EPA QA/G-4D* (USEPA, 2001a);
- *Guidance on Choosing a Sampling Design for Environmental Data Collection, for Use in Developing a Quality Assurance Project Plan, EPA QA/G-5S* (USEPA, 2002a);
- *Guidance on Systematic Planning Using the Data Quality Objective Process, EPA QA/G-4* (USEPA, 2006a);
- *Data Quality Assessment: A Reviewer's Guide, EPA QA/G-9R* (USEPA, 2006b);
- *Systematic Planning: A Case Study for Hazardous Waste Site Investigations (QA/CS-1)* (USEPA, 2006c);
- *Data Quality Assessment: Statistical Methods for Practitioners, EPA QA/G-9S* (USEPA, 2006d); and
- *Vapor Intrusion Pathway: A Practical Guideline* (ITRC, 2007).

5.0 RISK ASSESSMENT

Evaluation of potential risks to human health and the environment posed by contaminants at a site is part of the site characterization process and supports the risk management decision-making process to determine whether additional site investigation, further risk assessment, and/or remediation may be necessary. Depending on when a site begins using the PT&R approach, some risk assessment elements may have already been conducted and therefore do not need to be repeated.

Risk assessments range from simple screening assessments to site-specific, comprehensive risk assessments. A human health risk assessment should be conducted to characterize the potential cancer risks and noncancer health hazards posed by chemicals of concern (COCs) identified during site characterization (Section 5.2). A scoping-level ecological risk assessment should be conducted to determine whether further assessment of potential ecological impacts is necessary (Section 5.1). Cleanup goals and risk management considerations are addressed in Chapter 6.

5.1 ECOLOGICAL RISK ASSESSMENT

A scoping-level ecological investigation should be conducted to characterize the chemical, physical, and biological aspects of a site and to evaluate the potential for complete exposure pathways between ecological receptors and COCs (DTSC, 1996ab; USEPA 1997b). If the results of this qualitative assessment indicate further assessment is necessary (e.g., Phase I predictive assessment), then the PT&R process is not applicable to the site. Even if no currently-complete exposure pathways for ecological receptors are identified, the biological characterization of the site may become an important consideration for risk management decisions. For example, removal actions to protect human health may adversely impact ecological receptors or critical portions of their habitat.

5.2 HUMAN HEALTH RISK ASSESSMENT

For cVOCs in soil, vapor intrusion into indoor air is typically the most significant exposure pathway, and usually poses a greater risk from long-term (chronic) exposure than other exposure pathways. This section focuses on the soil vapor intrusion pathway, but also addresses evaluation of other exposure pathways for cVOCs in soil and groundwater.

Multiple lines of evidence should be used for evaluation of vapor intrusion into indoor air and associated health risks (ITRC, 2007). Typically, active soil gas samples are collected in the early stages of an exposure evaluation. Other lines of evidence include sampling data for passive soil gas samples, soil matrix, groundwater, sub-slab soil gas, and indoor air. Some or all of these lines of evidence are used in site characterization for defining the source location and nature and extent of cVOC contamination. Soil matrix data are also used for evaluating risks associated with direct contact exposure pathways for cVOCs in soil (Section 5.2.5). Measured and/or predicted groundwater COCs and concentrations are used to evaluate potential groundwater risks.

A screening level health risk assessment may be sufficient, depending on factors such as the complexity of the site, the degree of characterization of site contamination, and the anticipated remedy. Complex sites (such as those with multiple contaminants, impacts to multiple environmental media, and/or complex features) may require a site-specific comprehensive risk assessment subsequent to, or in lieu of, a screening risk assessment.

General guidance for conducting a site-specific comprehensive risk assessment is provided in *Risk Assessment Guidance for Superfund: Volume I--Human Health Evaluation Manual, Part A, Baseline Risk Assessment* (USEPA, 1989). Additional guidance for conducting risk assessments is available at the following agency websites:

- USEPA: http://www.epa.gov/oswer/riskassessment/risk_superfund.htm
- DTSC: <http://www.dtsc.ca.gov/AssessingRisk/index.cfm>.

The risk assessment process includes:

- identification of COCs and affected environmental media;
- identification of exposure pathways, land use, and potential human receptors;
- determination of exposure point concentrations;
- selection of toxicity criteria; and
- calculation and characterization of potential cancer risks and noncancer hazards.

5.2.1 Chemicals of Concern

All VOCs (both chlorinated and non-chlorinated) detected at the site should be included as COCs for risk assessment. In addition to detected VOCs, potential transformation products and other contaminants suspected to be present based on the CSM should be discussed and evaluated for potential inclusion in the quantitative risk assessment. Examples of transformation products include 1,2-dichloroethene and vinyl chloride from tetrachloroethene (PCE) and trichloroethene (TCE). High concentrations of primary contaminants in soil or soil gas might elevate analytical detection limits and preclude detection of other cVOCs. Further investigation and refined sampling and analytical methods may be needed to address these uncertainties.

5.2.2 Exposure Pathways and Land Use Scenarios

All potential exposure pathways and receptors identified in the CSM for current and potential future uses of the property should be described in the risk assessment. The land use and risk assessment exposure scenarios evaluated for this guidance are (1) residential and (2) industrial or commercial. Evaluation of off-site receptors or exposure scenarios other than default residential and industrial/commercial scenarios for the baseline risk assessment requires site-specific adjustment to the PT&R approach and additional consultation with the DTSC.

Exposure to VOCs in shallow soil can occur by several pathways, including inhalation of VOCs that have migrated from the subsurface into indoor air, inhalation of outdoor air, direct contact with soil (incidental ingestion and dermal contact), and ingestion of food products contaminated with cVOCs from soil or groundwater. Because vapor intrusion into indoor air of buildings is the most significant exposure pathway of concern for cVOCs at most sites, the vapor intrusion pathway is often the primary focus of risk assessments. However, other factors, such as the nature and extent of contamination or the current or potential land uses at a site, may warrant evaluation of risks associated with direct soil exposure pathways. DTSC should be consulted regarding evaluation of soil exposure pathways for sites with cVOC contamination.

Exposure to cVOCs that have migrated from vadose zone soil to groundwater, or are predicted by model simulations to reach groundwater (see Section 4.2), should be evaluated. Exposure pathways for cVOCs in groundwater include, but are not limited to, ingestion, dermal contact during showering/bathing, and inhalation of vapors released indoors from household use of groundwater. DTSC should be consulted regarding groundwater exposure pathways for sites with cVOC contamination.

5.2.3 Exposure Point Concentration

The approach used for estimating exposure point concentration at a given site depends on the matrix sampled, spatial and temporal scale of samples, spatial and temporal differences in COC concentrations, and land use.

Soil Gas. The maximum detected concentration of each COC in soil gas should be used as the exposure point concentration for the vapor intrusion risk assessment (DTSC, 2005a; Cal/EPA, 2005b). DTSC approval is required for use of any other metric for the exposure point concentration. Alternatively, point estimates of risk might be calculated using concentrations of COCs for each sampling location. Point estimates of risk are useful for spatial evaluation of contamination and risk at sites with multiple contaminants, and can be useful for evaluating remedial alternatives. For soil gas samples in which a site COC was not detected because of elevated detection limits (Section 5.2.1), the detection limit for the COC should be used as a proxy concentration (DTSC, 2005a). The distribution and extent of contamination at the site and the possible existence of localized areas of higher concentrations (i.e., hot spots) must be considered in both risk assessment and risk management.

Soil Matrix. For sites with high concentrations of cVOCs, soil matrix data can be used to identify locations with cVOC concentrations exceeding saturation limits for the soil and provide concentration data for soil exposure assessments. For sites at which the soil saturation limit for a cVOC is exceeded, the evaluation of vapor intrusion risk requires additional consultation with DTSC. Maximum detected concentrations of cVOCs in shallow soil matrix samples should be used for screening-level soil risk assessments (DTSC, 1994; and updates). In consultation with DTSC, the estimated average concentration (95 percent upper confidence limit of the arithmetic mean) may be used at sites with sufficient characterization of cVOCs in soil matrix.

Groundwater. Exposure point concentrations for cVOCs in groundwater should be based on concentration data collected from monitoring wells over a period of time that allows assessment of temporal trends. For sites at which cVOCs have not yet reached groundwater, concentrations predicted by modeling can be used to support risk estimates (see Section 4.2). A combination of monitoring data and modeling might be appropriate for estimating exposure point concentrations at some sites. The maximum measured or model-predicted concentration of cVOCs in groundwater should be used. DTSC approval is required for use of other metrics for the exposure point concentration.

The data quality objectives (DQOs) for data used to support the exposure point concentration for groundwater will depend on the exposure pathways being evaluated (e.g., vapor intrusion, drinking water). For example, evaluation of vapor intrusion focuses on concentrations at the water table (DTSC 2005a).

Both groundwater and soil gas data should be used to develop the exposure point concentration for the vapor intrusion pathway. Data from both media should be used to estimate the indoor air exposure concentration and the higher predicted exposure concentration should then be used for assessing vapor intrusion risks (DTSC, 2005a).

5.2.4 Health Risk Assessment for Vapor Intrusion into Indoor Air

The *Interim Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air* (Vapor Intrusion Guidance; DTSC 2005a, revision pending) should be followed for conducting preliminary and/or site-specific screening evaluation of risks associated with VOCs. The Vapor Intrusion Guidance provides default attenuation factors for estimating indoor air concentrations from soil vapor concentrations for use in preliminary screening risk assessments and also describes procedures for estimating site-specific soil vapor attenuation factors and predicting indoor air VOC concentrations and risks. Current USEPA vapor intrusion guidance is provided in *Evaluating the Vapor Intrusion to Indoor Air Pathway from Groundwater and Soils* (USEPA, 2002b). The most current toxicity criteria available from Cal/EPA and USEPA should be used. Cumulative cancer risks and noncancer hazards should be calculated for sites with multiple VOCs.

Although soil gas data are preferred for evaluation of vapor intrusion, preliminary risk screening with groundwater monitoring data might be conducted in limited cases. When groundwater data is used, the Vapor Intrusion Guidance should be followed and the vapor intrusion risk associated with both soil gas and groundwater should be evaluated. Soil sampling might be necessary at some sites, such as those with high concentrations of VOCs and/or where site conditions preclude soil gas sampling (see Section 4.1). In consultation with DTSC, an approach can be developed for evaluation of the soil vapor intrusion into indoor air pathway.

5.2.5 Health Risk Assessment for Exposures to cVOCs in Soil

In addition to soil vapor intrusion into indoor air, evaluation of risks associated with exposures to cVOCs in soil matrix may be warranted at sites with high concentrations of

cVOCs in shallow soil (0 to 15 feet below ground surface). Emissions of cVOCs into outdoor air may be significant. DTSC should be consulted regarding evaluation of exposures to cVOCs in soil and application of DTSC guidance. Generally, the DTSC *Preliminary Endangerment Assessment Guidance Manual* (PEA Manual; DTSC, 1994; and updates) and updated exposure factors provided in *DTSC Human Health Risk Assessment Note 1: Recommended DTSC Default Exposure Factors for Use in Risk Assessment at California Military Facilities* (HHRA Note 1; DTSC 2005b) should be followed.

5.2.6 Health Risk Assessment for Exposures to cVOCs in Groundwater

The PEA Manual (DTSC, 1994; and updates) and updated exposure factors provided in HHRA Note 1 (DTSC, 2005b) should be used for assessment of risks associated with exposure to cVOCs in groundwater.

5.2.7 Human Health Screening Levels

Human health screening levels are risk-based concentrations of chemicals in specific environmental media. Risk-based concentrations (also referred to as health-based concentrations) are developed using a target cancer risk or noncancer hazard quotient. The calculations rely on multiple assumptions and factors for estimating contaminant environmental fate and transport and receptor exposures for a hypothetical (or specific) site. Generally, conservative default exposure assumptions are used to derive these screening levels. For carcinogens, risk-based concentrations are developed for both cancer risk and noncancer hazard, and the lesser (more protective) concentration is selected as the screening level.

Screening levels based on default assumptions can be used for screening risk assessments. Site-specific risk-based concentrations may also be developed. Screening-level and/or site-specific risk-based concentrations are used in development of RAOs and cleanup goals (Chapter 6).

For screening risk assessments, cancer risk and hazard are estimated by dividing the maximum concentration of each COC by the corresponding medium-specific screening level (see Sections 5.2.7.1, 5.2.7.2, and 5.2.7.3). The ratio of the exposure point concentration to the risk-based concentration is multiplied by the target risk or hazard quotient from which the risk-based concentration was calculated (10^{-6} risk and hazard quotient of 1 for screening assessments). When using risk-based screening levels for assessing risks, both cancer risk and hazard must be evaluated for carcinogenic COCs, and cumulative risk and hazard for multiple COCs and exposure pathways must be presented. For the vapor intrusion into indoor air pathway, the maximum detected concentration of each COC in soil gas is compared with the corresponding screening level for soil gas.

Risk-based concentrations for the residential scenario should be used for screening risk assessments. In addition to the residential scenario, risk assessments for industrial, commercial, and other land use scenarios might be conducted for the evaluation of

remedies and the risk management decision process. Sites with individual chemical or cumulative cancer risks greater than 1×10^{-6} or noncancer hazards (hazard index) greater than 1 for the residential scenario should be considered for further risk management evaluation (see Chapter 6).

5.2.7.1 Screening Assessment for cVOCs in Soil Gas

The Vapor Intrusion Guidance (DTSC, 2005a, revision pending) should be used to develop risk-based screening levels for cVOCs in soil gas. Default soil gas attenuation factors provided in the Vapor Intrusion Guidance can be used to develop generic risk-based screening levels. Alternatively, the USEPA spreadsheet version of the Johnson and Ettinger model for vapor intrusion into indoor air and certain assumptions for building properties provided in the Vapor Intrusion Guidance can be used with data for site-specific soil properties to derive soil gas attenuation factors and screening levels. For sites or areas for which soil matrix samples are necessary in addition to soil gas data, Appendix E of the Vapor Intrusion Guidance provides procedures for using soil matrix data to estimate soil gas concentrations and discusses the limitations and uncertainties in using soil matrix data.

5.2.7.2 California Human Health Screening Levels

California Human Health Screening Levels (CHHSLs) are based on standard exposure assumptions and chemical toxicity values published by Cal/EPA and the USEPA, and can be used for evaluation of cVOCs in soil gas (Cal/EPA, 2005ab). The CHHSLs for cVOCs are risk-based concentrations for soil gas for the vapor intrusion/indoor air exposure pathway only. Soil gas CHHSLs were developed using the USEPA spreadsheet version of the Johnson and Ettinger model for soil vapor intrusion into indoor air.

The CHHSLs might not be adequately protective for estimating impacts to indoor air in structures with: basements; significant openings to the subsurface; preferential pathways for vapors (such as utility openings); or substandard ventilation systems. Sites with conditions significantly different from those assumed for the CHHSLs warrant a site-specific evaluation using the Vapor Intrusion Guidance (DTSC, 2005a; revision pending).

Toxicity criteria used for the CHHSLs should be reviewed prior to use and updated (i.e., adjust the screening level) as necessary. The current list of CHHSLs can be found at <http://www.oehha.ca.gov/soil.html>. The guidance document on use of CHHSLs for screening risk assessments (Cal/EPA, 2005b) should be consulted.

5.2.7.3 Soil Screening Levels for Soil Matrix

Risk-based screening levels for contact exposure pathways for COCs in soil can be developed using the PEA Manual (DTSC, 1994; and updates) and current exposure parameter values recommended in HHRA Note 1 (DTSC, 2005b). As applicable,

CHHSLs for non-VOCs present at the site may be used for soil exposure pathways in the screening risk assessment.

USEPA Regional Screening Levels (RSLs) for soil matrix may be used for screening evaluation of soil exposure pathway risks for COCs (ingestion, dermal contact, inhalation of outdoor air). DTSC guidance on use of RSLs (DTSC, 2009bc), including adjustments for Cal/EPA toxicity criteria, should be followed. As with other screening levels, both cancer risk and hazard must be evaluated for carcinogenic COCs, and cumulative risk and hazard for multiple COCs must be estimated. The RSLs do not include the vapor intrusion pathway, and therefore should be used in conjunction with one of the aforementioned vapor intrusion assessments.

5.2.7.4 Screening Levels for cVOCs in Groundwater

The Vapor Intrusion Guidance (DTSC, 2005a, revision pending) should be used to develop risk-based screening levels for cVOCs in groundwater for the vapor intrusion pathway (Sections 5.2.4 and 5.2.7.1). A partitioning model is used to estimate groundwater concentrations from the risk-based soil vapor concentrations.

For exposures to groundwater via pathways other than vapor intrusion (ingestion, dermal contact from bathing, inhalation of vapors emitted into indoor air from household use of groundwater), the PEA Manual (DTSC, 1994; and updates) and updated exposure factors provided in HHRA Note 1 (DTSC 2005b) should be used for development of risk-based concentrations of cVOCs in groundwater.

USEPA RSLs for tap water may be used for screening evaluation of groundwater exposure pathway risks for COCs (ingestion, inhalation of vapors emitted into indoor air from household use of groundwater). DTSC guidance on use of RSLs (DTSC, 2009bc), including adjustments for Cal/EPA toxicity criteria, should be followed. As with other screening levels, both cancer risk and hazard must be evaluated for carcinogenic COCs, and cumulative risk and hazard for multiple COCs must be estimated. The RSLs for tap water do not include dermal exposure or the groundwater vapor intrusion pathway, and therefore they should be used in conjunction with one of the aforementioned assessments.

6.0 CLEANUP GOALS

The findings of the risk assessment (Chapter 5) can be used, along with consideration of site-specific characteristics, to guide establishment of RAOs and associated cleanup goals. This chapter discusses cleanup goals for the protection of human health and groundwater (Sections 6.1 and 6.2, respectively), risk management considerations (Section 6.3), short-term risks during remediation (Section 6.4), and assessment of risk posed by residual cVOC concentrations (Section 6.5).

6.1 Cleanup Goals for Protection of Human Health

Factors that are considered in the development and selection of risk-based cleanup goals include the health impact endpoint (cancer risk and/or noncancer hazard), the intended use of the property (e.g., residential, industrial/commercial), exposure pathways, and the number of COCs. Remedy selection at some sites may have to address multiple exposure pathways. Methods and scenarios for evaluation of human health risks and development of risk-based concentrations are described in Section 5.2, and include exposures by vapor intrusion into indoor air and exposures to COCs in soil and groundwater.

As a starting point for development of risk-based cleanup goals, an initial cleanup goal of 1×10^{-6} should be calculated for each carcinogenic COC. For noncancer hazard, the risk-based cleanup goal for each COC should be less than or equal to a cumulative hazard index of 1. When a site has multiple COCs that contribute significantly to calculated excess total risk or hazard, the risk-based cleanup goal for each COC may need to be adjusted to a lower concentration to reduce the overall cumulative risk and/or hazard to an acceptable range. Another option is to use point estimates of cumulative risk for spatial evaluation of risk, as indicated in Section 5.2.3. Risk management decisions that would allow cleanup goals with greater risks or hazards may be made on a site-by-site basis (Section 6.3).

Residential and industrial/commercial land use scenarios are considered under the PT&R approach. Recommended exposure assumptions may be found in the Vapor Intrusion Guidance (DTSC, 2005a; revision pending), HHRA Note 1 (DTSC, 2005b), or the documentation for CHHSLs (Cal/EPA, 2005ab). HHRA Note 1 includes default exposure assumptions for a construction scenario. Other land use and exposure scenarios (such as maintenance worker or park visitor scenarios) require use of site-specific exposure factors.

Human health screening levels such as CHHSLs (Section 5.2.7.2) may be considered as risk-based cleanup goals to streamline the remedy selection process. Soil gas screening levels for cVOCs are based on a single pathway of exposure—inhilation of soil vapors migrating from the subsurface into indoor air. For most sites, soil gas screening levels are adequately protective for soil exposure pathways. For sites at which soil gas samples are not feasible, DTSC should be consulted for development of indoor air risk-based concentrations for soil matrix and/or groundwater, or for an alternate approach.

6.2 Soil Cleanup Goals for Protection of Groundwater

If the PT&R approach is being implemented to decrease or eliminate an on-going threat to groundwater posed by cVOCs in vadose zone soil, the process of establishing cleanup goals should also consider soil and soil gas concentrations necessary to protect water resources. Cleanup goals protective of groundwater are established based on site-specific considerations and applicable policies, statutes, and regulations. Potentially applicable policies, statutes, and regulations include:

- State and federal statutes and regulations;
- California State Water Resources Control Board (SWRCB) and California Regional Water Quality Control Board (RWQCB) policies;
- water quality control plans adopted by the SWRCB and RWQCB; and
- relevant standards, criteria, and advisories adopted by State and federal agencies.

DTSC has not identified a single methodology that can be used to establish soil cleanup goals for protection of groundwater. Examples of methods that could be used to establish cleanup goals include use of unsaturated zone fate and transport modeling (Section 4.2) and "lookup" tables of screening levels (e.g., USEPA RSLs for Soil for Protection of Groundwater). The method used for a given site should be selected in consultation with, and with the approval of, the regulatory agencies overseeing the site cleanup.

6.3 RISK MANAGEMENT

The final cleanup goal and remediation strategy is a risk management decision based on numerous factors. The risk-based point of departure for risk management decisions is 1×10^{-6} for cancer risk and a hazard index of 1 for noncancer risk. Sites with individual chemical risk or cumulative risk from multiple COCs in excess of these points of departure may require remediation. In general, risks that are less than 1×10^{-6} are called *de minimus* and are not considered to require regulatory intervention. The range of risk (excess cancer risk posed by a site) that is considered as potentially acceptable for risk management decisions starts at 1×10^{-6} (one in a million) and goes up to 1×10^{-4} (one in ten thousand).

Development of RAOs and final cleanup goals at a site involves consideration of the:

- nature and magnitude of human health risks and uncertainties,
- current and future land use,
- risk-based cleanup goals and other criteria or requirements (including the RAOs),
- potential impact to ecological receptors and/or their habitat,
- technical and economic feasibility,
- regulatory criteria, and
- community concerns.

Many factors are considered in the final risk management decisions and the acceptable risk for a project may be greater than the point of departure. Evaluation of each remedial alternative for the site should include an estimate of the reduction in risk and a determination of risk management measures needed for contamination remaining in excess of risk-based concentrations (see Sections 6.5, 8.5.1, and 9.3.8). Risk management decisions (including mitigation and control of potential exposure) and technical supporting information are presented in remedy selection documents (see Section 7.2).

6.4 SHORT-TERM RISKS DURING REMEDIATION

Short-term risks associated with implementation of a remedy should be considered during evaluation of remedial alternatives. For many sites, a qualitative evaluation of risks associated with implementation of remedial alternatives is sufficient, but other sites will require a more quantitative evaluation (USEPA, 1991ab). Releases of cVOCs from soil during cleanup activities might pose significant risks to people who live or work in the vicinity of the site and to workers who are involved in the site cleanup. Evaluation and selection of remedial alternatives should identify and consider measures to monitor and control short-term exposure and risks. This evaluation should include consultation with local agencies (e.g., air quality management district). Site safety plans should be developed. Implementation of certain remedies might require perimeter monitoring of vapors (see Sections 8.2.2 and 9.3.3). Community concerns associated with short-term risks are addressed through the public participation process (see Section 3.1.3).

6.5 POST-CLEANUP EVALUATION

Following the completion of the remedial action, a post-cleanup risk evaluation may be required when residual cVOC concentrations remain, as indicated by confirmation sampling results. Risks can be estimated using the same procedures as those used for the pre-remediation baseline risk assessment or another approach (such as site-specific risk assessment or screening risk assessment as summarized in Section 5.2).

Confirmation sampling approaches for soil excavations and SVE systems are discussed in Sections 8.5.1 and 9.3.8, respectively. Additional information for confirmation sampling associated with the PT&R alternatives is provided in Appendices C and E.

7.0 EVALUATION OF CLEANUP TECHNOLOGIES FOR CHLORINATED VOCs IN VADOSE ZONE SOIL

In a conventional cleanup process, if the results of the risk screening process indicate that a cleanup action is warranted, the next step is an evaluation of the technologies appropriate for remediation of cVOCs in soil. This chapter provides the administrative record, technical basis, and evaluation necessary for streamlining the cleanup alternative evaluation. This chapter also addresses the site-specific evaluation and remedy selection process for cleanup of cVOC contaminated soils. Much of the streamlining is achieved by the DTSC study summarized in Section 7.1. The streamlined approach for evaluating remedial alternatives can be documented by:

- including pertinent sections of this PT&R guidance in the administrative record¹ and
- including a discussion regarding the use of the PT&R approach for the cleanup alternative selection in the decision document.

7.1 TECHNICAL BASIS FOR PT&R GUIDANCE FOR SITES WITH CHLORINATED VOC CONTAMINATION IN VADOSE ZONE SOIL

DTSC conducted a study of sites where the primary COCs included cVOCs in vadose zone soil and for which DTSC provided oversight of the cleanup process. The objective was to identify the technologies that were consistently evaluated as potential remedies and to identify the remedies that were subsequently selected at a site. The study, equivalent to the screening and evaluations conducted under a FS or CMS, included the following activities:

- review of literature relevant to sites with cVOC contamination (see Appendix B for a summary of the technologies reviewed and applicable at sites with cVOCs in unsaturated soil);
- identification of a representative number of DTSC sites with cVOC contaminated soils;
- review of the decision documents to determine which cleanup alternatives were routinely either screened out or selected for the remedy; and
- identification of the rationale for selection of the remedy.

DTSC reviewed its EnviroStor database to identify sites with vadose zone soils impacted with cVOCs. The database evaluation identified 90 sites for which remedy selection or implementation had occurred as of June 2009. These cleanup decisions occurred as either an interim removal action or as a final remedy. Table 3 summarizes the types of sites included in the DTSC study.

¹ Alternatively, include the PT&R guidance as an electronic appendix to cleanup alternative evaluation document.

Table 3. Cleanup Options Selected to Address Chlorinated VOCs in Vadose Zone Soil for the Sites Evaluated by DTSC Study

DTSC Site Type (no. of sites)	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
Corrective Action (16 ²)	1	14	0	6	0	0
Military Facilities (19 ²)	3	12	0	6	2	0
Schools (3)	0	1	0	2	0	0
State Response/ NPL ³ (33 ²)	7	19	0	17	4	1
Voluntary Cleanup (19 ²)	4	11	2	13	0	0

Notes:

¹ IC is institutional control. Usually used in conjunction with another cleanup option.

² Some sites in this category selected multiple cleanup options (i.e., this number is not simply the sum of values listed in this row).

³ National Priorities List

The DTSC study compiled data about the site characteristics, including site activities, types of contaminants present, other affected media, and depth to groundwater. Notably, most of the sites reviewed had cVOC impacts to both vadose zone soil and groundwater and therefore had separate remedial alternatives for groundwater. The most frequently encountered contaminants included TCE, PCE, metals, and fuel-related compounds. Appendix B provides additional details regarding the characteristics of sites included in the DTSC study.

DTSC reviewed the cleanup alternative decision documents for the sites identified in the database review. The review focused on the cleanup alternatives that were considered and the factors that led to the selected cleanup alternative. DTSC evaluated three variables in detail:

- frequency of selection of the cleanup alternatives (Table 3);
- rationale for selection of the cleanup alternatives (described below); and
- rationale for rejection of the cleanup alternatives considered by the selection process (Table 4, Appendix B).

Based on this review, SVE and excavation/disposal were identified as the proven technologies for sites with cVOCs in vadose zone soil.

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Table 4. Cleanup Options Considered for Chlorinated VOCs in Vadose Zone Soil for the Sites Evaluated by DTSC Study

Technology	No. of Site Alternatives Analyses Considering Technology	No. of Site Alternatives Analyses Rejecting Technology	Primary Reasons for Rejection During Cleanup Alternative Analysis ¹						
			Overall Protection	Compliance with ARARs ³	Reduction of Toxicity, Mobility, Volume	Long-term Effectiveness	Short-term Effectiveness	Cost	Implementability
No Action	90	90	88	3	0	2	0	0	0
ICs ² Only	34	32	29	2	1	2	0	0	0
Excavation/ Disposal	59	15	0	0	0	1	3	12	10
Soil Vapor Extraction	66	11	0	1	2	6	0	4	4
<i>In Situ</i> Treatment	17	15	1	0	1	10	0	6	10
Containment	20	13	6	2	4	3	0	1	1
<i>Ex Situ</i> Treatment	14	13	1	0	0	5	2	8	9

Notes:

1 National Contingency Plan (NCP) criteria

2 Institutional controls

3 Applicable or relevant and appropriate requirements

Review of the cleanup alternative decision documents indicates that SVE was the most frequently selected cleanup alternative for cVOCs in vadose zone soil. For many sites, the rationale for use of SVE as an interim removal action, or as a final cleanup alternative, was based on USEPA's designation of SVE as the primary presumptive remedy in *Presumptive Remedies: Site Characterization and Technology Selection for CERCLA Sites with VOCs in Soils* (USEPA, 1993b). Additional rationale for selecting SVE included the ability to remove cVOC mass at depths greater than could be achieved by excavation/disposal, particularly where cVOCs in the vadose zone posed an on-going threat to groundwater. SVE was less likely to be chosen for sites with shallow groundwater, shallow VOC impacts, or where multiple contaminant groups were present.

Excavation/disposal was the next most frequently selected cleanup alternative for cVOCs in soil. This technology was often selected based on its demonstrated effectiveness in addressing shallow soil impacts or source areas and its ability to provide timely remediation of the site. Based on the sites reviewed, the alternative was selected for impacted soil volumes ranging from about 20 to 30,000 cubic yards and for sites with first groundwater encountered at depths less than about 20 feet bgs. When not selected, excavation/disposal was typically rejected based on cost or ability to implement at a given site.

Seventeen sites included in the DTSC study evaluated one or more *in situ* treatment technologies to address cVOCs in vadose zone soil. Of these sites, only two sites selected an *in situ* treatment technology. One site selected reductive dechlorination to remediate a cVOC source near the capillary fringe; SVE was selected as a contingent remedy. The other site selected a combination of SVE and *in situ* chemical reduction to address both cVOCs and hexavalent chromium. *In situ* treatment approaches were most often rejected based on concerns regarding the ability to effectively treat the cVOCs, unproven effectiveness of some treatment techniques, ability to control resulting impacts to groundwater, and implementability.

Twenty sites included in the DTSC study evaluated containment by capping as a remedial technology for soil impacts. The rationale for selecting containment as part of the cleanup approach was based on the ability to provide sufficient protection and the ability to implement with the current or planned land use. This technology was most frequently rejected based on the inability to reduce or sufficiently control the cVOC contamination, an incompatibility with the current or planned land use, and the requirement for long-term stewardship.

Fourteen sites included in the DTSC study evaluated *ex situ* treatment. All but one site rejected *ex situ* treatment primarily based on cost and implementability considerations. *Ex situ* treatment was selected at one site because the approach was determined to be feasible based on the volume of impacted soil (greater than 200,000 cubic yards) and the ability to reuse the treated soil on-site.

7.2 FOCUSED EVALUATION AND SELECTION OF CLEANUP ALTERNATIVE

Under State and federal law, an analysis of alternatives is required for sites undergoing remediation. Following an initial evaluation, a more detailed and focused evaluation that considers the site characteristics must be conducted on the PT&R alternatives. Because the cleanup alternative screening evaluation presented in Section 6.1 and Appendix B was conducted in accordance with the initial screening requirements of a FS and CMS, it may be used in lieu of a site-specific initial screening evaluation for sites undergoing the streamlined PT&R approach, provided that the use of the PT&R screening evaluation is cited in the administrative record.

The next step in the PT&R approach is to determine whether excavation/disposal or SVE is the most appropriate cleanup alternative. The alternatives evaluation may consist of a site-specific evaluation of the no action, excavation/disposal, and/or SVE alternatives. Focusing on these PT&R alternatives is consistent with the National Contingency Plan (NCP) when:

- the number of alternatives evaluated for a site are reasonable;
- the number of alternatives evaluated are based on the scope, characteristics, and complexity of the site; and
- detailed analyses need only be conducted on a limited number of alternatives that represent viable approaches to the cleanup.

Application of the PT&R approach in this guidance does not preclude consideration of additional cleanup alternatives if determined to be appropriate for a site. However, use of the PT&R approach would still reduce the burden associated with screening and evaluating those additional cleanup technologies being considered.

As illustrated in Figure 3, both alternatives have the potential to allow unrestricted use of the site. However, operation of a SVE system has a longer duration and typically necessitates a regulatory oversight agreement. The focused alternatives evaluation may be prepared under State or federal guidelines, as summarized in Table 5.

In addition to using the DTSC initial alternatives evaluation (Section 7.1), the following site-specific elements of the remedial alternative evaluation process should be addressed in the appropriate remedy selection document:

- identification of applicable federal/State/local requirements (known as applicable or relevant and appropriate requirements (ARARs) under some cleanup processes);
- establishment of site-specific RAOs; and
- evaluation of the PT&R alternatives and the no action alternative against the applicable NCP criteria²:

² Only the effectiveness, implementability, and cost criteria apply to the DTSC RAW process. For hazardous waste sites, the RCRA-balancing criteria can be used instead of the NCP criteria.

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Threshold Criteria

- 1) overall protection of human health and the environment,
- 2) compliance with federal/State/local requirements,

Balancing Criteria

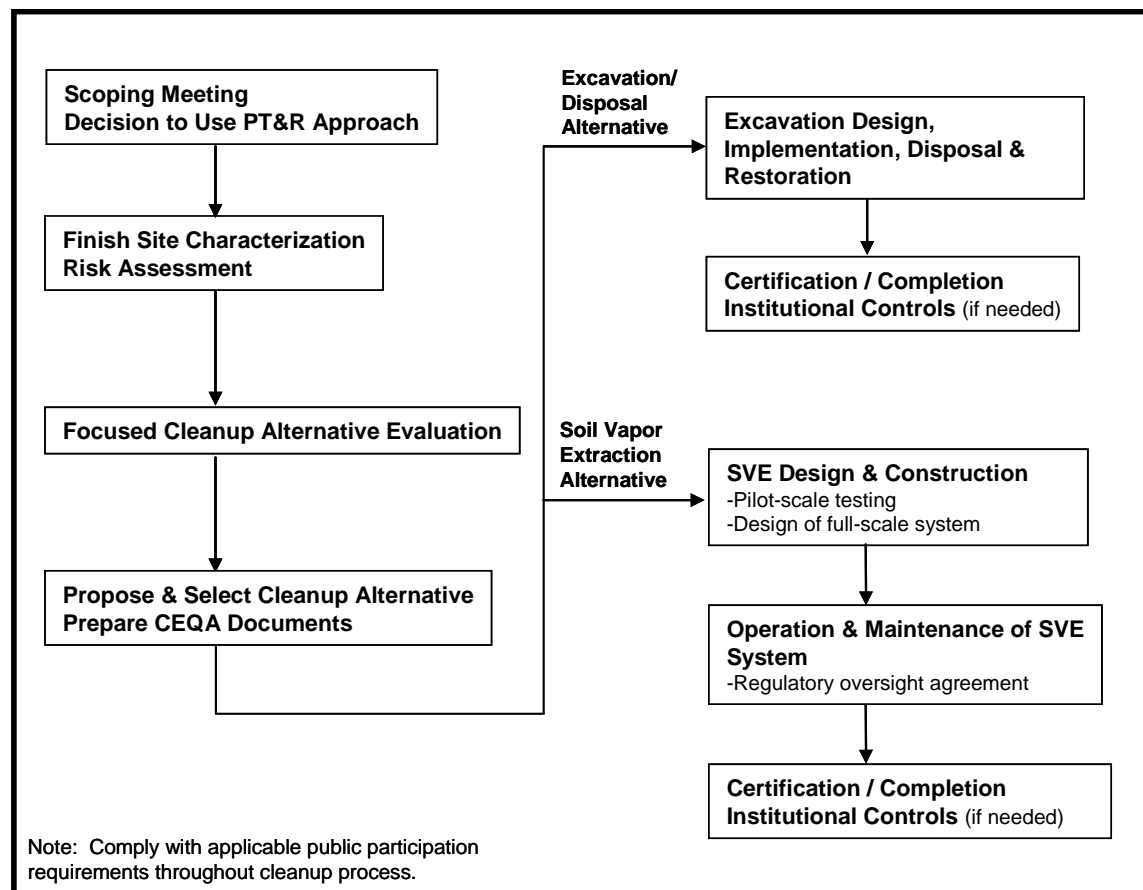
- 3) long-term effectiveness and permanence,
- 4) reduction of toxicity, mobility or volume through treatment,
- 5) short-term effectiveness,
- 6) implementability based on technical and administrative feasibility,
- 7) cost,

Modifying Criteria

- 8) State and local agency acceptance,
- 9) community acceptance.

Additional criteria may also be considered in the remedial alternative evaluation process for a given site. For example, an evaluation of the sustainability of each remedial alternative could be used to identify potential environmental stressors (e.g., resource depletion, physical disturbances) and their associated impacts. The *Interim Advisory for Green Remediation* (DTSC, 2009d) provides additional discussion regarding sustainability as a criterion in the remedy selection process.

Figure 3. Summary of PT&R Cleanup Alternatives



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Table 5. State and Federal Guidelines for Focused Alternatives Evaluation

Law	Process	Description	Reference(s)
HSAA	Remedial Action Plan (RAP) ¹	Process for developing, screening, and detailed evaluation of alternative remedial actions for sites. Response action selection document under HSC §25356.1.	DTSC, 1995
	Removal Action Workplan (RAW) ^{1, 2}	Prepared when a proposed, non-emergency removal action or a remedial action is projected to cost less than \$2,000,000. Response action selection document under HSC §25356.1.	DTSC, 1993, 1998
CERCLA	Feasibility Study (FS)	Process for the development, screening, and detailed evaluation of alternative remedial actions for sites.	USEPA, 1988, 1999
	Engineering Evaluation/ Cost Analysis (EE/CA)	Analogous to, but more streamlined than, the FS. Identifies the objectives of the removal action and analyzes the effectiveness, implementability, and cost of various alternatives that may satisfy these objectives.	USEPA, 1993a
RCRA or HWCL	Corrective Measures Study (CMS) ¹	Mechanism used by the corrective action process to identify, develop, and evaluate potential remedial alternatives.	USEPA, 1991c, 1994, 1997c
HSAA, HWCL, RCRA, CERCLA	Interim Measures ¹ or Interim Actions	Actions to control and/or eliminate releases of hazardous waste and/or hazardous constituents from a facility prior to the implementation of a final corrective measure or remedy.	

Notes:

1 See Appendix D for link to example or sample documents.

2 A feasibility study is not required for RAW process. However, the RAW should evaluate effectiveness, implementability, and cost of various removal alternatives.

CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act

HSAA – Hazardous Substance Account Act

HWCL – Hazardous Waste Control Law

RCRA – Resource Conservation and Recovery Act

Regardless of the process used to evaluate and select the cleanup alternative for a site, the alternatives evaluation report generally should:

- discuss and present documentation showing that the PT&R approach is appropriate;
- identify and provide the rationale for the preferred alternative for the site;

- document the site-specific RAOs, regulatory requirements, and the detailed alternatives analysis;
- include preliminary design information for final remedy implementation; and
- discuss how the PT&R approach will be integrated with any groundwater remedial measures or vapor intrusion mitigation measures.

Necessary CEQA documents are usually prepared concurrently with remedy selection documents, if not sooner (see Section 7.4 for further discussion of CEQA requirements). Once approved by DTSC, the draft remedy selection and CEQA documents are circulated for public comment (DTSC, 2003).

The administrative record for the site should, among other things, include the following elements:

- copy of pertinent sections of this PT&R guidance (alternatively, include the PT&R guidance as an electronic appendix to cleanup alternative evaluation document); and
- responses to any comments pertaining to the decision to use the PT&R approach.

7.3 DESIGN AND IMPLEMENTATION OF SELECTED CLEANUP ALTERNATIVE

The operational and technical plans for implementing the selected cleanup alternative should be prepared and submitted to DTSC, either in the remedy selection document (if appropriate) or as separate submittals. Examples of operational plans include the health and safety plan, transportation plans, and confirmation sampling plan. The technical plans contain the specific engineering design details of the proposed cleanup approach, including designs for any long-term structures (e.g., SVE system). As applicable, the design plans should include the design criteria, process diagrams, and final plans and specifications for the structures as well as a description of any equipment to be used to excavate, handle, and transport contaminated soil. Field sampling and analysis plans that address sampling during implementation and confirmation sampling to assess achievement of the RAOs should also be prepared.

Chapters 8 and 9 provide further discussion of the design and implementation for the PT&R alternatives.

7.4 CALIFORNIA ENVIRONMENTAL QUALITY ACT

Remediation of cVOC contamination must meet all applicable local, State and federal requirements, including CEQA. CEQA (Pub. Resources Code, sec. 21000 et seq.) requires public agencies carrying out or approving a project to conduct an environmental analysis to determine if project impacts could have a significant effect on the environment. Public agencies must eliminate or reduce the significant environmental impacts of their decisions whenever it is feasible to do so.

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All proposed projects for which the DTSC has discretionary decision-making authority are subject to CEQA if they potentially impact the environment. Examples of approval actions which require CEQA review and documentation include: RAPs, interim measures, RAWs, and corrective actions. For further information, DTSC's CEQA-related policies and procedures are available at www.dtsc.ca.gov.

8.0 DESIGN AND IMPLEMENTATION OF EXCAVATION / DISPOSAL ALTERNATIVE

This chapter describes the approach to be used to remove contaminated soil exceeding site cleanup goals for cVOCs (and other co-located contaminants, if identified). Please recognize that this chapter is intended as guidance. All elements discussed may not be applicable to a given site.

8.1 EXCAVATION, DISPOSAL, AND RESTORATION PLAN

A workplan should be prepared which identifies the logistical procedures and site activities associated with excavation, disposal and site restoration. The actual title of this plan will depend on the cleanup process applied to the site. For example, DTSC's Removal Action Workplan (RAW) process incorporates the required plan elements. DTSC's Remedial Action Plan (RAP) and corrective action processes often require preparation of a separate plan. However, additional streamlining under the PT&R approach could be achieved if the plan is included with another document (e.g., as an appendix to the RAP). For the purposes of this chapter, the workplan is referred to as the "excavation, disposal, and restoration plan" (EDRP). Appendix D provides a link to an EDRP sample and annotated outlines for supporting documents.

Major topics and elements of the EDRP include the following:

- site background
- nature and extent of contamination
- clean-up goals
- objectives and scope of plan
- project organization and schedule
- description of the technical basis for the approach (e.g., why excavation/disposal was selected as the cleanup alternative; estimated extent of excavation, estimated volume of soil to be excavated)
- pre-excavation activities;
- excavation activities
- dust control and air monitoring
- waste management
- backfill and site restoration activities
- quality assurance and quality control (QA/QC)
- health and safety monitoring
- reporting

The EDRP should be supported by the following documents, as applicable, which can be submitted separately or as appendices to the plan:

- site-specific health and safety plan (HASP)
- storm water pollution prevention plan (SWPPP)
- community air monitoring plan
- confirmation sampling plan (see Section 8.5.1, Appendix E)
- public participation plan (see Appendix D)
- stockpile sampling plan
- transportation plan (see Appendix D)

8.2 PRE- EXCAVATION ACTIVITIES

Prior to conducting fieldwork, a series of project management and regulatory tasks should be completed. The general areas that require preparatory activities include:

- site access
- permits
- location of underground utilities
- health and safety
- waste management
- scheduling of staff and equipment resources
- coordination with laboratory for analysis and assessment
- arrangements for sample management
- coordination with off-site disposal facility
- notifications (e.g., agencies, public)

Local jurisdictions, such as municipal public works departments and air districts, often require excavation or grading permits. Depending on the volume of soil to be excavated or disturbed, the RWQCB may specify waste discharge requirements, preparation of a SWPPP, and/or a National Pollution Discharge Elimination System (NPDES) permit. The key elements of the permit application specific to the location of the excavation should be identified. Some municipalities have restrictions on the type of equipment that can be used within a specified distance from water mains, sewer lines, and utility lines. In addition, air districts may require a similar application that identifies the mitigation measures to reduce or eliminate air dispersal of contaminants.

8.2.1 Dust Control and Air Monitoring

The EDRP should discuss the actions (specified in the remedy selection document) that will be implemented to control fugitive dust and cVOC emissions during implementation of the remedy. Dust control is required during construction, demolition, excavation, temporary containment, soil loading for transportation, and other earthmoving activities, including, but not limited to, land clearing, grubbing, scraping, travel on site, and travel on access roads to and from the site.

Most air districts and/or County environmental health departments have recommended or required dust mitigation measures and/or engineering controls. Applicable air pollution regulations, monitoring requirements, performance criteria, and acceptable

control strategies should be cited and described. The following items are generally considered:

- wind breaks and barriers, or ceasing work when wind speeds are above a certain level;
- frequent water applications;
- application of soil additives;
- control of vehicle access;
- vehicle speed restrictions;
- covering of piles;
- use of gravel and rumble strips at site exit points to remove caked-on dirt from tires and tracks;
- decontamination and tracking pad to thoroughly wash and decontaminate vehicles before leaving the site;
- wet sweeping of public thoroughfares; and
- cause for work stoppage.

8.2.2 Work Zone and Community Air Monitoring

Dust mitigation measures and/or engineering controls, implemented in conjunction with real-time and time-weighted average dust monitoring, are intended to ensure that dust generated during project activities will not have an adverse impact on site workers, the environment, or the community.

In addition to dust mitigation measures, most air districts and/or County environmental health departments set action levels to control the emission of cVOCs from excavating, grading, and handling (storage and loading) activities. These activities can produce significant volatilization of cVOCs from contaminated soil into the local atmosphere. Air monitoring for cVOC concentrations should be conducted within the exclusion/decontamination zone for site worker safety, and outside of the soil removal and decontamination/exclusions zones (fence-line monitoring) to ensure that potential exposure of sensitive off-site receptors to site contaminants will not have any adverse effects. Exclusion-zone monitoring of cVOCs for site worker safety is further discussed in Section 8.7, Health and Safety Monitoring.

Community air monitoring (outside of the site fence-line) should be considered for activities occurring near residential communities, schools, and other sensitive receptors (e.g., elderly or high use community areas) to ensure that the implementation of the remedy does not pose a potential threat to off-site receptors. Site-specific risk-based action levels should be calculated, in consultation with DTSC, and included in the design.

8.3 EXCAVATION ACTIVITIES

8.3.1 Cal-OSHA Standards for Trenching and Excavations

The EDRP should address the applicable California Division of Occupational Safety and Health (Cal-OSHA) safety requirements for excavations (Cal. Code Regs., tit. 8, §1540, §1541, §1541.1). These requirements state that workers exposed to potential cave-ins must be protected by shoring, sloping, or benching the sides of the excavation, or placing a shield between the side of the excavation and the work area. These safety standards also provide for protection of the stability of adjacent structures. Any excavation four feet or deeper must have adequate means of access/egress every 25 feet of lateral travel from workers. Excavations greater than four feet deep require testing for hazardous atmospheres and protection from hazards associated with water accumulation. Entry into some excavations/ trenches may require a Cal-OSHA permit and compliance with Cal-OSHA regulations for trenching and excavation.

8.3.2 Surface Water Control Measures

If there is the potential for rainfall during the excavation activities, the EDRP should address surface water runoff, erosion control, and sediment control measures. These measures should conform to State and local requirements and should provide for segregation of surface water runoff from impacted and non-impacted areas.

8.4 WASTE MANAGEMENT

8.4.1 Management and Profiling of Excavated Soil

Excavated soil should be managed in accordance with applicable State and federal requirements, and as recommended in *Management of Remediation Wastes Under RCRA* (USEPA, 1998). Excavated soil may be hauled directly off site for disposal (provided arrangements have been made with a disposal facility) or may be stockpiled on site for further profiling. The EDRP should describe the measures that will be used to control emissions during soil handling and the measures that will be used to minimize mixing of soil containing higher COC concentrations with less impacted soils. A schematic or scaled map of the areas to be excavated and the locations where soil will be stockpiled should be included. Excavated soil should be segregated and stockpiled based on the existing site data. Stockpiles are typically segregated according to the disposal options (see Table 6).

Table 6. Disposal Alternatives for Excavated Soil Under the PT&R Approach

LEVEL OF CONTAMINATION	DISPOSAL ALTERNATIVES
Concentrations below acceptable risk levels	Can be used to backfill the original excavation
Impacted at levels above acceptable risk levels but below hazardous levels (nonhazardous solid waste)	Off-site disposal at Class I, Class II, or Class III landfill (depending on their waste acceptance criteria)
RCRA hazardous waste or California-only hazardous waste	Treatment to meet land disposal restrictions may be required before off-site disposal at Class I landfill. See text for further discussion.

Temporary stockpiles should be managed as identified in the EDRP. The plan should comply with the applicable requirements of the California Code of Regulations, title 22, division 4.5 and stockpiling requirements for remediation waste staging found in Health and Safety Code Section 25123.3(b)(4)(B). The EDRP should designate the locations for placement of stockpiles, address measures to prevent migration and/or dispersal of the soil (e.g., liners, covers), describe the measures that will be used to control emissions, and identify the appropriate distance from the upper edge of any excavation. Representative samples should be collected and analyzed from the stockpiles to verify that the soil has been appropriately segregated and categorized.

If identified as a RCRA listed or characteristic waste or a California-only hazardous waste, contaminated soil that is excavated must be managed and disposed as such. Off-site management for RCRA hazardous wastes must be disposed in a landfill authorized to accept RCRA hazardous waste and must meet any applicable land disposal restrictions (LDRs). If the excavated soil exceeds specified LDR concentrations, the hazardous wastes must be treated to meet specific LDRs limits prior to land disposal. In addition, if the soil is a RCRA characteristic waste, all other underlying hazardous constituents found in the soil must meet their associated LDRs prior to disposal. Refer to *Management of Remediation Wastes Under RCRA* (USEPA, 1998) for optional LDR treatment standards for contaminated soils (typically ten times the concentration levels for a generated waste). If the excavated soil is below specified LDR concentrations, the soils do not need to be treated prior to land disposal and can be disposed of appropriately at a Class I landfill. Soil identified as California only hazardous waste is disposed of in a Class I landfill.

The sampling results from the soil stockpiles must be included in the waste profile form for the landfill operators to review and determine if the profile meets its acceptance criteria. Upon acceptance by a landfill, the stockpiled soil is loaded into the transport container (e.g., truck, rail car, bin) and transported to the landfill with appropriate documentation (e.g., under a hazardous waste manifest and LDR notification/certifications for a Class I landfill, under a bill of lading for a Class II landfill).

8.4.2 Loading and Transportation

Soil transported for offsite management or disposal must be transported in accordance with applicable State and federal laws. Loading of transport containers should be adjacent to stockpiles or excavations, just outside designated exclusion zones. Any soil falling to the ground surface during loading should be placed back into the container. Loaded containers should be inspected to ensure that they are within acceptable weight limits and should be covered and inspected prior to departure to minimize the loss of materials in transit. The waste profile analyses should accompany the shipping document (i.e., bill of lading or hazardous waste manifest) to the offsite facility. Appendix D provides a link to an annotated outline for a transportation plan.

8.5 BACKFILL AND RESTORATION

Backfill operations can begin once the RAOs have been achieved, as demonstrated through confirmation sampling. Excavated areas should be restored to be consistent with future use and graded to ensure proper runoff.

8.5.1 Confirmation Sampling

Confirmation samples are collected to determine if the RAOs have been achieved and thus whether the removal action is completed. The scope of confirmation sampling activities is a function of the site-specific RAOs, the media to be sampled, and potential land re-use scenarios (e.g., residential, industrial). Appendix E provides further discussion of confirmation sampling for soil excavations.

Confirmation sampling activities should be conducted in accordance with an approved confirmation sampling plan (see Appendix E for annotated outline). Depending on site-specific circumstances and/or the site cleanup process, the confirmation sampling plan can be included as an appendix to a document (e.g., EDRP), incorporated into a document (e.g., RAW), or prepared as a standalone document. The plan and sampling activities should be prepared and implemented in accordance with standard geologic and engineering principles and practices using appropriately licensed and experienced professionals.

8.5.2 Borrow Source Evaluation

Borrow source evaluation should address the physical and chemical characteristics of the soil. Backfill soils should have physical properties consistent with engineering requirements for the planned site use. For example, the International Building Code typically requires a compaction between 90 and 95 percent. When selecting material for backfilling excavated areas, steps should be taken to minimize the chance of introducing soil to the site that may pose a risk to human health and the environment. As a general rule, fill should not be obtained from industrial areas, from sites undergoing environmental cleanups, or from commercial sites with potential impacts (e.g., former service stations, dry cleaners).

The *DTSC Information Advisory, Clean Imported Fill* (DTSC, 2001) suggests that two approaches can be used to demonstrate acceptable backfill materials: (1) providing appropriate documentation and conducting analyses as needed; or (2) collecting samples from the borrow area or borrow area stockpile and analyzing the samples for an appropriate list of parameters.

The selected analytes should be based on the source of the fill and knowledge of the prior land use. Table 7 summarizes potential contaminants based on the fill source area.

Table 7. Potential Contaminants Based on Land Use in Fill Source Area

FILL SOURCE AREA	POTENTIAL TARGET COMPOUNDS
Land near an existing freeway	metals, PAHs
Land near a mining area or rock quarry	metals, asbestos, pH
Agricultural land	pesticides, herbicides, metals
Residential or commercial land	VOCs, SVOCs, TPH, PCBs, metals, asbestos

From *DTSC Information Advisory, Clean Imported Fill* (DTSC, 2001)

A standard laboratory data package, including the QA/QC sample results, should accompany all analytical reports. Contaminants detected in the fill material should be evaluated for risk in accordance with the *Preliminary Endangerment Assessment Guidance Manual* (DTSC, 1994) or the methods described in Chapter 5. If contaminant concentrations exceeding acceptance criteria are identified in the soil, the fill should be deemed unacceptable and new fill material should be obtained, sampled, and analyzed.

Fill documentation should include detailed information on the previous land use(s) in the area from which the fill is taken, the findings of any environmental site assessments, and the results of any testing. If the documentation is inadequate, samples of the fill material should be collected and analyzed for an appropriate list of parameters. This may be the best alternative when large volumes of fill material are anticipated or when larger areas are considered as borrow areas.

If limited fill documentation is available, samples should be collected from the potential borrow area and analyzed for an appropriate list of parameters. If fill material is not characterized at the borrow area, it will need to be stockpiled until analyses have been completed. Table 8 provides recommended sampling frequencies for the fill soil. In general, approximately one sample should be collected and analyzed per truckload. This sampling frequency may be modified upon consultation with appropriate regulatory agencies if all fill material is derived from a common borrow area.

Composite or incremental sampling for fill characterization may or may not be appropriate, depending on the quality and homogeneity of the source/borrow area and

the potential contaminants. The *DTSC Information Advisory, Clean Imported Fill* (DTSC, 2001) provides further discussion on the use of composite samples for certain contaminant groups.

Table 8. Recommended Fill Material Sampling

EXTENT OF INDIVIDUAL BORROW AREA	NUMBER OF SAMPLES¹
2 acres or less	Minimum of 4 samples
2 to 4 acres	Minimum of 1 sample for every 0.5 acres
4 to 10 acres	Minimum of 8 samples
Greater than 10 acres	Minimum of 8 locations with 4 subsamples per location
VOLUME OF BORROW AREA STOCKPILE	NO. OF SAMPLES
Up to 1,000 cubic yards	1 sample per 250 cubic yards
1,000 to 5,000 cubic yards	4 samples for first 1,000 cubic yards; 1 sample per each additional 500 cubic yards
Greater than 5,000 cubic yards	12 samples for first 5,000 cubic yards; 1 sample per each additional 1,000 cubic yards.

Notes:

1 The number of samples needed to characterize fill material is a site-specific decision. From *DTSC Information Advisory, Clean Imported Fill* (DTSC, 2001)

8.6 QUALITY CONTROL / QUALITY ASSURANCE

The EDRP should address QA/QC procedures that will be followed during the excavation activities. For example, the EDRP should address field oversight and reporting, field documentation, and confirmation sampling. If a QAPP was prepared during the characterization phase, the plan may be amended to address the pertinent changes for the EDRP.

8.7 HEALTH AND SAFETY MONITORING

The HASP addressing site-specific excavation, restoration, and the health and safety issues should be included or referenced in the EDRP. The health and safety requirements should apply to all personnel, including contractors and subcontractors conducting work at the site. The HASP used during site characterization activities may be amended to include excavation and restoration activities. The HASP should be prepared in accordance with the requirements of California Code of Regulations, title 8, section 5192 and all applicable federal, State and local laws, ordinances, and regulations and guidelines.

The HASP should at a minimum address the following:

- identification of activities being carried out, the associated risks, and the measures in place to prevent injury;
- names and titles of personnel in charge;
- emergency action plan;
- location of HASP (a copy should be on site at all times);
- on-site safety awareness training for all personnel for all field activities identified (e.g. tail gate meetings and frequency);
- identification of hazards (job hazard analysis) and requirements for documentation and correction of hazards;
- air monitoring requirements to identify and measure site contaminant concentrations generated during the soil removal and decontamination activities and guide the selection of personal protective equipment;
- appropriate personal protective equipment and safety systems for each site activity identified; and
- assurance that all workers comply with the rules to maintain a safe work environment (e.g., disciplinary methods for workers who fail to comply).

8.8 COMPLETION REPORT

The EDRP should briefly identify the key elements that will be covered in a work completion report³ (completion report) along with the anticipated date of submittal. The completion report should be prepared in conformance with standard geologic and engineering principles and practices using appropriately licensed and experienced professionals. A link to an annotated outline for the completion report is provided in Appendix D. At a minimum, the report should provide the following:

- summary of the work performed;
- any difficulties or unexpected conditions encountered;
- deviations from the approved workplan;
- the results of post-excavation sampling (i.e., before backfilling and restoration) and compliance with performance standards;
- determination as to whether the RAOs were met;
- results of the post-excavation evaluation for cVOCs (if applicable, see Section 6.5);
- written and tabular summary of disposal activities;
- as-constructed drawings and results of post-restoration activities, if applicable;
- health and safety activities including any analytical results;
- compliance with all permit requirements;
- copies of permits for the project; and
- copies of signed manifests and bills of lading.

³ The title of this document will vary depending on the cleanup process.

9.0 DESIGN AND IMPLEMENTATION OF SOIL VAPOR EXTRACTION ALTERNATIVE

For sites that have selected SVE as an interim response action or as part of the remedy, this chapter describes the approach that could be used to design and implement SVE systems for the remediation of cVOCs in a manner that achieves site-specific RAOs. The intent is to enhance the efficiency, but not replace, site-specific decisions made on the basis of individual site characteristics, applicable laws and regulations, and the principles of good engineering design. Appendix C supplements this chapter by providing additional considerations and resources for the design and implementation of SVE systems. Please recognize that this chapter and Appendix C are intended as guidance. All elements discussed may not be applicable to a given site.

The content of this chapter is largely based on, and specifically recommends the use of, the U.S. Army Corps of Engineers (USACE) *Engineering and Design - Soil Vapor Extraction and Bioventing, EM-1110-1-4001* (USACE Manual; USACE, 2002). Please note that the USACE Manual has been developed for all nature of sites and therefore addresses multiple technical issues that are not relevant to the PT&R approach for cVOCs.

This chapter may be used as a checklist of actions that may be required in the implementation of SVE systems. Applicable sections of the USACE Manual should be referenced for details. In addition, useful reference materials relating to SVE may be obtained from the USEPA or the Air Force Center for Engineering and the Environment (AFCEE) websites (www.clu-in.org; www.afcee.af.mil).

9.1 SITE CHARACTERISTICS FAVORABLE FOR EFFECTIVE SVE SYSTEMS

As discussed in Section 3.2, certain site conditions favor effective application of SVE for cleanup of cVOCs in vadose zone soils, including:

- relatively homogeneous, permeable soils
- relatively low moisture content soils
- adequate vadose zone thickness
- relatively small capillary fringe thickness
- cVOCs located above capillary fringe
- low soil organic carbon content
- volatile contaminants

9.2 GENERAL CONSIDERATIONS FOR SVE IMPLEMENTATION

9.2.1 Remedial Action Objectives

SVE systems can be operated to achieve a variety of RAOs, including the following common examples:

- removing as much cVOC mass as feasible prior to application of other remedial technologies

- removing cVOC mass to decrease cVOC emissions during a subsequent soil excavation
- removing cVOC mass posing an on-going threat to groundwater
- controlling vapor flow / mass removal around a building having a potential vapor intrusion risk
- achieving health risk-based cleanup goals

The range in potential RAOs results in differences in the performance metrics that are used to evaluate the success of the SVE system and to determine when it is appropriate to shutdown the system. For some RAOs, the performance metric could be based on the estimated mass remaining in the subsurface and/or a mass removal rate. For other RAOs, the performance metric could be based on demonstrating achievement of numerical risk-based cleanup goals.

9.2.2 Transitioning from Interim Removal Action to Final Remedy

To provide near term reduction of cVOC mass posing a risk to human health, the environment, and/or groundwater, SVE is often implemented as an interim removal action (also referred to as an interim measure under some cleanup processes) taken prior to selection and implementation of the final remedy. The SVE system may or may not be included as part of the final remedy. For example, SVE may be excluded from the final remedy if site-specific RAOs are achieved during the interim removal action or if SVE proves ineffective for site conditions. For sites requiring on-going remediation of cVOCs in the vadose zone, SVE can be included in the alternatives analysis for the final remedy (see Section 7.2) and, if appropriate, selected as the final remedy.

9.2.3 Coordination with Groundwater Remedy

As illustrated by the DTSC study discussed in Section 7.1, cVOC releases commonly generate both soil vapor and groundwater plumes. Depending on site conditions, the soil vapor and groundwater plumes have the potential to interact during the cleanup action. Offgassing of cVOCs from groundwater can act as an on-going source of cVOCs to the vadose zone. Likewise, a vapor plume can continue to contribute cVOC mass to groundwater. The PT&R approach should be coordinated with the groundwater remedy so that cVOCs in groundwater do not recontaminate vadose zone soils and vice versa.

The SVE system may not be effective in removing contamination near the capillary fringe or water table because the higher moisture content decreases air permeability and inhibits cVOC mass removal. Where a significant mass of cVOCs occurs in the capillary fringe or near the water table, additional remedial measures that target this zone may be needed and/or the contamination may need to be addressed by the groundwater remedy.

9.2.4 Vapor Intrusion

SVE systems may be implemented to reduce or alleviate vapor intrusion into buildings. However, it is important to recognize that advective transport of cVOC vapors by SVE system operation potentially could direct cVOC vapors toward or beneath occupied buildings, and possibly affect the indoor air quality which might otherwise be unaffected. These potential effects should be considered during the system startup and in the operation and maintenance (O&M) plan. Permanent shallow soil vapor monitoring points adjacent to the buildings and/or beneath building foundations may be needed to assess the potential for the SVE system to affect indoor air quality.

The design and operation of the SVE system should be coordinated with vapor intrusion mitigation systems in nearby buildings (DTSC, 2009a). Consideration should be given to potential conflicting needs, infrastructure needs, and project schedules as well as the potential for SVE system operation to affect the performance of these vapor intrusion mitigation systems.

9.2.5 Licensure Requirements

SVE systems should be designed, built, installed, operated, and maintained in conformance with standard geologic, engineering, and construction principles and practices using appropriately licensed and experienced professionals.

9.3 SVE IMPLEMENTATION ELEMENTS

This section briefly describes the major elements of the SVE system design and implementation process. The section subheadings are generally consistent with headings in the USACE Manual which should facilitate finding the topic in the USACE Manual for further details.

9.3.1 Characterization and Technology Screening

The primary criteria in selecting SVE technology options are air permeability of the porous medium and volatility of the contaminants. Principal data needs include:

- nature and extent of contamination
- CSM
- soil matrix properties
- air permeability
- organic carbon content
- moisture content
- depth to groundwater
- thickness of capillary fringe

Other considerations are site conditions that may affect the SVE system design or performance (such as building locations, utilities, infrastructure, pavement, accessibility, etc.). Additional considerations for technology screening include cost, implementation, and regulatory constraints and objectives.

Because cVOCs are the main COC considered under the PT&R approach, the technology screening process focuses on the treatment options for the extracted soil vapors. Appendix C provides additional information regarding potential treatment options.

The qualitative and quantitative information obtained during site characterization (Section 4.2.2) and the evaluation of the applicability of the PT&R approach (Section 3.4) should be sufficient to determine whether it is appropriate to use SVE.

9.3.2 Pilot-Scale Testing for SVE System

Pilot-scale testing is performed as a means of gathering important design information and to determine field-scale air-flow behavior. This testing usually measures pressures, flow rates, contaminant concentrations, and other parameters during air pumping tests. Typically, the pilot-scale testing is conducted as a discrete activity with a specific pilot test workplan and pilot test report. However, on a case-by-case basis, DTSC may consider proposals to go directly to full-scale application (forgoing a discrete pilot-scale test phase) if:

- an adequate soil vapor monitoring network is constructed as part of the initial system design;
- the design plan includes provisions for future system modification based on operational data;
- the design plan includes a detailed strategy and procedures for system startup, testing, validation, and commissioning;
- a system validation and startup report (containing the information typically presented in a pilot-scale test report) is submitted after implementation of the system startup and proveout; and
- DTSC is consulted and concurs with the decision.

Basic activities during a pilot test (or equivalent system validation/startup testing) include:

- determine design data needs;
- develop testing strategy;
- prepare test plan (e.g., pilot-scale test workplan);
- test performance and data analysis; and
- prepare test report (e.g., pilot test report, system validation and startup report).

Considerations for pilot or system validation/startup testing include:

- documentation of operational vacuum parameters to define initial SVE system effectiveness;
- implementation of monitoring well infrastructure consisting of multi-depth, discrete interval monitoring wells

- located at appropriate distances from extraction wells (e.g., wells located closer to and farther away from the expected zone of influence from the extraction well) and
- discretely screened in both permeable and the most recalcitrant soils;
- construction of monitoring well infrastructure having dedicated polyvinyl chloride materials (typically two inch diameter) with appropriate screen intervals (typically a three foot minimum screen interval as opposed to tubing with a six inch screen); and
- construction and blower capacity to add wells to the SVE system should operational data indicate the need for additional extraction well capacity.

9.3.3 Design of Full-Scale SVE System

A full-scale SVE system should be designed to maximize the removal of cVOCs from the subsurface in the most efficient and timely manner. The following data should be collected, using appropriate DQOs, to support the design:

- speciated chemicals and total VOCs present in soil vapor
- properties of the target compounds in the soil vapor
- location of cVOCs in relation to the water table
- characteristics of soil in the zone of interest
- advective and diffusive rate-limiting factors in cVOC removal
- design airflow rate and flow path to remove the contaminants from the subsurface

The major components of the SVE design process include:

- SVE design strategy
- design basis (including SVE system objectives and performance metrics)
- well location (see Appendix C for recommendations regarding well placement)
- overall pneumatic considerations
- well construction
- piping, valves, and manifold system
- condensate control
- particulate filters
- blower silencers
- blowers and vacuum pumps
- instrumentation and process control
- electrical systems planning
- effluent treatment methods (see Appendix C for discussion of common methods),
- water and vapor condensate storage, treatment, and disposal methods (including secondary containment)
- SVE treatment system housing
- emissions monitoring / control
- local air permit requirements
- noise control

Some of these design components offer an opportunity to consider green remediation concepts. For additional discussion, see the *Interim Advisory for Green Remediation* (DTSC, 2009d).

9.3.4 SVE System Construction

SVE system construction entails installation of all SVE system infrastructure including vapor extraction wells, vapor monitoring wells, piping, controls, utilities, and treatment system components. The design plan should include a narrative description of the SVE system and should be supported by appropriate calculations, drawings, and figures. Refer to the USACE Manual for details of the following design elements:

- applicable USACE and USEPA design policy and requirements
- design document content (see also Section 9.4.3)
- system construction / construction oversight

Applicable permits (typically from the local air district) should be obtained prior to system construction and operation. A construction completion report should be submitted to DTSC documenting the full-scale SVE system (see Section 9.4.4).

9.3.5 System Startup and Commissioning

During the SVE system startup and commissioning phase, the SVE system is evaluated to determine whether the system has been constructed as designed, equipment is operating within specifications, and if any modifications are needed. In addition, initial performance data are collected and evaluated. Appendix C outlines considerations for initial optimization of the SVE system.

The major elements to be addressed by this phase include:

- collection of baseline vapor data in all extraction and monitoring wells prior to system startup;
- equipment shakedown and testing;
- if the pilot test phase is incorporated into the system validation/startup process, the data requirements identified in Section 9.3.2 should be collected;
- system start-up / full-scale optimization;
- basic monitoring protocols for the SVE system that can be carried forward into long-term operation of the system; and
- data evaluation.

The system startup and commissioning phase should be documented in a system startup and validation report (see Section 9.4.5).

The design plan should include an overall strategy for commissioning, shakedown, and start-up activities of the SVE system. A start-up plan (or procedure) should consider the design objectives and system complexity and should include:

- checklists for each component or parameter that will be tested;
- minimum number of hours that each system, operation, or parameter should be tested; and
- how each component or system should be tested (i.e., what measurements should be made).

At the end of the start-up phase, the entire SVE system should be operating normally according to specifications.

9.3.6 Operation, Maintenance, and Monitoring

An O&M plan should be developed for the SVE system. The plan should provide the O&M strategy, operational guidelines, monitoring strategy, and system modification and optimization considerations. The O&M plan should be as flexible as possible and should include contingencies for possible operational problems. The elements of an O&M plan include:

- O&M strategy
- system objectives and performance metrics
- monitoring (including DQOs for each type of monitoring activity)
- well maintenance
- SVE treatment system O&M considerations
- SVE treatment system operation schedule
- recordkeeping
- continued system evaluation to ensure achievement of RAOs
- optimization strategy for SVE system
- reporting requirements (e.g., status reports, notifications)

The O&M plan should address routine procedures for operation, maintenance, sampling, analysis, and system modification, as well as non-routine activities such as troubleshooting and shutdown. The design strategy, and the assumptions adopted in the design, should be included in the operational requirements of the system. In addition, the plan outlines the project needs, site considerations, and system design.

The O&M plan should include strategies and/or a decision process for optimizing or improving the performance of the treatment system. Examples of potential system optimization or performance improvement measures might include increasing the SVE well density, operating in a pulse mode (see Appendix C), operating only SVE wells that are removing significant cVOC mass, and measures to increase air flow in areas with the highest cVOC concentration. The O&M plan should also include criteria or a decision framework for initiating rebound assessment (see Section 9.3.7) and for permanent system shutdown (see Section 9.3.8).

The O&M plan should address the steps to be taken should performance assessments indicate that the SVE system is insufficient to achieve site-specific RAOs (such as when the design basis zone of capture was inadequate or when cVOC concentrations are persistently elevated after prolonged system operation). Inadequate performance assessments may warrant system modifications and/or re-design (including additional extraction well installation).

9.3.7 Rebound Assessment

Rebound assessment is conducted when cVOC concentrations measured in vapor monitoring wells and extraction well effluent (while the system is active) meet the RAOs, and mass removal has become negligible. At this point, the SVE unit is shut down for an appropriate timeframe (see next paragraph) to evaluate whether subsurface concentrations rebound or whether subsurface RAOs have been achieved.

The timeframe for rebound assessment is a site-specific determination. The assessment should be based on data collected over sufficient duration so that the measured soil gas concentrations represent a return to equilibrium conditions and thus are appropriate for determining whether the RAO is met. Some assessment timeframes exceed one year and therefore should be integrated into project plans, especially when contemplating redevelopment. For sites where the rebound assessment period is too long for the planned redevelopment schedule, one option is to reduce the amount of time to observe the rebound response by decreasing the spacing of the vapor monitoring wells.

If soil vapor concentrations indicate a need for further vadose zone remediation during the rebound evaluation period, vapor extraction wells that can influence such areas of the site or zones requiring additional cVOC removal are restarted. Extraction should continue until subsurface vapor concentrations approach RAOs. This cycle continues until: soil gas concentrations in all vapor monitoring wells and extraction well effluent remain below RAOs for an appropriate timeframe (see above); or it becomes apparent that RAOs cannot be attained through SVE, at which point the system could be evaluated for permanent shutdown (see Section 9.3.8).

Appendix C provides additional considerations for rebound assessment.

9.3.8 System Shutdown, Closure, and Cleanup Confirmation

The decision to permanently shutdown a SVE system should be based on data obtained from the treatment system influent as well as depth-specific soil gas data obtained horizontally and vertically throughout the baseline extent of the soil gas plume (i.e., the extent of the plume prior to initiation of the SVE system). The soil gas data can be collected from existing vapor wells and additional soil gas borings (if needed) to ensure adequate coverage of the baseline plume extent. Cleanup confirmation should be based on an appropriate number of sampling events, conducted over an appropriate timeframe (see discussion in Section 9.3.7), to demonstrate that residual cVOC concentrations are stable and achieve the RAOs. Appendix C provides additional discussion of system shutdown, closure, and cleanup confirmation.

The design plan or O&M plan should identify the data requirements and decision framework needed to determine whether the SVE treatment should be shutdown and site RAOs have been achieved. The main elements of SVE system shutdown and cleanup confirmation include:

- shutdown strategy;
- sampling and analysis;
- evaluation of results;
- long-term monitoring requirements;
- rebound assessment (see Section 9.3.7); and
- closure report.

9.4 SVE SYSTEM DOCUMENTS

This section describes various documents that may need to be submitted for DTSC review and approval during the process of evaluating, designing, implementing, and operating a SVE system. Some documents discussed in this section may not be needed for a given site. Documents in addition to those described in this section may also be needed. Each document should include title and signature pages (with appropriate signatures and stamps/licensure) and a table of contents. The documents should be prepared in conformance with standard geologic and engineering principles and practices using appropriately licensed and experienced professionals.

9.4.1 Pilot-Scale Test Workplan

A pilot-scale test workplan should be prepared that addresses the following elements:

- project description
- remedial technology description
- test objectives (including performance metrics)
- experimental design and procedures
- management and staffing
- equipment and materials
- sampling and analysis
- data management
- data analysis and interpretation
- health and safety
- waste management and regulatory compliance
- community relations and public participation strategy
- reporting
- schedule

Appendix C includes an annotated outline for a SVE system pilot-scale test workplan.

9.4.2 Pilot-Scale Test Report

A pilot-scale test report should be prepared that addresses the following elements:

- introduction
- background
- objectives (including performance metrics)
- equipment (including the experimental setup, vapor collection system, vapor treatment systems, and monitoring equipment)
- monitoring and data collection (chemical concentrations, temperature, pressure/vacuum, flow rate, etc.)
- departures from the workplan
- results and discussion of physical parameters (e.g., air permeability, vacuum/pressure distribution, radius of effective air exchange, vacuum/flow rate correlation)
- results and discussion for chemical parameters (e.g., extracted soil vapor, residual soil, recovered condensate, chemical data quality, emissions)
- conclusions regarding overall effectiveness of SVE
- recommendations for further data collection
- appendices presenting the laboratory analysis reports, QA reports, field data sheets, and well installation and boring logs

Appendix C includes an annotated outline for a SVE system pilot-scale test report.

9.4.3 Full-Scale Design Document

A design document should be prepared for the full-scale SVE system. The timing and mechanism for submitting the design document is a site-specific decision. The design may be submitted to DTSC for review and approval as one document or as separate documents depending on project-specific considerations and process. Based upon project needs, submittal and approval of a “conceptual” plan may be necessary prior to submittal and approval of the final system engineering plans. The system design may require a phased approach (such as discrete pilot-scale testing, system validation, startup testing, and agency review) prior to final approval.

The design document should include the minimum content discussed in this section. Additional content may be required depending upon site-specific conditions and the subsurface cleanup objectives. For example, for sites choosing to forgo the discrete pilot test phase (see Section 9.3.2), the design document should include a detailed protocol for system startup and validation. The design document should also discuss other documents that may be required for its proper implementation.

- **Introduction.** Identify the project, the purpose of the document, and the regulatory-basis for the SVE system.

- **Project Background.** Provide an overview of the rationale for use of SVE, current and future land use considerations, COCs, and other general project considerations. If appropriate, this section should also indicate how the SVE system is integrated with other subsurface remediation and vapor intrusion mitigation efforts.
- **Site Conditions Summary.** Provide an overview of the CSM and other pertinent information along with references to other documents. This section may reference previous documents (e.g., current conditions report, summary reports) which contain more detailed discussion of site conditions. The CSM discussion should summarize the following:
 - site geology
 - previous sampling efforts
 - list of COCs and maximum detected soil gas concentrations
 - plume maps and cross sections
 - remediation efforts and RAOs
 - potential remediation treatment / degradation by-products
 - ambient air quality considerations
 - estimates of the degree of indoor air impacts (such as Johnson and Ettinger modeling results), if applicable
- **Cleanup Goals and Objectives.** Identify the performance metrics and contingency measures for the SVE system. Reference section(s) identifying how the goals and objectives will be monitored and tested. As applicable, identify general institutional control (IC) requirements and/or use restrictions (such as prohibited construction and restricted building modifications).
- **Design Basis.** Identify the design assumptions and criteria to be met by the SVE system.
- **Construction Methods.** Identify the construction methods to be used once the design has been approved, including:
 - construction specifications
 - minimum material specifications
 - installation procedures
 - construction QC procedures
 - post-installation testing procedures
- **Design Calculations and Drawings.** Include the design calculations and drawings for the SVE system, including the basis for the estimated zone of capture.
- **Conceptual Drawings.** Include conceptual drawings indicating building locations, prescribed building envelopes, streets, driveways, hard-scape areas, utility easements, well design and placement, and other infrastructure considerations.
- **Remediation Approach.** Provide a detailed description of the proposed remediation approach, including any phasing (tier approach) concepts (see Section 9.3.5). Also, provide the following information:

- technical basis for the design of the SVE system
 - construction and implementation requirements
 - any contingent systems which may be required
 - component specifications and verification of ability to meet performance measures
 - detailed testing procedures (including on-the-job instructions)
 - system validation and startup strategy and procedures
 - permit requirements from other agencies (such as a permit to construct and a permit to operate vapor treatment systems)
 - SVE system shutdown and/or exit strategy
 - reporting requirements
 - applicable engineering drawings and system diagrams
- **Implementation Mechanisms.** Address the Land Use Covenant (LUC) requirements, deed restrictions, construction QA/QC, soil management , waste management, transportation, and emission control/monitoring.
 - **Financial Responsibility.** Identify the applicable financial responsibility requirements.
 - **Health and Safety Plan.** Include a worker HASP that addresses such topics as worker training requirements, protective gear, and monitoring procedures.
 - **Operation and Maintenance Plan.** As an appendix or as a separate stand-alone document, include an O&M plan that details the O&M requirements, monitoring requirements, implementation mechanisms, and responsibilities for tasks and final obligations. See Section 9.3.6 for recommended O&M plan content.

Appendix C includes an annotated outline for a full-scale SVE design document.

9.4.4 Construction Completion Report

A completion report should be submitted to DTSC after the full-scale SVE system has been constructed. If applicable, the content of this report could be incorporated into a system validation and startup report (see Section 9.4.5). The report should include as-built drawings of system components, a brief account of field activities associated with system installation and startup, QA/QC data, and other appropriate content to document construction of the SVE system.

9.4.5 System Validation and Startup Report

A system validation and startup report should be submitted that, at a minimum, contains the following:

- introduction
- background
- objectives (including performance metrics)

- SVE system equipment description (layout, drawings, initial calculations, etc.)
- system startup summary (e.g., test results, well configuration, monitoring data, instrument and system settings, flow rates)
- system operations summary (e.g., permit changes, treatment system changeouts, blower operating parameters, O&M activities)
- monitoring and data collection (e.g., chemical concentrations, temperature, pressure/vacuum, flow rate)
- results and discussion of physical parameters (e.g., air permeability, vacuum/pressure distribution, radius of effective air exchange, vacuum/flow rate correlation)
- results and discussion for chemical parameters (e.g., extracted soil vapor, residual soil, recovered condensate, chemical data quality, emissions)
- O&M reporting
- conclusions regarding overall effectiveness of SVE, including an interpretation of the zone of capture of the system
- recommendations for on-going system operations and data collection
- supporting appendices (e.g., laboratory analysis reports, QA reports, field data sheets, and well installation and boring logs)
- permit compliance on air emissions

Appendix C includes an annotated outline for a system validation and startup report.

9.4.6 Status Reports

Status reports summarizing the performance of the SVE system should be submitted to DTSC at a frequency identified in the O&M plan. Appendix C outlines suggested content for these reports.

9.5 COMPLETION REPORT

Once remediation has been completed and RAOs are achieved (see Section 9.3.8), a completion report should be prepared to verify and document the activities and results of the cleanup. The completion report should be prepared in conformance with standard geologic and engineering principles and practice using appropriately licensed and experienced professionals.

10.0 CERTIFICATION / COMPLETION

When the approved remedy for cVOCs in the vadose zone has been fully implemented, DTSC will confirm through review of performance metrics (including confirmation sampling) that the RAOs have been achieved. The possible determinations are:

- the RAOs have been achieved for cVOCs;
- the response action has been fully implemented, is operating successfully, and on-going O&M is needed until the RAOs are achieved; and/or
- additional cleanup is necessary.

Based on the findings, DTSC will issue a certification letter, a completion letter, or a letter requiring additional work to address cVOCs in the vadose zone.

10.1 SITE CERTIFICATION

When DTSC determines that the approved remedy has been fully implemented, DTSC certifies the satisfactory completion of remedial action activities at the site.

- When DTSC determines that the approved remedy has been fully implemented and the remediation for cVOCs in the vadose zone results in a site restored to unrestricted residential standards, DTSC certifies that the required remedy has been completed and that no further remediation is necessary, unless new information is obtained. The site status on DTSC's EnviroStor database is changed from "Active" to "Certified".
- If the site has been remediated to standards appropriate for restricted use of the property, DTSC issues a certification letter that the site soil has been restored to levels agreed upon in the regulatory decision document. The certification letter is issued after any requirements for a LUC and/or O&M agreement and O&M plan are met. The site status on DTSC's EnviroStor database is changed from "Active" to "Certified/Operation and Maintenance".
- If the approved remedy includes actions requiring operation, maintenance, and monitoring (e.g., SVE systems), DTSC certifies that the remedy has been implemented once: (1) sufficient information has been submitted to verify that the remedy has been implemented and is functioning as proposed in the remedy selection document and in design plans; and (2) any LUC, O&M agreement, and O&M plan requirements have been met. The DTSC certification letter will describe the remedy implemented and will state that DTSC has continuous oversight and the responsible party is required to operate and maintain the measures necessary for on-going protection of public health and the environment. The Site status on DTSC's EnviroStor database is changed from "Active" to "Certified/Operation and Maintenance".

10.2 COMPLETION LETTER FOR INTERIM ACTIONS / INTERIM MEASURES

Removal actions may be implemented as interim actions or interim measures taken to begin the cleanup process while the final remedy is being evaluated and selected. Examples of this include actions taken to reduce the mass of cVOCs in the vadose zone, or actions taken to address cVOCs in the vadose zone while remedies for groundwater are being evaluated. For these cases, the site is not ready for certification following the implementation of these actions. Hence, DTSC will issue a completion letter acknowledging that the PT&R removal action has been implemented and that additional actions are required to address cVOCs at the site.

10.3 ADDITIONAL ACTIONS NEEDED

Achievement of the RAOs outlined in the remedy decision document may not be possible. For these cases, DTSC will issue a letter acknowledging that the removal action was implemented, noting that the RAOs were not achieved, and requiring that the remaining contamination should be addressed through a subsequent response action.

11.0 LONG-TERM STEWARDSHIP

Long-term stewardship applies to sites and properties where long-term management of contaminated environmental media is necessary to protect human health and the environment over time. This includes sites where remediation may take place over several years and sites where contaminated media will remain in place for a much longer period of time. This chapter discusses elements that may be required to meet the needs of long-term stewardship. The elements included in below may not apply to all sites based on site-specific conditions and remedial timeframes.

11.1 INSTITUTIONAL CONTROLS FOR CONTAMINATION REMAINING IN PLACE

ICs are used to stop or reduce the exposure of human and environmental receptors to residual contamination. ICs are non-engineering mechanisms used to ensure that the intended future land use is consistent with site cleanup and engineering controls, and that these measures maintain their integrity and effectiveness.

For sites necessitating ICs, California Code of Regulations, title 22, section 67391.1 requires the property owner to enter into a LUC to ensure that DTSC will have authority to implement, monitor, and enforce the protective restrictions. LUCs allow on-going use of the property as long as the remedy is not compromised by current or future development. LUCs are intended to protect public health and the environment by preventing inappropriate land use, increasing the probability that the public will have information about residual contamination, ensuring that long-term mitigation measures are carried out by protecting the engineering controls and remedy, and ensuring that subsequent owners assume responsibility for preventing exposure to contamination. The LUC should provide for an annual inspection and annual report to ensure that the LUC continues to be protective. The LUC should also provide for preparation and submittal of five-year reviews.

LUCs may include soil management plans to ensure that soil is handled in such a way to prevent human and ecological exposure. These plans address soil excavation, soil stockpiling, stockpile characterization, soil disposal, soil reuse, construction dewatering, worker training, health and safety, and site inspection.

California Code of Regulations, title 22, section 67391.1 requires that a LUC imposing appropriate limitations on land use shall be executed and recorded with the local county recorder's office when hazardous materials, hazardous wastes or constituents, or hazardous substances will remain at the property at levels which are not suitable for unrestricted land use. The regulation requires DTSC to clearly set forth and define land use limitations or covenants in a remedy decision document prior to approving or concurring with any facility closure, corrective action, remedial or removal action, or other response actions. In addition to these regulatory requirements, it may also be prudent to coordinate with the local planning department regarding the LUC requirements. Further information regarding LUCs is available on the DTSC website.

After the LUC is recorded, if a proposed use of the property is inconsistent with the LUC requirements and/or would increase the risk of exposure to contaminants at the site,

additional actions must be conducted to ensure that the property meets cleanup standards appropriate for the proposed use. Additional sampling and risk characterization for further cleanup actions may be required, and the LUC may be rescinded or modified as appropriate.

11.2 REGULATORY OVERSIGHT AGREEMENT

A regulatory oversight agreement will be required for the period during which the SVE system is operated and until the site is certified. Examples include Corrective Action Consent Agreements and O&M Agreements.

11.3 OPERATION AND MAINTENANCE PLAN

Any regulatory oversight agreement should reference or include the DTSC-approved O&M plan that outlines the procedures and requirements for on-going O&M of the SVE system. Section 9.3.6 describes selected elements of an O&M plan.

11.4 CONTINGENCY PLAN

Any regulatory oversight agreement should reference or include a contingency plan that will be implemented in the event that an immediate response action is required to ensure protection of human health and the environment. Also, the contingency plan should address steps to be taken if performance assessment indicates that the removal action is insufficient and/or will not achieve the RAOs. The contingency plan may be a stand-alone document or may be included as an element of the O&M plan.

11.5 FINANCIAL ASSURANCE

Financial assurance can be accomplished by several mechanisms and will assure that sufficient monies are available to implement any required corrective action activities and on-going O&M activities, conduct necessary five-year reviews, and pay the regulatory oversight costs associated with those activities and IC implementation. These on-going costs should be included in the cost calculation utilized in the remedy selection process. The USACE Manual discusses considerations for estimating costs of constructing and operating SVE systems.

11.6 FIVE-YEAR REVIEW

The regulatory oversight agreement and the O&M plan should include provisions for conducting five-year reviews. The purpose of the five-year review is to ensure that the remedy remains protective of human health and the environment, is functioning as designed, and is maintained appropriately by O&M activities. The review generally addresses the following questions:

- Is the remedy functioning as intended?
- Are the cleanup objectives, goals, and criteria used at the time of cleanup alternative selection still valid?

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- Have there been significant changes in the distribution or concentration of impacted soils at the site?
- Are modifications needed to make the remedy or the O&M plan more effective?

The five-year review may also include a remedy optimization evaluation (e.g., sustainability assessment), as discussed further in the *Interim Advisory for Green Remediation* (DTSC, 2009d).

The scope of the five-year review may be outlined in the O&M plan or in a separate workplan developed for a specific review. The following should be incorporated into the five-year review:

- notification of the community that the review is being conducted;
- inspection of the remedy;
- review of the data demonstrating the performance of the system;
- review of other components of the remedy; and
- preparation of a report that details the findings and recommendations of the review.

The *Comprehensive Five-Year Review Guidance* (USEPA, 2001a) may be a useful resource when conducting these reviews.

Depending on site-specific considerations, the inspection and/or technical assessment may be conducted by DTSC and/or the responsible party. DTSC will review the report and make recommendations, if necessary, to ensure that the remedy remains effective, to identify milestones toward achieving or improving effectiveness, and to provide a schedule to accomplish necessary tasks.

The five-year review report should be prepared in conformance with standard geologic and engineering principles and practice using appropriately licensed and experienced professionals.

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GLOSSARY

Brownfields. Brownfields are properties that are contaminated, or thought to be contaminated, and are underutilized due to perceived remediation costs and liability concerns.

Capillary fringe. Zone of soil immediately above the water table. The soil pores in this zone act like capillary tubes causing groundwater to rise within the pore. The water in this zone is retained under suction. At the base of the capillary fringe most soil pores are completely filled with water. At the top of the capillary fringe, only the smallest soil pores are filled with water.

CERCLA. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980, and amended in 1986, by the Superfund Amendments and Reauthorization Act (SARA). This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites; and established a trust fund to provide for cleanup when no responsible party could be identified.

CEQA. The California Environmental Quality Act (Public Resources Code, §21000 et seq) requires public agencies to consider and disclose the environmental implications of their decisions, and to eliminate or reduce the significant environmental impacts of their decisions whenever it is feasible to do so.

Chemical of concern (COC). Chemicals of concern (COCs) are the compounds exceeding screening levels and are carried forward into the risk assessment.

California Human Health Screening Levels (CHHSLs). Developed by the Office of Environmental Health Hazard Assessment (OEHHA) as a tool to assist in the evaluation of contaminated sites to estimate the degree of effort that may be necessary to remediate a contaminated property. CHHSLs are concentrations of contaminants in soil, soil gas, or indoor air that the Cal/EPA considers to be below thresholds of concern for risks to human health.

Cleanup goal. Concentration value against which the success or completeness of a cleanup effort is evaluated.

Conceptual site model (CSM). Tool to help organize and communicate information about the site characteristics. It provides a summary of how and where contaminants are expected to move, and who might be exposed to chemicals and how it explains what a problem is and why a response is needed.

Corrective Measures Study (CMS). The Corrective Measures Study is the mechanism for the development, screening, and detailed evaluation of alternative corrective actions under the corrective action process.

Exposure point concentration (EPC). The exposure point concentration (EPC) is a conservative estimate of the average chemical concentration in the environmental media.

Feasibility Study (FS). Under the National Contingency Plan process (used by DTSC under California HSC Chapter 6.8), the feasibility study is the mechanism for the development, screening, and detailed evaluation of alternative remedial actions.

Hazard Index: Refers to the cumulative, noncarcinogenic health hazard estimate for a site.

HSAA. Hazardous Substances Account Act, Health and Safety Code, division 20, chapter 6.8.

HWCL. Hazardous Waste Control Law, Health and Safety Code, division 20, chapter 6.5.

Institutional Control (IC). ICs are actions, such as legal controls, that help minimize the potential for human exposure to contamination by ensuring appropriate land or resource use.

Interim Actions. Interim actions are short-term response actions performed pursuant to CERCLA or HSAA to control on-going risks while site characterization is underway or before a final response action is selected.

Interim Measures. Interim measures are short-term response actions performed pursuant to RCRA or HWCA to control on-going risks while site characterization is underway or before a final response action is selected.

Land Disposal Restriction (LDR). The Land Disposal Restriction (LDR) program found in federal and State regulations requires waste handlers to treat hazardous waste or meet specified levels for hazardous constituents before disposing of the waste on the land. To ensure proper treatment, the regulations establish a treatment standard for each type of hazardous waste. The regulations list these treatment standards and ensure that hazardous waste cannot be placed on the land until the waste meets specific treatment standards to reduce the mobility or toxicity of the hazardous constituents in the waste.

Land Use Covenant (LUC). Written instruments used to require compliance with certain obligations and restrict use of property. Land use covenants run with the land and are recorded at the county recorder's office so that they will be found during a title search of the property deed.

National Contingency Plan (NCP). The National Oil and Hazardous Substances Pollution Contingency Plan [40 Code of Federal Regulations sections 300.1 - 300.920], more commonly called the National Contingency Plan or NCP, is the federal government's blueprint for responding to both oil spills and hazardous substance releases.

Non-time-critical removal action. Non-time-critical removal actions, as defined by CERCLA, are removal actions that the lead Agency determines, based on the site evaluation, are appropriate, and a planning period of at least six months is available before on-site activities must begin.

Preliminary Endangerment Assessment (PEA). Under DTSC (2004), the Preliminary Endangerment Assessment (PEA) includes activities performed to determine whether current or past waste management practices have resulted in the release or threatened release of hazardous substances or materials which pose a threat to public health or the environment.

RCRA. The Resource Conservation and Recovery Act, an amendment to the Solid Waste Disposal Act to address the huge volumes of municipal and industrial solid waste generated nationwide. Under RCRA, USEPA has the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous wastes. [Title 40 of the Code of Federal Regulations, Parts 239 through 282]

Remedial Action Plan (RAP). Under the HSAA, the RAP is the response action selection document for a remedial action for which the capital costs of implementation are projected to cost \$2,000,000 or more.

Removal Action Workplan (RAW). Under the HSAA, the RAW is the response action selection document for a nonemergency removal action that is projected to cost less than \$2 million at a hazardous substance release site. Typically, these are actions designed to stabilize or cleanup a site posing a threat to human health or the environment, either as an interim action or the final remedy.

Risk assessment: The scientific process used to estimate the likelihood that a chemical detected at a site may be harmful to people or the environment.

Risk management: The process of evaluating alternative regulatory and non-regulatory responses to risk and selecting among them. The selection process necessarily requires the consideration of scientific, legal, economic and social factors.

Risk screening. Process of identifying COCs that need to be cleaned up on the site based on potential risk to human health. Screening involves a comparison of site media concentrations with risk-based values (e.g., CHHSLs).

Screening level. Concentration value used to evaluate whether a cVOC poses a risk to human health and should be identified as a COC.

Site characterization. Process of determining the type, quantity, and location of contaminant releases at a site. Also includes assessment of site characteristics that affect how and where the contaminant may be moved and the how human health and the environment are or may be affected.

Soils. Loose material on the surface and in the subsurface of the earth consisting of solids (i.e., mineral grains, organic matter), water, and air.

Soil vapor. Air or gas phase compounds in soil pore spaces.

Soil vapor extraction (SVE). SVE is used to remediate vadose zone soil by applying a vacuum that induces the controlled flow of air to remove volatile and some semivolatile organic contaminants from the soil.

Time-critical removal action. Where a release or threatened release poses an imminent or substantial risk to health or environment and a timing period of less than six months exists, a time-critical removal may be employed to prevent a release of contaminants or minimize its risk. For these types of removal actions, evaluation and reporting requirements are kept to a minimum to expedite the response.

Vadose zone. The zone between the land surface and the top of the groundwater table. Water within this zone is referred to as soil moisture.

APPENDIX A CONCEPTUAL SITE MODEL FOR CHLORINATED VOLATILE ORGANIC COMPOUNDS

This appendix presents the conceptual site model (CSM) for chlorinated volatile organic compounds (cVOCs) in the environment to illustrate potential contaminant migration pathways from a release point into subsurface soil and groundwater. The CSM presented herein is a simplified description of complex real-world systems and serves as a framework to illustrate the behavior of cVOCs so that appropriate characterization and remediation strategies can be developed. This appendix is meant to help practitioners visualize and interpret the spatial variability of cVOCs in the subsurface and to assist practitioners in developing site-specific CSMs. Figure A-1 illustrates the conceptual model for cVOC transport, as adapted from Rivett (1995).

Subsurface cVOC contamination is caused by releases from sources such as landfills, leaking pipes, underground storage tanks, aboveground spills, and aboveground facilities with operations that use chlorinated solvents. Such subsurface cVOCs may exist as contaminated soil gas, contaminated soil, non-aqueous phase liquid (NAPL) in soil or groundwater, and as dissolved-phase contamination in groundwater. NAPL contamination can be of particular concern due to higher contaminant concentrations and its persistence in the environment.

NAPL Plumes

After a liquid cVOC release, the NAPL may be fully contained in the vadose zone or may penetrate the water table to form NAPL pools below the water table as well as leaving a trail of residual NAPL along its migration pathway in both the vadose zone and saturated zone. NAPL may also accumulate near the water table if downward migration is slowed by conditions in the capillary fringe, hard pan zones, or other subsurface features. Where this occurs, subsequent water table fluctuations can produce a “smear zone” of residual NAPL that affects cVOC distribution in the vadose and saturated zones. The presence of these smear zones also affects the types of remedies that will be effective at a given site.

Because cVOC releases typically occur at or near the ground surface, transport mechanisms in the vadose zone are primarily responsible for soil gas and water table plume formation. As shown in Figure A-1, soil gas and water table plumes can have similar spatial footprints. NAPL present in, or close to, the saturated zone will produce dissolved-phase groundwater plumes. These groundwater plumes can have lengths greater than a thousand feet for dissolved-phase cVOC constituents that are not readily biodegradable. Dense NAPL can penetrate below the water table and migrate under the influence of gravity in directions opposite of groundwater flow. Accordingly, dense NAPL sources can be present in different places than would be expected by simply mapping the advective flow of groundwater alone, making sources difficult to find and delineate. Dissolved-phase plumes will emanate from the entire continuous, vertical distribution of NAPL in the groundwater (see Figure A-1).

Soil Gas Plumes

When released to the vadose zone, the cVOC vapors will migrate laterally by diffusion in all directions, potentially tens of meters away from NAPL sources (Silka, 1988; Mendoza and Frind, 1990). The cVOC vapors also will migrate upward toward the ground surface (possibly intruding into buildings) and downward toward the water table, contaminating groundwater by direct contact. Also, cVOCs in soil gas contaminate groundwater by partitioning into infiltrating recharge water within the vadose zone pore space. These processes produce water table plumes that are wide (relative to the groundwater flow direction) and spatially coincident with soil gas plumes.

As shown in Figure A-1, soil gas contamination can migrate laterally upgradient of the groundwater flow direction, potentially contaminating the water table upgradient of the source area. Consequently, in many cases, cVOC contamination detected in groundwater monitoring wells upgradient from release points may not be attributable to offsite sources. Rather, cVOCs in upgradient wells may be caused by lateral diffusional transport of contaminated soil gas followed by subsequent direct contact with groundwater or partitioning into infiltrating recharge water. Also, as groundwater flows away from cVOC sources areas, the dissolved-phase contaminants may partition from the aqueous-phase back into the vadose zone, contaminating soil gas. This soil gas contamination, which is further from NAPL sources than predicted by radial diffusional migration, may produce soil gas concentrations that pose a risk via the indoor air exposure pathway. Therefore, even distal portions of cVOC groundwater plumes located under residential or commercial buildings may produce unacceptable indoor air exposure scenarios.

Groundwater Plumes

The plan views in Figure A-1 illustrate the discrepancies in plume widths that should be recognized when delineating groundwater contamination in the saturated zone. Water table plumes are wide and spatially coincident with soil gas contamination. Deeper plumes will not be much wider than the NAPL source zone due to the weakness of transverse and horizontal dispersion (Anderson et al., 1992). These deeper groundwater plumes can avoid detection if sampling locations are spaced inappropriately. Practitioners should also recognize that saturated zones separated by aquitards may have different groundwater flow directions. Therefore, a deep groundwater plume may have a different spatial orientation than its associated water table plume.

Aquifer homogeneity should also be considered when developing a CSM. For saturated zones within relatively homogeneous subsurface conditions, deep NAPL sources generate narrow dissolved-phase contaminant plumes, and are expected to be directly under the cVOC release point. However, in aquifers within heterogeneous subsurface conditions, deep NAPL sources also may be laterally offset from the release point. For heterogeneous conditions, investigation efforts should assess contaminant distribution in both high and low permeability materials.

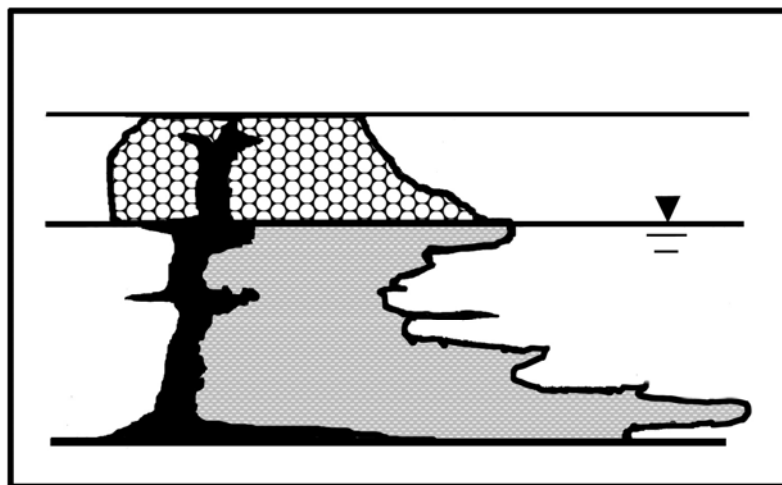
CSM Development

The CSM is a representation of the nature, extent, and fate of cVOCs that allows assessment of the potential exposures to contamination. Stakeholders use the CSM to evaluate strategies to protect public health and the environment. The CSM is a scientific hypothesis that is tested, modified, and refined until confident decision-making is possible. Typically, a CSM integrates subsurface characterization with a pathway-exposure assessment, and contains the following elements: contaminant sources; potential release mechanisms; affected environmental media; exposure pathways; and human and ecological receptors. The CSM is developed early and updated throughout the site characterization process. The CSM is a communication tool to direct risk-specific site sampling. Additional information for the development of a CSM can be found in USEPA (1996), USEPA (2008), and DTSC (2008).

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Longitudinal cross section



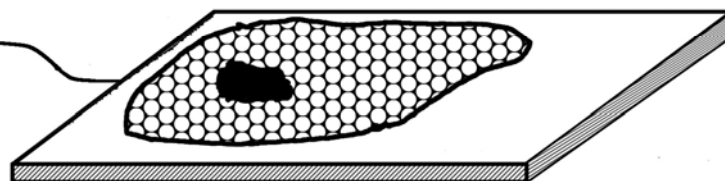
■ DNAPL

▨ Soil gas plume

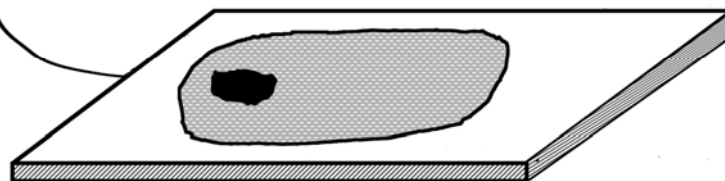
▩ Groundwater plume

Plan view

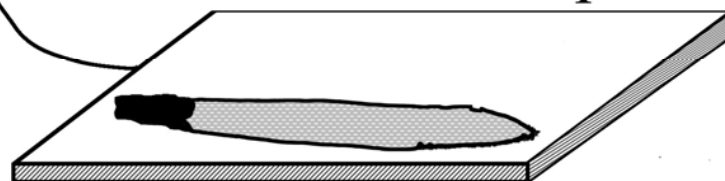
Soil gas plume



Water table plume



Groundwater plume



NOTE: Adapted from Rivett (1995)

Figure A-1
CVOC Conceptual Site Model
Subsurface Characterization

APPENDIX B

**SUPPORTING DOCUMENTATION FOR
DTSC TECHNOLOGY SCREENING**

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**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
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Table B-1 Cleanup Options Selected for cVOCs in Vadose Zone Soil and Characteristics of Sites Evaluated by DTSC Study

DTSC Site Type (no. of sites)	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
Corrective Action (16 ²)	1	14	0	6	0	0
Military Facilities (19 ²)	3	12	0	6	2	0
Schools (3)	0	1	0	2	0	0
State Response/ NPL (33 ²)	7	19	0	17	4	1
Voluntary Cleanup (19 ²)	4	11	2	13	0	0

Total number of sites represented: 90

Depth to First Groundwater (no. of sites)	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
≤ 10 feet bgs (9 ²)	2	3	0	6	1	0
>10 to 20 feet bgs (13 ²)	3	5	0	10	2	0
>20 to 50 feet bgs (25 ²)	4	15	1	14	0	1
>50 to 100 feet bgs (16 ²)	3	14	0	2	1	0
> 100 feet bgs (12 ²)	1	12	1	3	0	0

Total number of sites represented: 75 (Information on depth to groundwater not available for all 90 sites.)

Affected Media (no. of sites)	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
Soil / soil vapor only (4 ²)	1	2	0	3	1	0
Groundwater (86 ²)	13	60	2	40	5	1
Surface water (1)	0	0	0	1	0	0
Indoor air (22 ²)	5	22	0	7	0	0

Total number of sites represented: 90

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
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Table B-1 (Continued)

Primary cVOCs Detected	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
Trichloroethene	12	45	2	33	4	1
Tetrachloroethene	12	40	1	30	5	1
Trichloroethane	6	10	0	8	2	0
Dichloroethane	1	7	1	3	1	0
Chloroform	0	3	0	1	0	0
Methylene chloride	1	1	0	1	0	0
Carbon tetrachloride	1	3	0	0	0	0
Other	0	9	0	1	0	0

Total number of sites represented: 88 (Information detected cVOCs not available for all 90 sites.)

Contaminants Other than cVOCs	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
None reported	4	13	1	10	2	0
Metals	8	24	1	22	2	1
Fuel-related compounds, including BTEX	7	26	0	21	3	1
Semi-volatile organic compounds	3	10	0	4	1	1
Polynuclear aromatic hydrocarbons	0	7	0	5	0	1
Polychlorinated biphenyls	3	6	0	9	2	1
Pesticides	0	4	0	5	1	0
Dioxins/furans	0	3	0	1	0	0
Other	1	8	0	5	0	0

Total number of sites represented: 86 (Information on other contaminants present not available for all 90 sites.)

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
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Table B-1 (Continued)

Historical Site Activity (no. of sites)	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
Manufacturing/ industrial activities (38 ²)	3	25	0	21	1	1
Aircraft manufacturing, operations, maintenance (12 ²)	3	8	1	3	0	0
Metal plating, finishing (8 ²)	1	5	1	3	1	0
Dry cleaners (8 ²)	1	4	0	4	1	0
Solvent recycling/ reclamation (5 ²)	1	4	0	3	0	0
Disposal (10 ²)	2	3	0	5	2	0
Equipment maintenance/ repair (3 ²)	2	2	0	3	1	0
Research facility, laboratory (3 ²)	0	3	0	1	0	0
Chemical distribution, packaging (3 ²)	1	3	0	0	0	0

Total number of sites represented: 90

Current or Planned Land Use (no. of sites)	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
Commercial/ industrial (55 ²)	10	38	2	22	3	1
Residential, potentially residential, mixed use (15 ²)	3	7	0	13	1	0
School/ church (4 ²)	0	2	0	3	0	0
Natural area (1)	0	1	0	0	0	0

Total number of sites represented: 75 (Information on potential future use not available for all 90 sites.)

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOIL**

Table B-1 (Continued)

Site Size (no. of sites)	Cleanup Option Selected (No. of Sites)					
	IC ¹	Soil Vapor Extraction	<i>In Situ</i> Treatment Technologies	Excavation & Off-site Treatment/ Disposal	Containment/ Capping	Excavation, <i>Ex Situ</i> Treatment, On-site Reuse
<1 acre (15 ²)	2	8	0	10	1	0
>1 – 10 acres (38 ²)	7	23	2	21	2	0
>10 – 50 acres (19 ²)	3	13	0	9	1	0
>50 – 100 acres (3)	0	1	0	1	0	1
> 100 acres (2 ²)	1	1	0	0	1	0

Total number of sites represented: 77 (Information on site size not available for all 90 sites.)

Notes:

bgs below ground surface

BTEX Benzene, toluene, ethylbenzene, xylene

cVOCs chlorinated volatile organic compounds

NPL National Priorities List

1 IC is institutional control. Used in conjunction with another cleanup option.

2 Some sites in this category selected multiple cleanup options (i.e., this number is not simply the sum of frequencies listed in this row).

PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS

Table B-2 Technologies Applicable at Sites with Chlorinated VOCs in Vadose Zone Soil

TECHNOLOGY	DESCRIPTION	APPLICABILITY	LIMITATIONS / CONSTRAINTS	REF.
<i>Ex Situ</i> Technologies¹				
Excavation and Off-site Disposal	Impacted soil is excavated and isolated within an engineered disposal unit (e.g., landfill, CAMU).	<ul style="list-style-type: none"> Wide variety of soils and contaminants. 	<ul style="list-style-type: none"> Cost. Transportation of impacted soils to off-site disposal facility. Does not lessen toxicity, mobility, or volume of hazardous wastes. 	
Capping	Impacted soil is isolated in place beneath an engineered cap or excavated and isolated within an engineered disposal unit (e.g., landfill, CAMU).	<ul style="list-style-type: none"> Wide variety of soils and contaminants. 	<ul style="list-style-type: none"> Long-term maintenance. Land use restrictions. Not protective if groundwater is shallow. Likely will require a gas collection system to control contaminant vapor migration. By itself, cannot prevent the horizontal flow of water through the waste, can only reduce the vertical entry of water into the waste. 	
Slurry Phase Bioremediation	Slurry-phase bioreactors are used to treat halogenated VOCs using cometabolites and specially adapted microorganisms. Slurry is created by combining soil with water and other additives and mixing to keep solids suspended and microorganisms in contact with the soil contaminants. Upon completion of treatment, the slurry is dewatered and treated soil is disposed of.	<ul style="list-style-type: none"> Favored over <i>in situ</i> biological treatment for <ul style="list-style-type: none"> -heterogeneous soils, -low permeability soils, -areas where underlying ground water would be difficult to capture, or -when faster treatment times are required. 	<ul style="list-style-type: none"> Less reliable for treatment of cVOCs than other <i>ex situ</i> biological treatment options. Requires bench and pilot scale studies. Difficulty and cost of sizing materials prior to placement in reactor. Nonhomogeneous and clayey soils can create materials handling problems. Must remove free phase contaminants prior to treatment. Cost of dewatering soil fines after treatment. Requires acceptable method for disposing of nonrecycled wastewaters. 	2, 5

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS**

Table B-2 (Continued)

TECHNOLOGY	DESCRIPTION	APPLICABILITY	LIMITATIONS / CONSTRAINTS	REF.
<i>Ex Situ</i> Technologies¹ (Continued)				
Biopiles	Excavated soils are mixed with soil amendments, placed in aboveground enclosures, and subjected to aerated bioremediation and composting process. Treatment units typically require liner, pad, leachate collection system, and aeration system.	<ul style="list-style-type: none"> • Can treat some cVOCs, though most commonly used to treat fuel-related compounds. 	<ul style="list-style-type: none"> • Requires bench and pilot scale studies. • Questionable effectiveness for halogenated compounds in soil. • Volatile constituents tend to evaporate rather than biodegrade during treatment. • May require air emission controls. • May result in less uniform treatment than processes involving periodic mixing. 	2, 3, 5
Landfarming (also known as Land Treatment)	Excavated soil is amended and applied into aboveground beds that are periodically turned over or tilled to aerate the soil. Treatment units typically require a liner and berms, and potentially a leachate collection system.	<ul style="list-style-type: none"> • Treating aerobically degradable, non-volatile contaminants. • Can treat some cVOCs, but most successfully used for treating petroleum hydrocarbons. 	<ul style="list-style-type: none"> • Requires bench and pilot scale studies to verify that technology can meet RAOs. • May not be best treatment option for cVOCs based on cost and effectiveness. • Harder to degrade organic compounds having a higher degree of chlorination. • Concentration reductions greater than 95% and constituent concentrations less than 0.1 ppm are difficult to achieve. • Volatile constituents tend to evaporate rather than biodegrade during treatment. • Likely will require emission controls. • Difficult to control conditions affecting biological degradation (e.g., temperature, moisture). • Large amount of space is required. 	2, 4, 5

PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS

Table B-2 (Continued)

TECHNOLOGY	DESCRIPTION	APPLICABILITY	LIMITATIONS / CONSTRAINTS	REF.
Ex Situ Technologies¹ (Continued)				
Composting	Controlled biological process which treats organic contaminants under thermophilic conditions (54 to 65° C). Contaminated soil is excavated and mixed with bulking agents and organic amendments. Three common designs include aerated static piles, in-vessel, windrow composting.	<ul style="list-style-type: none"> • Soils contaminated with biodegradable organic compounds. 	<ul style="list-style-type: none"> • Substantial space is required. • Amendments cause volumetric increase. • Off-gas control and treatment may be required. In-vessel composting provides the best control of VOCs. When a vacuum is applied, aerated static piles offer some control of VOCs. • Most costly <i>ex situ</i> biological treatment option. • Design requirements (e.g., need for liner, aeration method, temperature) depend on type of design. 	2, 5
Chemical Extraction	Contaminated soil and an extractant (e.g., solvent, acid) are mixed in an extractor. Extracted solution is separated into contaminants and extractant for treatment and further use. Physical separation steps are often used before chemical extraction to grade the soil into coarse and fine fractions (assuming much of contaminant is associated with fine fraction).	<ul style="list-style-type: none"> • Shown to be applicable for separation of organic contaminants such as in paint wastes, synthetic rubber process wastes, and petroleum refinery oily wastes. • Commercial-scale units are in operation, varying in regard to extractant employed, type of equipment used, and mode of operation. • Commonly used in combination with other technologies, such as solidification/stabilization, incineration, or soil washing. 	<ul style="list-style-type: none"> • Some soil types and moisture content levels will adversely impact process performance. • Higher clay content may reduce extraction efficiency and require longer contact times. • Capital costs can be relatively high. • May be more economical at larger sites. • Extractant effects (e.g., acidity, toxicity) on treated soil may need to be addressed. • Less reliable than other <i>ex situ</i> physical/chemical treatment options. • Typically requires longer cleanup time than other <i>ex situ</i> physical/chemical treatment options. 	2

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS**

Table B-2 (Continued)

TECHNOLOGY	DESCRIPTION	APPLICABILITY	LIMITATIONS / CONSTRAINTS	REF.
<i>Ex Situ</i> Technologies¹ (Continued)				
Dehalogenation	Soil is screened, processed with a crusher and pug mill, and mixed with reagents. Mixture is heated in a reactor. Replaces halogen molecules or causes decomposition and partial volatilization of contaminants.	<ul style="list-style-type: none"> Typically used for halogenated SVOCs and pesticides. Can be used to treat some halogenated VOCs. Can be used for small-scale applications 	<ul style="list-style-type: none"> Generally more expensive than other technologies. Concentrations of chlorinated organics greater than 5% require large volumes of reagent. High clay and moisture content will increase treatment costs. Capture and treatment of residuals may be difficult, especially when the soil contains high levels of fines and moisture. 	2
Thermal Desorption	Soil is heated to volatilize water and organic contaminants. A carrier gas or vacuum system transports volatilized water and organics to the gas treatment system.	<ul style="list-style-type: none"> Full spectrum of organic contaminants, including VOCs. 	<ul style="list-style-type: none"> May be less cost-effective than other treatment technologies. Incidental combustion may occur in some thermal treatment units. Emission controls and permitting requirements. Particle size and materials handling requirements can impact applicability or cost at specific sites. Dewatering may be necessary to achieve acceptable soil moisture content levels. Clay and silty soils and high humic content soils increase reaction time. 	2, 4
Incineration	High temperatures, 870-1,200 °C, are used to combust (in the presence of oxygen) organic constituents in hazardous wastes.	<ul style="list-style-type: none"> Used to remediate soils contaminated with hazardous wastes, particularly chlorinated hydrocarbons, PCBs, and dioxins. 	<ul style="list-style-type: none"> Typically requires transport of impacted soils over long distances. High cost and energy usage. Feed size and materials handling issues can impact applicability or cost. Off gases and combustion residuals generally require treatment. 	2

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS**

Table B-2 (Continued)

TECHNOLOGY	DESCRIPTION	APPLICABILITY	LIMITATIONS / CONSTRAINTS	REF.
<i>In Situ Technologies</i>				
Soil Vapor Extraction (SVE)	Vacuum is applied through extraction wells to create a pressure/concentration gradient that induces gas-phase volatiles to be removed from soil via extraction wells.	<ul style="list-style-type: none"> • Volatile compounds. • Often promotes <i>in situ</i> biodegradation of low-volatility organic compounds. • Can remove contamination under existing structures. 	<ul style="list-style-type: none"> • Higher vacuums required for soil with high percentage of fines or high degree of saturation, increasing costs and/or limiting effectiveness. • May be less effective in heterogeneous soil. • Reduced removal rates for high organic content or extremely dry soils. • Exhaust air may require treatment. • Residual liquids from off-gas treatment may require treatment/disposal. Spent activated carbon will require regeneration or disposal. • Not effective in saturated zone. • May not be able to address shallow VOC sources because of short circuiting. • Subsurface infrastructure (e.g., pits, vaults) may limit treatment effectiveness. 	2, 6
Thermally Enhanced SVE	Heating is used to increase volatilization rate and facilitate extraction. Heating options include conductive heating, steam/hot air injection, and electrical resistance/electromagnetic/fiber optic/radio frequency	<ul style="list-style-type: none"> • Option for treating VOCs if high moisture content is limiting the effectiveness of standard SVE. 	<ul style="list-style-type: none"> • Same as for SVE. • Tight or high moisture content soil has reduced air permeability and requires more energy input to increase vacuum and temperature. • Soil with highly variable permeabilities may result in uneven delivery of gas flow to contaminated areas. • Hot air injection has limitations due to low heat capacity of air. 	2

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS**

Table B-2 (Continued)

TECHNOLOGY	DESCRIPTION	APPLICABILITY	LIMITATIONS / CONSTRAINTS	REF.
<i>In Situ</i> Technologies (Continued)				
Thermal Desorption	Applies heat to impacted soil by <i>in situ</i> methods. Heat can destroy or volatilize organic chemicals. As chemicals change into gases, mobility increases, and gases can be extracted and treated in an <i>ex situ</i> treatment unit. Similar heating options as thermally-enhanced SVE.	<ul style="list-style-type: none"> • Used with a wide range of soil types and volatile contaminants. • Can remove contamination under existing structures. 	<ul style="list-style-type: none"> • Uncertainty about uniformity of treatment because of variability in soil characteristics and because process efficacy is difficult to verify. • High utility costs. 	2
Cometabolic Bioventing	Air and a volatile organic substrate (e.g., propane) are delivered to contaminated unsaturated soils by forced air movement to elicit production of monooxygenase enzymes which consume the organic substrate and facilitate contaminant degradation.	<ul style="list-style-type: none"> • Lightly chlorinated compounds in vadose zone. 	<ul style="list-style-type: none"> • Limited experience with technology, particularly with cVOCs. Requires bench scale and pilot testing to demonstrate effectiveness for a given site. • Difficulty of distributing gases in subsurface. • May be difficult to apply to shallow contamination. 	5
Anaerobic Bioventing	Nitrogen and an electron donor (e.g., hydrogen, carbon dioxide) are delivered to contaminated unsaturated soils by forced air movement (injection) to produce reducing conditions, thereby facilitating microbial dechlorination.	<ul style="list-style-type: none"> • May be useful in treating highly chlorinated compounds. 	<ul style="list-style-type: none"> • Emerging technology. Requires bench, pilot, and field demonstrations to confidently apply this technology. • Difficult to distribute gases in subsurface. • Design must compensate for poor permeability conditions. • May be difficult to apply to shallow contamination. 	5

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS**

Table B-2 (Continued)

TECHNOLOGY	DESCRIPTION	APPLICABILITY	LIMITATIONS / CONSTRAINTS	REF.
<i>In Situ</i> Technologies (Continued)				
Soil Flushing	Water, or water containing a solubility-enhancing additive (e.g., surfactant), is applied to soil or injected into ground water to raise water table into contaminated soil zone. Contaminants are leached into ground water, which is then extracted and treated.	<ul style="list-style-type: none"> Can be used to treat VOCs, but may be less cost-effective than other technologies. 	<ul style="list-style-type: none"> Potential for washing contaminant beyond capture zone. Should be used only where flushed contaminants and soil flushing fluid can be contained and recaptured. Water quality concerns with introducing surfactants to subsurface. May alter the physical/chemical properties of the soil system (e.g., effective porosity). Can reduce contaminant mobility. Low permeability or heterogeneous soils are difficult to treat. Aboveground separation and treatment costs for recovered fluids can drive the economics of the process. 	2
Chemical Oxidation	Chemically converts contaminants to non-hazardous or less toxic compounds that are more stable, less mobile, and/or inert. Rate and extent of degradation of target compound are dictated by its chemical properties and susceptibility to oxidative degradation. Matching the oxidant and <i>in situ</i> delivery system to contaminants and site conditions is key to successful implementation and achieving performance goals.	<ul style="list-style-type: none"> Capable of achieving high treatment efficiencies for cVOCs over short time periods. 	<ul style="list-style-type: none"> Potential contaminant mobilization. If applied to vadose zone soils, need to address mobilization of contaminants and oxidation byproducts to groundwater. Requires bench and pilot scale studies. Oxidant delivery problems due to reactive transport and soil heterogeneity. Short persistence of some oxidants due to fast reaction rates. Natural oxidant demand may be high for some soils (e.g., high organic matter content, high reduced minerals, carbonates, free radical scavengers). Potential permeability reduction. Health and safety concerns with handling strong oxidants. 	2, 7

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS**

Table B-2 (Continued)

TECHNOLOGY	DESCRIPTION	APPLICABILITY	LIMITATIONS / CONSTRAINTS	REF.
<i>In Situ</i> Technologies (Continued)				
Phytoremediation	Process that uses plants to remove, transfer, stabilize, and destroy contaminants in soil and sediment.	<ul style="list-style-type: none"> May be applicable for remediation of cVOCs in shallow soils. 	<ul style="list-style-type: none"> Depth of treatment zone is determined by plants used in phytoremediation. In most cases, it is limited to shallow soils. Treatment effects may be seasonal. Longer cleanup time than other technologies. Can transfer contamination across media, e.g., from soil to air. 	2, 8

- 1 *Ex situ* technologies assume excavation of soil prior to application of technology
- 2 Van Deuren and others (2002)
- 3 USEPA (2004)
- 4 ITRC (1997)
- 5 USEPA (2006)
- 6 USACE (2002)
- 7 Huling and Pivetz (2006)
- 8 USEPA (2005)

PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS

Table B-3 Evaluation of Technologies Applicable to Sites With Chlorinated VOCs in Soil Against National Contingency Plan Analysis Criteria

TECHNOLOGY	NCP CRITERIA						
	OVERALL PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT	COMPLIANCE WITH APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS	LONG-TERM EFFECTIVENESS	REDUCTION OF TOXICITY, MOBILITY, OR VOLUME THROUGH TREATMENT	SHORT-TERM EFFECTIVENESS	IMPLEMENTABILITY	COST
Institutional Controls	<ul style="list-style-type: none"> • Manages potential exposure by restricting access and future land use. 	<ul style="list-style-type: none"> • May not comply with ARARs. 	<ul style="list-style-type: none"> • Uncertain because does not permanently address contamination. 	<ul style="list-style-type: none"> • Not a treatment alternative. 	<ul style="list-style-type: none"> • Does not create risks during implementation 	<ul style="list-style-type: none"> • Easily implemented. 	<ul style="list-style-type: none"> • Typically the lowest cost alternative.
Excavation and Off-site Disposal	<ul style="list-style-type: none"> • Protectiveness achieved by cVOC removal from site. 	<ul style="list-style-type: none"> • Requires compliance with applicable State and federal requirements for waste handling, storage, transportation and disposal requirements. 	<ul style="list-style-type: none"> • High long-term effectiveness for site. • Protectiveness at disposal site dependent on off-site management choices. 	<ul style="list-style-type: none"> • Disposal reduces mobility. • Reduction in toxicity and volume depends on offsite management choices. 	<ul style="list-style-type: none"> • Requires standard precautions necessary for protection of human health and environment during excavation, transport, and disposal. • cVOC emissions may require control during excavation and handling. 	<ul style="list-style-type: none"> • Easily implemented for shallow soils, if feasible site logistics, and facility with adequate capacity for waste type, located within a reasonable distance of site. • Uses standard construction equipment and labor. 	<ul style="list-style-type: none"> • Usually reasonable for small to medium volumes of contaminated soil. • May be cost-prohibitive for large volumes.

Note: Bold indicates major reason(s) rejected during alternatives analysis for sites evaluated by DTSC Study (see Chapter 7 of main text).

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS**

Table B-3 (Continued)

TECHNOLOGY	NCP CRITERIA						
	OVERALL PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT	COMPLIANCE WITH APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS	LONG-TERM EFFECTIVENESS	REDUCTION OF TOXICITY, MOBILITY, OR VOLUME THROUGH TREATMENT	SHORT-TERM EFFECTIVENESS	IMPLEMENTABILITY	COST
Soil Vapor Extraction (after USEPA, 1993)	<ul style="list-style-type: none"> Provides short-term and long-term protection by reducing concentration and exposure to cVOCs in soil. Depending on site-specific conditions, prevents or decreases further groundwater contamination. 	<ul style="list-style-type: none"> Does not trigger land disposal requirements. Because of limited disturbance, few impacts to water and sensitive resources are likely. Potential to treat cVOC concentrations to levels that will prevent exceedance of groundwater cleanup levels. Emission controls are needed to comply with air quality standards. 	<ul style="list-style-type: none"> Effectively removes contamination source. Proven technique for removing cVOCs from soil at depths with adequate air permeability. Requires some treatment of residuals. Requires review during on-going operation. Periodic reviews may be required if residual levels of cVOCs remain after system shutdown. 	<ul style="list-style-type: none"> Significantly reduces toxicity, mobility, or volume through treatment or removal of cVOCs. Produces few waste streams. 	<ul style="list-style-type: none"> Potential air emissions easily controlled. Generally involves relatively short timeframe to achieve RAOs. Effective for treating cVOC mass under buildings. Can be performed on active sites. Equipment is readily available. 	<ul style="list-style-type: none"> Readily available technology. Proven technology. Requires few engineering controls. Requires soil gas sampling to monitor cleanup progress and demonstrate achievement of RAOs. 	<ul style="list-style-type: none"> Can be cost effective.

Note: Bold indicates major reason(s) rejected during alternatives analysis for sites evaluated by DTSC Study (see Chapter 7 of main text).

PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS

Table B-3 (Continued)

TECHNOLOGY	NCP CRITERIA						
	OVERALL PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT	COMPLIANCE WITH APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS	LONG-TERM EFFECTIVENESS	REDUCTION OF TOXICITY, MOBILITY, OR VOLUME THROUGH TREATMENT	SHORT-TERM EFFECTIVENESS	IMPLEMENTABILITY	COST
Containment by Capping	<ul style="list-style-type: none"> Contaminated soil remains in place. Depending on site conditions, cVOCs may migrate laterally and vertically beneath cap unless controlled. Risk of exposure through inhalation, dermal contact and/ or incidental ingestion reduced through barriers. Groundwater protection depends on depth to water, potential for cVOC migration, and cap design that reduces water migration through soil. 	<ul style="list-style-type: none"> Waste disposal requires compliance with ARARs. 	<ul style="list-style-type: none"> Long-term protection ensured through continued cap maintenance, ICs, and, if needed, emissions controls. 	<ul style="list-style-type: none"> Not a treatment alternative. 	<ul style="list-style-type: none"> Requires standard precautions for protection of human health and environment. 	<ul style="list-style-type: none"> Commercially available. Demonstrated technology. Necessary materials easily attainable. Uses standard construction equipment and labor. 	<ul style="list-style-type: none"> Generally less expensive than most forms of treatment.

Note: Bold indicates major reason(s) rejected during alternatives analysis for sites evaluated by DTSC Study (see Chapter 7 of main text).

PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS

Table B-3 (Continued)

TECHNOLOGY	NCP CRITERIA						
	OVERALL PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT	COMPLIANCE WITH APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS	LONG-TERM EFFECTIVENESS	REDUCTION OF TOXICITY, MOBILITY, OR VOLUME THROUGH TREATMENT	SHORT-TERM EFFECTIVENESS	IMPLEMENTABILITY	COST
<i>In Situ</i> Treatment	<ul style="list-style-type: none"> Protectiveness achieved by transforming cVOCs and achieving target cleanup levels. Potential for cVOC mobilization to groundwater. 	<ul style="list-style-type: none"> Requires compliance with applicable State and federal requirements for treatment process. 	<ul style="list-style-type: none"> Permanently destroys cVOCs, if reagent successfully placed in contact with impacted soils. Uncertain effectiveness. Some technologies unproven for cVOCs in unsaturated soils. Some technologies can be effective for specific cVOCs. 	<ul style="list-style-type: none"> Reduces toxicity, mobility, and volume of soil contaminated with cVOCs. 	<ul style="list-style-type: none"> Requires standard precautions for protection of human health and environment during treatment process (e.g., reagent handling). 	<ul style="list-style-type: none"> Assess applicability through bench scale and treatability studies. May require permit for treatment process. Equipment availability depends on selected treatment process. Time to treat. Some treatments require large power source. Ability to achieve geochemical conditions needed for treatment. 	<ul style="list-style-type: none"> Relatively high cost.

Note: Bold indicates major reason(s) rejected during alternatives analysis for sites evaluated by DTSC Study (see Chapter 7 of main text).

PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE –
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOILS

Table B-3 (Continued)

TECHNOLOGY	NCP CRITERIA						
	OVERALL PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT	COMPLIANCE WITH APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS	LONG-TERM EFFECTIVENESS	REDUCTION OF TOXICITY, MOBILITY, OR VOLUME THROUGH TREATMENT	SHORT-TERM EFFECTIVENESS	IMPLEMENTABILITY	COST
<i>Ex Situ</i> Treatment	<ul style="list-style-type: none"> Protectiveness achieved by treatment in above-ground units and achieving cleanup goals for on-site reuse or for land disposal. 	<ul style="list-style-type: none"> Requires compliance with applicable State and federal requirements for excavation, treatment transportation, storage, and disposal. Emission controls likely needed to comply with air quality standards. 	<ul style="list-style-type: none"> Some techniques can be effective for specific cVOCs. May require additional technology if cleanup goals not achieved. 	<ul style="list-style-type: none"> Removes cVOCs or transforms cVOCs to less toxic by-products. 	<ul style="list-style-type: none"> Potential short-term risks from emissions during excavation, treatment, soil handling, and transportation. Requires standard precautions for protection of human health and the environment during treatment process. 	<ul style="list-style-type: none"> May require bench and pilot scale studies. May have multiple treatment steps. On-site treatment requires space for treatment unit. Off-site treatment requires transport to treatment facility. Administrative requirements for permitting treatment unit may delay project. 	<ul style="list-style-type: none"> Relatively high costs, particularly for off-site treatment and disposal.

Note: Bold indicates major reason(s) rejected during alternatives analysis for sites evaluated by DTSC Study (see Chapter 7 of main text).

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APPENDIX C

**RESOURCES FOR DESIGN AND IMPLEMENTATION OF
SVE SYSTEMS**

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ACRONYMS AND ABBREVIATIONS

Cal/EPA	California Environmental Protection Agency
CEQA	California Environmental Quality Act
cm/s	centimeters per second
CSM	conceptual site model
cVOC	chlorinated volatile organic compound
DQO	data quality objective
DTSC	California Department of Toxic Substances Control
GAC	granular activated carbon
GRA	Groundwater Resources Association of California
LARWQCB	Los Angeles Regional Water Quality Control Board
LEL	lower explosive limit
O&M	operation and maintenance
PT&R	proven technologies and remedies
QA	quality assurance
QC	quality control
QAPP	quality assurance project plan
RAO	remedial action objective
ROI	radius of influence
SVE	soil vapor extraction
SVM	soil vapor monitoring
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency

Preface

This appendix supplements Chapter 9 of this guidance document by providing additional information about selected topics for soil vapor extraction (SVE) systems. The intent is to facilitate the design and implementation of SVE systems. Please refer to the main text of this guidance document for an overall discussion of the design and implementation of SVE systems as well as discussion of site characterization, cleanup technology screening and evaluation, and remedy selection. Please recognize that this appendix and Chapter 9 are intended as guidance. All elements discussed may not be applicable to a given site.

1.0 TREATMENT TECHNOLOGIES FOR SVE SYSTEM EFFLUENT

This discussion summarizes the likely treatment methods for SVE system effluent. A comprehensive discussion of the engineering design of air emission control devices is beyond the scope of this PT&R guidance and would duplicate information in *Engineering and Design - Soil Vapor Extraction and Bioventing* (USACE Manual; USACE, 2002) and *Off-Gas Treatment Technologies for Soil Vapor Extraction Systems: State of the Practice* (USEPA, 2006). Off-gas treatment systems may not be necessary for a given SVE system if emissions are below regulatory levels or health-based goals (health risk analysis).

1.1 GENERAL OBJECTIVE OF EFFLUENT TREATMENT

Effluent treatment methods need to be designed to treat a wide range of volatile chemicals and concentrations. Chlorinated volatile organic compound (cVOC) concentrations can span several orders of magnitude between system startup and shutdown, and therefore the effluent treatment system must operate properly for the anticipated concentration ranges. The consequences of the treatment process itself must be considered in selecting the construction materials. Disposal of residuals such as spent carbon and condensate must also be addressed. The following considerations are needed for design of effluent treatment systems:

- initial and long-term concentration ranges
- complete analysis and speciation of the influent gas
- total flow rate range
- required removal efficiency
- availability of utilities
- required degree of control, monitoring, and automation
- noise generation
- condensate control and proper management (e.g., secondary containment)

Additional case-specific considerations may be applicable, such as local agency air emissions requirements or California Environmental Quality Act (CEQA)-identified

mitigation needs. Communication between the designers of the subsurface and aboveground components is essential.

1.2 TYPICAL EFFLUENT TREATMENT OPTIONS

Off-Gas Treatment Technologies for Soil Vapor Extraction Systems: State of the Practice (USEPA, 2006) provides detailed discussion of effluent treatment options for cVOCs, including thermal treatment, adsorption, and emerging technologies such as vapor condensation. This section discusses treatment technologies used by the majority of Department of Toxic Substances Control (DTSC) projects, namely granular activated carbon (GAC) and thermal treatment. Experience on DTSC projects has found that GAC is often the chosen method of treatment even though thermal treatment may be the most efficient and cost effective approach. Thermal treatment may be the best option for waste streams containing vinyl chloride because vinyl chloride does not adsorb onto GAC. Ketones, methane, chlorofluorohydrocarbons, and sulfur-containing compounds are examples of other compounds that are not suitable for GAC treatment.

1.2.1 Sorbents

Sorbents can remove many classes of organic compounds including aromatic, aliphatic, and halogenated hydrocarbon compounds. Adsorption of volatile contaminants occurs via chemical and physical attractive forces between liquid or gas phase molecules and the molecules of the solid sorbent activated carbon, zeolites, or synthetic polymers. Selection of an appropriate sorbent material is primarily a function of the contaminant to be adsorbed. Activated carbon is the most widely used adsorbent material and is the focus of the remainder of this discussion.

Many SVE systems utilize GAC in flow-through canisters which are relatively simple to operate when properly designed. A carbon adsorption design usually includes multiple columns which are operated either in series or in parallel. The series arrangement is generally operated so that the secondary and subsequent columns (if applicable) act as a backup when breakthrough occurs on the primary canister. When the lead column is removed from service, the lag column is moved up to the lead position and the new column (or regenerated column) is installed in the lag position. The pressure / temperature ratings of the GAC canisters must exceed the anticipated operating conditions of the SVE system equipment.

Adsorption is normally a reversible process. Under suitable conditions the materials that have accumulated in the carbon can be desorbed and the carbon can be re-used. Thermal reactivation is the most widely used regeneration technique. In SVE systems where carbon usage is low, on-site regeneration will not be cost-effective and the spent carbon should be either disposed of or regenerated offsite. For larger long-term SVE systems, onsite regeneration should be considered based on a complete life-cycle cost economic analysis. If possible, the designer should estimate the total carbon usage for the life of the project and compare the carbon cost with the capital and operation and maintenance (O&M) cost of the regeneration system. A similar economic analysis could be performed for comparison with catalytic and thermal oxidation, as discussed below.

1.2.2 Thermal Oxidation

The four general types of thermal oxidation systems available for controlling cVOC emissions include:

- direct flame thermal oxidizers
- "straight-through" flameless thermal oxidizers
- regenerative thermal oxidizers
- catalytic oxidizers

Although each type of system operates somewhat differently, the primary goal of thermal oxidation is to raise the temperature of the gas stream to a sufficient level to promote oxidation (or combustion) of the contaminant to carbon dioxide and water. The heat for thermal oxidation comes from heat input to the oxidizer in the form of supplemental fuel (either gas or electric) as well as from the heating value content (usually in British thermal units) of the cVOCs in the SVE vapor streams. In-line flame arrestors should be incorporated into the design when using thermal oxidizers. Placed just upstream of thermal oxidizers, flame arrestors can prevent fire from moving through piping, and can protect other parts of the SVE system from fire or explosion.

Issues to be considered when evaluating thermal oxidation options include:

- cost savings that can be achieved by heat recovery techniques
- adjustment of the amount of auxiliary fuel (or dilution air) to accommodate variations in mass loading
- for catalytic oxidation, consideration of the catalyst type and catalyst limitations (e.g., deactivators, overheating, lifespan)
- generation and treatment of acidic emissions (i.e., gases, liquids)
- potential generation of products of incomplete combustion (e.g., chlorinated dibenzo-p-dioxins, chlorinated dibenzofurans)
- lower explosive limit (LEL) of the waste stream¹

Off-Gas Treatment Technologies for Soil Vapor Extraction Systems: State of the Practice (USEPA, 2006) provides guidance on selecting a thermal treatment technology.

¹ The LEL is defined as the minimum concentration of chemical vapor in atmospheric air (i.e., 21% oxygen and at 20°C) that is sufficient to support combustion.

2.0 VACUUM, FLOW, AND ZONE OF CAPTURE ASSESSMENTS

2.1 VACUUM AND FLOW ASSESSMENT

Two main types of assessments may be performed during pilot-scale testing or validation/startup activities: step tests and steady-state tests. DTSC recommends use of both a step and steady-state vacuum/flow assessment.

2.1.1 Step Test

Step testing is used to determine the optimum sustainable flow from the subsurface. During step testing, the flow is incrementally increased over time as the vacuum level in the SVE well and vapor monitoring wells is documented. The flow rate is increased by manipulating the blower system.

2.1.2 Steady-State Test

The steady-state or constant rate test is implemented at the optimum flow rate to acquire vacuum data from the subsurface and to determine potential maximum influent cVOC concentrations for the SVE system and the optimal SVE well spacing. This vacuum data is obtained from multiple monitoring locations. Typically, an optimum flow rate is derived from step testing and used as a parameter in steady-state testing. The stabilized vacuum readings obtained from monitoring well infrastructure during steady-state testing are used to define the full-scale zone of capture of the SVE treatment system.

2.2 ZONE OF CAPTURE ASSESSMENT

Zone of capture is the most important parameter to be considered in the design of a SVE system because it controls the mass removal rate and thus the efficiency and timeframe for site cleanup. Also referred to as the zone of remediation, the zone of capture is defined as the greatest distance from a SVE well at which a sufficient vapor flow can be induced to adequately enhance volatilization and extraction of the soil contaminants. The rate of mass removal via volatilization is a function of the volume of air passing by the contaminated soil per unit of initial contaminant mass.

Experience with SVE systems has shown that, for effective mass removal rates, zone of capture typically ranges between 40 and 100 feet. A smaller zone of capture is often needed to enhance mass removal rates in heterogeneous or fine-grained soil. A smaller zone of capture may also be needed to improve mass removal efficiencies and thus meet specific project deadlines (e.g., timeframe to begin redevelopment). The zone of capture appropriate for a SVE system should be evaluated on a site-specific basis, preferably using the method described in Section 2.2.1 or 2.2.2. On a case-by-case basis, DTSC may consider proposals to demonstrate an appropriate zone of capture during the system startup and validation process (see Section 2.2.4 for further discussion).

Regardless of the method used to estimate the zone of capture, performance data collected during pilot testing and/or system startup and validation and on-going operations should be used to confirm the adequacy of the initial zone of capture estimate. If the evaluation indicates that the zone of capture estimate was inaccurate, the system may require modification so that the RAOs can be achieved. See Section 2.2.4 for further discussion.

2.2.1 Pore Gas Velocity Approach

The approaches described in USACE (2002) and DiGiulio and Varadhan (2001a) can be used for the quantification of SVE system zone of capture. These approaches are based on the pore gas velocity and consist of two general steps. First, air permeability of the subsurface is determined. Then, the subsurface pore velocities associated with a SVE well, and the resulting zone of capture, are calculated using the air permeability. Typically, the zone of capture is defined by soil pore velocities of 0.01 cm/s (DiGiulio and Varadhan, 2000, 2001a) or greater. (Note: The zone of capture is inversely proportional to the pore gas velocity.) SVE wells should be placed so that their zones of capture completely cover the area of contamination with a slight overlap.

USACE (2002) and DiGiulio and Varadhan (2001a) should be consulted for detailed description and the technical basis for zone of capture derived from pore gas velocity estimates. A generalized description of the pore gas velocity approach is summarized below. Other appropriate methods may also be used.

Step 1. Vacuum response data are used to estimate the permeability ratio (ratio of horizontal to vertical permeability) and horizontal air permeability of the subsurface. These estimates can be determined using software designed for SVE system data analysis. Typical input parameters include:

- vacuum response data for monitoring points around each SVE well tested
- estimate of flow conditions (e.g., steady state, transient)
- estimate of subsurface conditions (e.g., leaky, semi-confined)
- blower flow rate
- estimated gas-filled porosity

Multiple scenarios (using realistic input parameters) should be used to find a reasonable approximation of the permeability ratio and horizontal air permeability.

Step 2. The air permeability ratio, horizontal air permeability, and other input parameters are used to estimate the pore gas velocity. This estimate can be modeled using software designed for SVE data analysis using an appropriate model domain, grid, boundary conditions, and input parameters. Typical input parameters include:

- permeability ratio / air permeability (e.g., as described in Step 1)
- blower flow rate
- anisotropy angle in the main principal flow direction²

² Obtained from literature values with consideration of site conditions

- soil porosity
- irreducible water saturation²
- van Genuchten soil-water retention parameters²

Multiple simulations, using realistic ranges of input parameters, are conducted to calibrate the model with a set of input parameters that provides the least average error between observed and simulated vacuum measurements at monitoring points. The calibrated model is then used to simulate the vacuum distribution and calculate pore gas velocity. To design the SVE system, this pore gas velocity can then be used to calculate a critical pore gas velocity³ that results in an advection-dominated system.

Step 3. The pore gas velocity obtained in Step 2 is used to estimate the zone of capture for each SVE well. The USACE Manual recommends that critical pore gas velocities of 0.001 and 0.01 cm/s be used for design purposes.

2.2.2 Semi-Analytical Approach

An approach for the quantification of SVE system zone of capture is available that does not rely on the use of air permeability and pore gas velocities. The approach, which is described in Johnson and Ettinger (1994), utilizes SVE well extraction rates and subsurface contaminant mass estimations. Johnson and Ettinger (1994) should be consulted for detailed description, the technical basis, and potential limitations for the quantification of zone of capture by this method. When using this method, SVE wells should be placed so that zones of capture completely cover the area of contamination with a slight overlap.

The zone of capture is determined using Equation 6 of Johnson and Ettinger (1994). Selected parameters used by Equation 6 are described below.

Vapor Extraction Rate. The extraction rate for a single SVE well should be determined through pilot testing or estimated from professional experiences at nearby sites.

Contaminant Mass. The subsurface contaminant mass should be accurately quantified using both soil gas and soil matrix data. To obtain the most representative estimates of contaminant mass, soil matrix samples should be collected using USEPA Method 5035 (DTSC, 2004). Soil gas samples should be collected in accordance with *Advisory – Active Soil Gas Investigations* (DTSC/LARWQCB, 2003; revision pending).

Remediation Time Estimates. The timeframe for achievement of cleanup around the SVE well is needed to quantify zone of capture. By increasing the remediation timeframes, the zone of capture also increases proportionately.

³ DiGiulio and Varadhan (2001b) defines a critical pore gas velocity as the pore gas velocity that results in slight deviation from equilibrium conditions (i.e., sufficient flow rate through soil to reduce cVOC concentrations in the soil gas phase and thereby create a driving force for further cVOC volatilization, desorption, and diffusion into soil gas for removal by advective transport).

Gamma parameter (γ). This parameter is a dimensionless measure of the progress of remediation. The value should be less than or equal to 1.0 for the quantification of zone of capture.

Alpha parameter (α). This parameter is the minimum volume of air per unit contaminant mass required to achieve cleanup under ideal conditions. The value should be at least 100 cubic meters of air per kilogram of contaminant mass for the quantification of zone of capture.

This semi-analytical approach is based upon the concept that the SVE effectiveness is a function of the volume of air that flows through the contaminated soil. Please note that zone of capture quantified with this method does not truly reflect the two-dimensional nature of the remediation process and should be used cautiously with contingencies to modify the SVE system as appropriate based upon post-implementation site-specific data.

2.2.3 Other Methods (Not Preferred)

Historically, the zone of capture has been referred to as the radius of influence (ROI) and has been derived using following methods that are no longer considered to be appropriate.

Pore Volumes. Assessment of minimum zone of capture is based on an estimate of the pore volume exchanges required to allow diffusion to reduce contamination to allowable levels. The total number of exchanges is divided by the maximum period of treatment to determine the exchange rate per year. The maximum flow rate of the SVE well is used in conjunction with the pore volume requirements to develop well spacing capable of achieving these treatment requirements. The method requires estimates of the contaminant mass in the vadose zone which can be difficult to quantify and typically provide a poor basis for a meaningful design zone of capture.

Graphical Regression. This method uses vacuum data collected from monitoring well infrastructure located around a central SVE well. Typically, this method uses a plot of steady-state vacuum levels versus distance from the central SVE well to the monitoring well data point. The zone of capture would be based on the volume of soil in which a selected minimum vacuum value (e.g., 0.2 inches of water) was present. However, vacuum response in the subsurface is independent of air permeability. Hence, the arbitrary selection of an observed vacuum as the definition of zone of capture is not a good indicator of the subsurface treatment zone.

As discussed further below, use of a zone of capture derived from these methods likely facilitates capture (containment) of contaminant vapors, but does not consider mass removal rates and other factors that can effect cleanup efficiency (e.g., contaminant/soil distribution, mass transfer considerations, chemical partitioning).

The graphical regressive method using subsurface pressure has been the method most often applied by practitioners. However, the zone of effective air exchange is often

much smaller than a ROI based upon pressure measurements (Johnson and Ettinger, 1994; Beckett and Huntley, 1994; Shan et al., 1992) and does not provide an estimate of the zone of effective air exchange in the subsurface. This issue is best discussed in Chapter 3 of USACE (2002):

“Historically, r_e [radius of pressure influence] has been used as the basis of design for extraction well networks. Designers have interpreted the zone of vacuum influence around a well as also corresponding to the “capture zone” of the extraction well. By subsequently selecting an arbitrary distance within this zone of vacuum influence, designers have established well spacings for SVE well networks. Unfortunately, this is a completely inappropriate interpretation of this phenomenon. . . SVE designs should be based on pore gas velocities or the rates of pore gas exchange, which, are a function of both the pressure (vacuum) distribution around the extraction point and the associated soil air permeability.”

2.2.4 Contingencies for SVE System Modification Based on Performance Data

The methods described in Sections 2.2.1, 2.2.2, and 2.2.3 can be used to develop the SVE well spacing. Regardless of the method used, the adequacy of the initial SVE well spacing should be verified based on performance data collected during the system startup and validation, and on-going operations. If the performance data indicate that the initial zone of capture estimate is inadequate, the system should be redesigned.

On a case-by-case basis, DTSC may consider proposals to demonstrate an appropriate zone of capture during the system startup and validation process, provided that:

- an adequate vapor monitoring well network is constructed as part of the initial system design;
- the design plan includes provisions for future SVE well installation based on operational data;
- the design plan includes a detailed strategy and procedures for system startup, testing, validation, and commissioning;
- a system validation and startup report is submitted; and
- DTSC is consulted and concurs with the decision.

In this instance, professional judgment would be used to develop a realistic initial estimate of the likely zone of capture. This initial estimate would be based on site characterization, experience at similar or nearby sites, and site-specific RAOs.

The system startup and validation report and subsequent status reports (see Section 6.0) should provide results, discussion of physical parameters (air permeability, measured zone of capture, air exchange rate, etc.), discussion of concentration trends in vapor monitoring wells and SVE wells, and discussion of other soil gas flow parameters. If the zone of capture used as the design basis is inadequate to achieve site-specific RAOs, the reports should document or provide recommendations for system modifications (such as the installation of additional SVE wells). Persistently

elevated concentrations even after system operation may be another indicator of the need for system modifications and re-design.

3.0 VAPOR WELL CONSTRUCTION AND PLACEMENT

3.1 SOIL VAPOR EXTRACTION WELLS

3.1.1 Construction

USEPA and USACE provide recommendations for SVE well construction. Typically, DTSC recommends a minimum of two-inch diameter SVE wells, but larger diameter wells should be considered if pressure loss is of concern.

3.1.2 Placement

To achieve maximum efficiency from a SVE well field, the SVE well screen intervals should be placed vertically to provide effective air flow through soils where cVOC concentrations exceed RAOs. The screen interval position should be determined through site characterization data (e.g., lithology, concentration etc.), modeling, startup testing, and/or pilot testing. Some wells should be targeted toward the interface between permeable and recalcitrant zones. At some sites, efficiency may be achieved by screening the SVE wells in the lower part of the target zone in order to reduce downward air flow from the ground surface, thus decreasing the air flow rate and resultant need to oversize blower and effluent treatment system. Well spacing should be selected to allow overlapping zone of capture between SVE wells. Overlapping zones of capture may produce “stagnant” zones that should be considered in the system design (GRA, 2007).

3.1.3 Additional Extraction Well Capacity

The number of SVE wells installed for a SVE system should be increased as necessary to meet the RAOs. The need for additional SVE wells should be evaluated based on pilot test data, initial performance data, system validation/startup performance data, and/or other monitoring data. Flexible system design (e.g., blower size, treatment capacity, vapor monitoring well location) will facilitate incorporation of additional SVE wells into the system.

3.2 SOIL VAPOR MONITORING WELLS

Monitoring well infrastructure is needed for design, operation, and closure activities. The monitoring wells are integral to the operation and closure activities associated with full-scale operation. Although multiple monitoring wells will be installed to support the pilot test or system validation/startup, additional monitoring wells may be needed based on the size of the full-scale SVE treatment system and if vapor monitoring wells are converted to SVE wells.

3.2.1 Construction

DTSC recommends construction of vapor monitoring wells with PVC materials and with a diameter of one to two inches (or larger to allow conversion to a SVE well). Typically, three to five foot interval screen intervals are preferred for vapor monitoring wells. Alternative construction methods consisting of dedicated, limited length screen intervals (i.e., six inches) attached to tubing are not recommended.

3.2.2 Well Placement

Multiple, multi-depth, discrete-interval monitoring wells should be located in different directions and varying distances from the SVE wells. At a minimum, vapor monitoring should occur at three locations from the SVE wells. Each monitoring location should screen multiple, discrete depths. The lateral and vertical placement of monitoring wells relative to the SVE wells should be based on the estimated zone of capture for the SVE well.

3.2.3 Screen Intervals

Monitoring wells should be screened in the most contaminated soils. Considerations for selecting potential zones for vapor monitoring well screen intervals include placement:

- in both permeable and recalcitrant zones
- at depths corresponding to desirable soil type
- with consideration of the SVE well screen intervals
- to allow evaluation of changes in the cVOC concentrations
- to allow evaluation of zone of capture
- to demonstrate achievement of the RAOs

4.0 OPERATIONAL ASSESSMENT FOR SVE SYSTEMS

Operational assessment of a SVE system is a combination of field instrumentation data (i.e., vacuum gage, photoionization detector, flow meter) and speciated cVOC analyses from the SVE treatment system (influent/effluent, SVE wells) and soil vapor monitoring wells. Initially, the SVE system is run at design specifications until monitoring data indicates a need for modifications to enhance cVOC recovery. Continued system operation will lead to a decrease in influent stream concentration that necessitates system optimization (Section 4.1) and eventually rebound assessment (Section 4.2). The USACE Manual (USACE, 2002) provides detailed discussion of these topics and additional resources are provided on the USEPA web-site (www.clu-in.org).

4.1 OPTIMIZATION

Operation of the SVE system requires continuous optimization to ensure maximum contaminant recovery. The total mass (as evidenced by concentrations measured in SVE well effluent) typically decreases rather quickly within several weeks to a few months of operation and then reaches a condition where total concentration and mass removal rates have stabilized. In general, these conditions occur when the total cVOC concentration in combined extracted vapor does not vary by more than 1 to 5 percent during several consecutive monitoring events. The optimization effort should begin at the onset of the full-scale operation. However, when total cVOC concentrations stabilize, it becomes particularly important to optimize because it will shorten the operation time for the SVE system. This optimization effort should be documented in an appropriate report.

4.1.1 Potential Optimization Activities

Optimization activities generally consist of adjusting the SVE system air flow capacity such that the vapor extraction is occurring from the wells having the highest mass removal rates or closest to zones with cVOC concentrations exceeding RAOs. Potential optimization activities might include:

- rebalancing the air flow capacity to SVE wells with the highest mass removal rates and/or nearest to zones where RAOs have yet to be achieved; this rebalancing would include reducing air or eliminating flow at SVE wells producing low mass flow (e.g., wells completed in diffusion-limited areas) and increasing flow from SVE wells that are producing higher mass flow (indicative of an on-going source of vapors);
- reducing the overall system flow rate to address contaminant mass moving primarily by diffusive transport (by use of available frequency control, mechanical pulley changes, or change in blower capacity);
- further characterization of low permeability zones using advanced site characterization tools (such as membrane interface probes, SimulProbe^{®4}, or equivalent) to create a vertical profile of soil types, cVOC concentrations, and cVOC mass versus depth;
- vertically profiling existing SVE wells using PneuLog^{®4} (or equivalent device) to obtain data on the vertical profile of advective and diffusive layers;
- placing additional short-screened SVE wells below or within diffusion-limited zones;
- alternating between SVE wells to reduce power and vapor treatment requirements (such as when diffusion limitations require extended remediation times and lower flow rates); and/or
- adjusting blower/total extraction rate to maximize the rate of contaminant removal.

⁴ Use of trade names does not constitute endorsement by DTSC

Higher flow rates or vacuums will generally not improve cVOC removal from low permeability soils. Sites with relatively thin layers (i.e., less than 2 feet) of low permeability soils surrounded by high-permeability sands can be more effectively remediated by using smaller blowers and lowering the flow rates to better address contaminant vapors migrating primarily by diffusive transport. Accepting longer operating times at lower flow rates with less frequent monitoring and sampling is often the most cost-effective strategy for sites with low permeability soils.

4.1.2 Pulse-Mode Operation (Optional)

A SVE system can also be operated in “pulse” mode as a means of system optimization. For evaluation of optimization, the SVE system may be shutdown periodically to evaluate whether subsurface concentrations may “rebound” or “spike”. This evaluation is sometimes performed when mass recovery rates decrease. Stabilized total cVOC concentrations in SVE system influent should not be used as the sole basis to support the need for pulse-mode operation. For instance, at highly contaminated sites, the level of influent concentrations may become stabilized, but are high enough to result in significant mass removal (which supports continued SVE system operation). In addition, a number of factors will require evaluation in order to determine if the observed stabilized concentrations are truly reflective of conditions necessitating further optimization through pulse-mode operation.

The pulse-mode operation may begin once the influent concentrations are stabilized and reflective of low mass removal rates. Pulse-mode operation can be implemented in the following steps:

- completing other SVE system optimization actions (see Section 4.1.1);
- operating the SVE system until low mass rates and stabilized influent concentrations are present under optimized operational conditions;
- performing all necessary field and speciated analysis of influent, SVE well, and monitoring well concentrations while system is operational;
- performing all necessary field and speciated analysis of SVE and monitoring well concentrations at end of inoperative period;
- turning the SVE system off for an appropriate period based on concentration trends and/or discussions with DTSC (experience has shown that this is usually a few weeks to a few months);
- turning the SVE system back on and optimizing the operation based on results of latest analyses; and
- repeating this series of activities until analyses indicate that the SVE system is ready for rebound or closure assessment.

If significant mass recovery occurs during the pulse-mode operation of the SVE system, the operator should evaluate whether increased SVE well density would resolve the need for pulse mode operation by providing greater pore velocity in the subject areas.

4.2 REBOUND ASSESSMENT

Rebound assessment requires that the SVE unit is temporarily shut down to evaluate whether subsurface RAOs have been achieved. The timeframe for rebound assessment is a site-specific determination and should have sufficient duration so that the measured soil gas concentrations represent equilibrium conditions at steady-state. A site-specific timeframe for rebound assessment can be determined using the approach described in Johnson et al. (1999).

Rebound assessment requires collection of soil gas samples at equilibrium from SVE wells and vapor monitoring wells. The soil gas samples should be collected pursuant to the *Advisory – Active Soil Gas Investigations* (DTSC/LARWQCB, 2003; revision pending). Monitoring wells are preferred for this assessment because of the shorter screen intervals. These data are compared to the RAOs. Hence, rebound assessment requires:

- baseline samples from site characterization data and/or vapor monitoring wells just prior to pilot-scale testing or system startup;
- samples collected immediately prior to or just after cessation of SVE operations; and
- samples obtained during multiple sampling events at appropriate time increments after cessation of SVE operations. The number of samples should allow visual estimation of concentration trends. The time period over which the samples are collected should consider the estimated time for steady-state concentrations to be reached at each monitoring location.

When soil rebound concentrations indicate a need for further vadose zone remediation, the SVE system is restarted. Typically, only SVE wells that can influence zones requiring additional mass removal should be reactivated (as indicated by data obtained during the rebound assessment). Extraction continues until the concentration of the extracted gas in the inlet stream re-stabilizes and mass removal rates are low. At this point, another shutdown period with soil gas monitoring begins. The cycle continues until steady-state soil gas concentrations in all vapor monitoring wells remain below clean-up goals or until it is apparent that no further progress is being made by the SVE system. An appropriate number of sampling events should transpire over a period of time to demonstrate that residual cVOC concentrations are stable and that the RAOs have been achieved.

5.0 SVE REMOVAL ACTION MONITORING

This section identifies general considerations for the development of a site-specific monitoring approach used to evaluate SVE system performance and remediation progress.

5.1 MONITORING LOCATIONS

During SVE system operation, remedy performance and cleanup progress is monitored by collecting soil gas samples from: treatment system influent, treatment system effluent, SVE wells (Section 3.1), and soil vapor monitoring wells (Section 3.2). Vacuum measurements at SVE and vapor monitoring wells may also be needed. Collectively, these data are used to make decisions about system operations, modifications, optimization, rebound, and shut down (see Section 4.0).

5.2 SAMPLING FREQUENCY

Typically, SVE wells and soil vapor monitoring wells are sampled frequently during SVE system startup to ensure mass removal is occurring as expected and to provide a basis for system adjustments or modifications. Hence, during the SVE system startup, sampling of SVE wells and soil vapor monitoring wells on weekly (or more frequent) basis may be needed. These data are used to assess and adjust system operation. The concentration data obtained during this period are useful comparators when the system enters rebound assessment. The data may also be useful for identifying unknown cVOC sources within the zone of capture of the SVE system.

The sampling frequency can be reduced as the system and concentration behavior becomes better understood. Temporal plots of concentration are useful for evaluating the transition from frequent startup sampling to the reduced frequencies for routine monitoring of the system. For many sites this transition occurs about a month or so after startup.

During routine monitoring, the sampling frequency for a given well should consider its function, location, and concentration behavior. The selected frequency should also consider the expected duration of the removal action (e.g., more frequent sampling for short duration removal actions). Operating SVE wells are often monitored frequently (e.g., monthly, quarterly) to allow timely adjustments to system performance. Soil vapor monitoring wells containing relatively high concentrations may also be sampled relatively frequently (e.g., quarterly) to allow assessment and tracking of concentration behavior. Soil vapor monitoring wells containing relatively low concentrations may warrant a lower sampling frequency with a provision for resampling if unexpectedly high concentrations are detected. The well can be identified for more frequent sampling if the high concentration is confirmed by the resample.

5.3 EVALUATING SVE WELL DATA

SVE well data is used to determine whether concentrations fall within expected ranges and whether adjustments to the SVE system are needed. For example, if concentrations do not decrease by at least one order of magnitude within an expected

timeframe (e.g., after 12 to 18 months of operation), the possible causes of the concentration behavior should be evaluated. Optimization measures such as increasing airflow from selected SVE wells or installing additional SVE wells may be appropriate. As another example, if a SVE well has a relatively low mass removal rate (such as might be caused by diffusion constraints), airflow from this well could be decreased, perhaps allowing increased airflow from another SVE well with a higher mass removal rate. A low mass removal rate may also indicate other potential problems (such as short-circuiting caused by poor annular seals).

5.4 EVALUATING SOIL VAPOR MONITORING WELL DATA

Soil vapor monitoring well data are evaluated to determine whether concentrations are behaving as expected and whether adjustments to the SVE system are needed. Persistently high cVOC concentrations after months of operation may warrant increased airflow from the nearest SVE well or adjustment of airflow in an interfering SVE well. Persistently high concentrations could also indicate the need for an additional SVE well (at an appropriate distance and depth interval). Another option is to use the vapor monitoring well as a SVE well (provided that the casing diameter is adequate and does not produce large fluid energy loss).

5.5 MONITORING DURING REBOUND EVALUATION

During a rebound assessment (Section 4.3), soil gas samples are collected and analyzed at appropriate time intervals. Data from soil vapor monitoring wells are preferred for rebound assessment because of the shorter screen intervals. Significant concentration rebound during the first few sampling events after system shutdown indicates a need to optimize and restart the SVE system. If no significant rebound occurs and the *in situ* concentrations have been monitored and evaluated over an appropriate period of time (pursuant to Johnson et al., 1999), the next step typically is an assessment of whether the system is ready for site closure (Section 7.0).

5.6 SAMPLING TO SUPPORT CLOSURE ASSESSMENT

The closure assessment for a SVE system (see Section 7.0) should be based on data obtained from the inlet stream and depth-specific soil gas data obtained throughout the baseline extent of the vapor plume. The depth-specific data can be collected from existing vapor monitoring wells and from soil gas borings completed in areas of the baseline plume extent that were not specifically monitored during the SVE removal action. The need to confirm the level of vadose zone treatment with soil matrix sample analysis is a site-specific determination that is dependent on the RAOs. Samples should be collected pursuant to Cal/EPA guidance (DTSC, 2004; DTSC/LARWQCB, 2003, revision pending).

6.0 STATUS REPORTS

Periodic status reports should be submitted to DTSC that summarize the performance of the SVE system. The status report contents should be based on pre-defined reporting needs and objectives. Typical topics addressed by status reports may include:

- total mass recovery (including basis for mass calculations)
- graph of cumulative mass removed
- influent/effluent concentration to treatment system
- individual well concentrations
- individual SVE well concentration trends
- trend analysis
- mass emission rate
- operating parameters
 - startup date
 - hours operated during reporting period
 - cumulative operating hours to-date
 - SVE wells in operation
 - operating vapor extraction rate
 - total air volume extracted during reporting period
 - carbon usage
 - caustic usage
 - utility water usage
 - power usage
 - wastewater discharged
 - operating temperature
- deviations to operating system
- causes of shutdown
- O&M activities
- equipment repair and replacement
- optimization efforts
- costs to operate, monitor, and maintain the SVE system
- significant events/activities during reporting period
- scheduled upcoming activities
- map of SVE system
- field documentation (maintenance logs, shutdown logs, checklists)

Additional topics may be appropriate based on site-specific considerations.

7.0 SYSTEM SHUTDOWN AND CONFIRMATION OF CLEANUP

In general, the site is ready for an analysis of SVE system shutdown after:

- the SVE system has been optimized to the extent feasible (Section 4.1);
- rebound assessment (see Section 4.2) indicates that RAOs have been achieved; and
- a sufficient period of time has passed since final system shutdown to allow residual cVOC concentrations to equilibrate to steady-state conditions.

A system may also be ready for shutdown when the performance assessment indicates that no further progress is being made and that additional remedial approaches would be needed to address the remaining contamination.

At sites where the SVE system has achieved RAOs, the closure analysis typically includes:

- preparation of plots of:
 - cVOC concentrations versus time (SVE and monitoring wells)
 - cumulative extracted mass versus time
 - mass removal versus time throughout the SVE operation (including any pulse-mode periods);
- depth-specific soil gas sampling (and soil confirmation sampling if applicable) to assess residual cVOC concentrations throughout the baseline plume extent (Section 5.6);
- documentation of the optimization and rebound assessment efforts (Section 4);
- confirmation sample data analysis and documentation;
- estimated total cVOC mass in the vadose zone after SVE treatment;
- assessment of the potential for residual cVOCs to pose an on-going threat to groundwater and/or human health;
- if residual cVOC concentrations pose a continued threat to groundwater, evaluation of whether the threat can be mitigated by an alternate vadose zone remedy and/or the groundwater remedy; and
- economic feasibility analysis for continued operation of the SVE system (if appropriate).

The USACE Manual (USACE, 2002) and DiGiulio and Varadhan (2001b) provide detailed discussion of SVE system shutdown and cleanup confirmation.

8.0 ANNOTATED OUTLINE FOR SVE SYSTEM PILOT TEST WORKPLAN

Preface: The following annotated outline identifies potential content for a SVE system pilot test workplan. This outline is not intended to be prescriptive and should be adjusted as appropriate for site-specific conditions. Some elements identified may apply to your site, while others may not. Additional elements than are addressed by the outline may also be needed. This outline is for guidance only, and is applicable on a case-by-case basis.

1.0 INTRODUCTION

Instructions: Provide a general description of the site and pilot test area. Present the purpose and scope of the pilot test, including the regulatory framework under which it is being conducted. Identify the performance measures and applicable data metrics to be collected. Identify the response agency. Outline the workplan organization.

- 1.1 Site History, Operations, and Features
- 1.2 Scope and Objectives of Pilot Test
- 1.3 Workplan Organization

2.0 SUMMARY OF EXISTING CONDITIONS

Instructions: This section should orient the reader to the site and provide sufficient background information so that the reader can evaluate the proposed design of the pilot test. Provide an overview of the site geology and hydrogeology. Identify the depth to water and typical water table fluctuation. Summarize available data on the nature and extent of contamination in soil, soil vapor, and groundwater. If applicable, describe results of previous pilot studies. Support this section with appropriate figures and tables.

- 2.1 Site Lithologic and Hydrogeologic Conditions
- 2.2 Soil Quality
- 2.3 Soil Vapor Quality
- 2.4 Groundwater Quality
- 2.5 Results of Previous Pilot Studies

3.0 SITE CONCEPTUAL MODEL FOR VOLATILE CONTAMINANTS

Instructions: Provide a narrative description and schematic diagram of the CSM for cVOCs. Clearly describe the source and current locations of contaminants. Provide figures showing the extent of the soil vapor plume in plan view and in cross-section. Describe the fate and transport of cVOCs in the vadose zone and groundwater. Discuss the potential exposure pathways for the cVOCs (e.g., inhalation from groundwater, vapor intrusion into indoor air, ingestion and dermal contact with contaminated groundwater). Describe any considerations associated with expected emissions from the SVE system.

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE --
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- 3.1 Source and Current Location of Contaminants
- 3.2 Extent of Soil Vapor Contamination
- 3.3 Transport
- 3.4 Health Effects of Contaminants

4.0 SELECTION OF RESPONSE ACTION

Instructions: Indicate why the response action is being implemented (e.g., mitigate cVOC-impacted soil and soil vapor, protect of groundwater, protect human health, mass removal). Briefly describe why SVE is considered to be a proven technology and remedy or indicate that the PT&R approach to Remediation of Chlorinated VOCs in Vadose Zone Soils is being used. Provide the rationale for using SVE as the response action at the site.

- 4.1 Proven Technologies and Remedies
- 4.2 Soil Vapor Extraction and Treatment

5.0 DESIGN OF SVE PILOT TEST

Instructions: Identify the objectives of the pilot test (e.g., determine air permeability, zone of capture, flow rate/vacuum for blower sizing, condensate production, concentration trends, water table response). Provide a detailed description of the infrastructure that will be used to conduct the pilot test, including all wells, piping, blowers, and treatment components. Identify any noise or CEQA considerations for the pilot test. Indicate the instrumentation that will be used during the test (such as to measure vacuum/pressure, flow, temperature, and barometric pressure). Provide figures illustrating the SVE system layout, treatment system, and instrumentation.

- 5.1 Pilot Test Objectives
- 5.2 SVE and Soil Vapor Monitoring Well Design
 - 5.2.1 Well Depths and Spacing
 - 5.2.2 Design and Materials
- 5.3 Piping
- 5.4 Treatment System
- 5.5 Other Infrastructure
 - 5.5.1 Blower
 - 5.5.2 Valves
 - 5.5.3 Monitoring Points
 - 5.5.4 Sampling Ports
 - 5.5.5 Instrumentation
 - 5.5.6 Power Source
 - 5.5.7 Condensate Collection, Storage, and Secondary Containment

6.0 SVE PILOT TEST SYSTEM INSTALLATION

Instructions: Identify the activities to be conducted prior to system installation (e.g., permitting, utilities clearance, stakeholder outreach). Identify health and safety issues associated with system installation. Describe the well installation methods, including drilling methods, any soil sampling and analysis that will be conducted as part of well installation, equipment decontamination, and handling of investigation-derived waste. Indicate the installation requirements for the piping system (e.g., soils management, damage protection, equipment decontamination). Describe the installation requirements for the treatment system and blower.

- 6.1 Pre-Installation Activities
 - 6.1.1 Permitting
 - 6.1.2 Utilities Clearance
 - 6.1.3 Community Relations
- 6.2 Health and Safety
- 6.3 Personnel and Responsibilities
- 6.4 Well Installation
 - 6.4.1 Drilling Methods
 - 6.4.2 Soil Sampling and Analysis
 - 6.4.3 Well Construction and Installation
- 6.5 Piping
- 6.6 Treatment System
- 6.7 Other Infrastructure
- 6.8 Decontamination
- 6.9 Waste Management

7.0 PILOT TEST SYSTEM OPERATION AND MAINTENANCE PROGRAM

Instructions: Outline the O&M program for the system. Provide the procedures for starting up and operating the system (e.g., duration, leak and blockage checks, test operational sequence, step testing, system operational parameter measurements, measurement locations). Identify the data analysis procedures (such as air permeability, zone of capture, system curve construction, mass removal rates, treatment efficiency). Describe the monitoring and sampling program to be implemented during the pilot test, including the measurement/analytical parameters, measurement/sampling frequencies, measurement/sampling locations, methods, and equipment. Identify the system shutdown strategy (e.g., how test completion will be determined, decommissioning, or incorporation into the final remedy). Indicate how the system performance will be evaluated and reported. Identify the type, content, and frequency of reporting. Identify contingencies in the event of system failure or unacceptable performance (i.e., specific actions to be taken, response times, contacts).

- 7.1 System Start-Up
- 7.2 Operating Strategy
 - 7.2.1 Procedures
 - 7.2.2 Data Analysis

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE --
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- 7.2.3 Operation Schedule
- 7.2.4 Contingency Plan
- 7.3 Shutdown Strategy
- 7.4 Monitoring and Sampling Program
 - 7.4.1 Operational Parameters
 - 7.4.2 Chemical Parameters
- 7.5 Performance Evaluation and Reporting

8.0 PROJECT SCHEDULE

<i>Instructions: Provide a schedule for implementing the pilot test.</i>
--

9.0 REFERENCES

<i>Instructions: Provide the references used to support the pilot test design and workplan.</i>

TABLES

- Geologic and Hydraulic Properties of Stratigraphic Layers
- Geotechnical Parameter Test Methods

FIGURES

- Site Location Map
- Site Features Map
- Cross Section of Site Stratigraphy
- Conceptual Site Model of Vapor Distribution
- Soil Vapor Plume Distribution (various depth intervals)
- Groundwater Isoconcentration Contour Map
- SVE Pilot Test Location Map
- Proposed Pilot Test SVE and SVM Well Locations
- Proposed Pilot Test SVE and SVM Screen Intervals
- Schematic SVE and SVM Well Construction Diagrams
- Schematic of SVE Treatment System Process Flow Diagram

APPENDICES

- Field Data Sheets
- Statement of Qualifications

9.0 ANNOTATED OUTLINE FOR SVE SYSTEM PILOT TEST REPORT

Preface: The following annotated outline identifies potential content for a SVE system pilot test report. This outline is not intended to be prescriptive and should be adjusted as appropriate for site-specific conditions. Some elements identified may apply to your site, while others may not. Additional elements than are addressed by the outline may also be needed. This outline is for guidance only, and is applicable on a case-by-case basis.

EXECUTIVE SUMMARY

1.0 INTRODUCTION

Instructions: Provide a general description of the site and pilot test area. Identify the purpose, scope, and objectives of the pilot test. Identify the performance measures and applicable data metrics. Indicate the regulatory framework under which the test was conducted. Identify the responsible agency. Outline the report organization. Reference the pilot test workplan.

- 1.1 Site History, Operations, and Features
- 1.2 Scope and Objectives of Pilot Test
- 1.3 Report Organization

2.0 PROJECT BACKGROUND INFORMATION

Instructions: Briefly orient the reader to the site and provide sufficient background information so that the reader can evaluate the pilot test results. Support this section with appropriate figures and tables.

- 2.1 Site Setting
- 2.2 Site Background

3.0 PILOT TEST DESCRIPTION, OBJECTIVES, AND PROCEDURES

Instructions: Provide an overall description of the pilot test, including the test objectives, equipment, and procedures. Also describe any departures or exceptions from the workplan.

- 3.1 Remedial Technology Description
- 3.2 Pilot Test Objectives
- 3.3 SVE Well Installation
- 3.4 Pilot Test Equipment
 - 3.4.1 Wells and Piping
 - 3.4.2 Vapor Collection System
 - 3.4.3 Vapor Pretreatment System
 - 3.4.4 Vapor Treatment System

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE --
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- 3.4.5 Ancillary Systems
- 3.4.6 Monitoring Equipment and Instrumentation
- 3.5 Pilot Test Permitting
- 3.6 Pilot Test Procedures
 - 3.6.1 Startup and Testing
 - 3.6.2 Performance Tests
 - 3.6.3 System Modifications During Startup

4.0 FIELD AND LABORATORY DATA

Instructions: Describe the monitoring and data collection activities conducted prior to and during the pilot test, including any departures/exceptions from the workplan. Describe the noise readings and locations, including comparison to local noise ordinance requirements. Examples of pre-test data include static water level data, soil and air temperature, static pressure, and atmospheric conditions.

- 4.1 Field Data
 - 4.1.1 Pre-Test Data
 - 4.1.2 Chemical Parameters
 - 4.1.3 Temperature
 - 4.1.4 Pressure/Vacuum
 - 4.1.5 Flow Rate
 - 4.1.6 Noise Readings and Locations
- 4.2 Laboratory Data
 - 4.2.1 Geotechnical Data
 - 4.2.2 Chemical Data
 - 4.2.3 Data Quality

5.0 DATA ANALYSIS AND INTERPRETATION

Instructions: Provide an analysis of the test data with references to appropriate in-text tables, graphs, and figures. Include supporting documents as appendices.

- 5.1 Achievable Flow Rates
- 5.2 Zone of Capture
- 5.3 Field Permeability
- 5.4 Chlorinated VOC Removal Rate
- 5.5 Effectiveness of SVE
 - 5.5.1 Treated Soil Vapor
 - 5.5.2 Residual Soil
 - 5.5.3 Recovered Condensate

6.0 CONCLUSIONS AND RECOMMENDATIONS

Instructions: Discuss the test findings and whether there is a need for additional work. If applicable, describe the design basis for the full-scale SVE system.

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE --
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOIL**

- 6.1 Overall Effectiveness of Technology
- 6.2 Needs for Further Study
- 6.3 Design Basis for Full-Scale System

7.0 REFERENCES

Instructions: Provide the references cited in the report and used as the basis for any calculations.

TABLES

- Zone of Capture Data
- Vacuum vs. Flow Data
- Equipment List
- Sampling and Analytical Method Summary
- Removal Rate Summary
- Zone of Capture Summary
- Chemical Analytical Results Summary
- Summary of Air Permeability Tests/Calculations
- Well Construction Details
- Full-Scale SVE Design Parameters

FIGURES

- Site Location Map
- Site Features Map
- SVE Pilot Test Location Map
- Cross Sections of Site Stratigraphy and Well Screen Intervals
- Schematics of SVE System Layout
- As-builts of SVE System
- Construction Schematics
- Representative Graphs of Air Flow vs. Applied Vacuum
- Representative Zone of Capture for Selected Wells
- Representative Graphs of Concentrations over Time
- Representative Graphs of Response Vacuum vs. Distance
- Map of Vacuum Response Isopleths

APPENDICES

- Laboratory Analysis Reports
- QA Reports
- Field Data Sheets
- Well Installation and Boring Logs
- Air Permeability Evaluation
- Zone of Capture Calculations and Evaluation
- Flow Rate Calculations
- Recovery Rate Calculations for Each Test Well
- Graphs of Data for Each Test Well

10.0 ANNOTATED OUTLINE FOR SVE SYSTEM STARTUP AND VALIDATION REPORT

Preface: The following annotated outline identifies potential content for a SVE system startup and validation report, and can be used for sites that had a discrete pilot test phase as well as sites that choose to move directly into the startup/validation phase. As indicated in the outline, sites that moved directly into the startup/validation phase have additional content requirements (as discussed in Chapter 9 of the main text). This outline is not intended to be prescriptive and should be adjusted as appropriate for site-specific conditions. Some elements identified may apply to your site, while others may not. Additional elements than are addressed by the outline may also be needed. This outline is for guidance only, and is applicable on a case-by-case basis.

1.0 INTRODUCTION

Instructions: Provide a general description of the site and area addressed by the SVE system. Present the purpose and scope of the SVE removal action, including the regulatory framework under which it is being conducted. Identify the performance measures and applicable data metrics. Identify the response agency. Briefly orient the reader to the site and provide sufficient background information so that the reader can evaluate the results presented in the report. Outline the report organization.

- 1.1 Site History, Operations, and Features
- 1.2 Scope and Objectives of SVE Removal Action
- 1.3 Background
- 1.3 Report Organization

2.0 SVE SYSTEM COMPONENTS

Instructions: Identify and describe the various components of the SVE system. Include figures of the schematic layout of the treatment system as well as the overall system layout, including piping routes. If applicable, describe the construction and installation of the system components.

- 2.1 Vapor Extraction Wells
- 2.2 Vapor Monitoring Wells
- 2.3 Treatment Units
- 2.4 Vapor Extraction Blower
- 2.5 Conveyance Piping
- 2.6 Monitoring Stations
- 2.7 Utilities

3.0 SVE SYSTEM STARTUP SUMMARY

Instructions: Describe activities and findings during SVE system startup, including duration of startup activities, key dates, system settings and modifications, and the dates, types, and frequencies of monitoring. Describe the types and results of any tests (e.g., step, steady-state, isolation). Discuss the monitoring data obtained during system startup, including induced vacuum, field screening results, and laboratory sampling and analysis. As applicable, describe the system performance under various operational conditions (e.g., different SVE well configurations). If applicable, document the decision process that led to installation of additional SVE wells or a decision not to operate a given SVE well. As applicable, discuss data collected to address site-specific concerns (e.g., noise).

- 3.1 Baseline Soil Vapor Sampling
- 3.2 Initial Startup and Testing
- 3.3 Induced Vacuum
- 3.4 Field Screening
- 3.5 Laboratory Results
- 3.6 Instrumentation Settings
- 3.7 System Modifications During Startup

4.0 SVE SYSTEM OPERATIONS SUMMARY

Instructions: Describe the activities and results of the system operation following the initial startup period. Indicate the period of time reflected in the summary. Include an operation and maintenance summary (e.g., cumulative hours of operation, sorbent changeouts, sorbent consumption rate, system adjustments). Also discuss any administrative changes (e.g., changes to the permit requirements for the system emissions). Discuss inspections of the SVE system, monitoring events, and monitoring results. Identify any trouble-shooting activities, the measures taken, and the outcome.

- 4.1 Treatment Unit Issues
- 4.2 Operation and Maintenance Activities
- 4.3 Troubleshooting
- 4.4 Administrative Changes

5.0 DATA ANALYSIS

Instructions: Provide an interpretation of the data collected during the timeframe addressed by the report, including baseline data collected prior to system startup. Discuss the vacuum/pressure distribution induced by the SVE system. Estimate the pore gas velocity, zone of capture and mass removal rate induced by the SVE system.

- 5.1 Physical Parameters
 - 5.1.1 Vacuum/Pressure Distribution
 - 5.1.2 Flow Rate
 - 5.1.3 Pore Gas Velocity

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- 5.1.4 Zone of Capture
- 5.2 Chemical Parameters
 - 5.2.1 Treatment Unit Influent and Effluent
 - 5.2.2 Vapor Wells
- 5.3 Mass Removal Calculations

6.0 CONCLUSIONS AND RECOMMENDATIONS

Instructions: Provide conclusions regarding the system effectiveness as well as recommendations for on-going operation and maintenance of the SVE system.

7.0 REFERENCES

TABLES

- Well Completion Details
- Equipment Summary
- Operations and Maintenance Summary
- Sampling Program
- Summary of Samples / Data Collected
- Well Data
- Influent / Effluent Data
- Field Monitoring Data
- Field Operations Data
- Vacuum Distribution
- Flow Rate Calculations
- Well Pressure / Flow Relationships
- Calculation Summaries (air permeability, pore gas velocity, zone of capture)
- Test Results Summaries (step, steady-state, isolation)
- Mass Removal Summary

FIGURES

- Site Location Map
- Site Vicinity Map
- Site Plan and Well Locations
- Site Conceptual Model / Representative Cross Section
- System Layout / As-built
- Treatment System Schematic
- Schematic System Flow Diagram
- Isopressure Contours
- Concentration Distribution (multiple depth intervals)
- Time Concentration Graphs
- Cumulative Mass Removal
- Graphs of Test Data
- Zone of Capture Extent

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE --
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APPENDICES

- Permits
- Field Forms and Notes
- Laboratory Analytical Reports
- Residue Disposal Documentation
- Calculations
- Well Completion and Boring Logs
- Construction QA/QC
- Documentation of Residue Disposal

11.0 ANNOTATED OUTLINE FOR SVE SYSTEM DESIGN DOCUMENT

Preface: The following annotated outline identifies potential content for a SVE system design document. This outline is not intended to be prescriptive and should be adjusted as appropriate for site-specific conditions. Some elements identified may apply to your site, while others may not. Additional elements than are addressed by the outline may also be needed. This outline is for guidance only, and is applicable on a case-by-case basis.

1.0 INTRODUCTION

Instructions: Provide a general description of the site and pilot test area. Indicate the purpose of the document. Identify the scope and RAOs of the SVE system (e.g., protect receptors from exposure to cVOCs at the surface, protection of groundwater quality, reduce groundwater cleanup time and cost, and/or restore contaminated areas to support existing and proposed land uses). Identify the performance measures and applicable data metrics. Reference a table summarizing the quantitative cleanup goals. Identify the responsible agency. Outline the document organization.

- 1.1 Site History, Operations, and Features
- 1.2 Purpose of Document
- 1.3 Scope and RAOs of SVE System
- 1.4 Document Organization

2.0 BACKGROUND INFORMATION

Instructions: Orient the reader by providing sufficient background information about the site. Provide a brief overview of the site geology and hydrogeology and direct the reader to key project documents for further information. Provide a synopsis of the current knowledge of the nature and extent of contamination in soil, soil vapor, and groundwater, with a focus on the contaminants to be addressed by the SVE system or that may need to be considered during SVE system operation. Give a brief overview of the SVE technology being applied and indicate why SVE was selected as the remedial technology for the site. If applicable, describe results of previous pilot studies. Support this section with appropriate figures and tables.

- 2.1 Soil Contamination
- 2.2 Soil Gas Contamination
- 2.3 Groundwater Contamination
- 2.4 SVE as Remedial Technology for cVOCs in Vadose Zone

3.0 CONCEPTUAL SITE MODEL FOR VOLATILE CONTAMINANTS

Instructions: Provide the CSM for the SVE system. Identify the principle sources of cVOC contamination and the locations of these sources. If relevant, explain how these sources have changed over time (e.g., small core zone in shallow subsurface surrounded by a soil vapor halo, initial core area expanded by a smear zone caused by dropping groundwater levels). Describe horizontal and vertical extent of the soil vapor plume prior to start-up of the SVE system (e.g., baseline plume extent). Briefly describe the geologic materials to be remediated with emphasis on the characteristics that may affect SVE effectiveness (e.g., grain size, grain size distribution, stratification, moisture content, water table position, organic carbon content). Summarize the conceptual air flow model for the site (e.g., extent of SVE well influence, induced vacuum, air flow characteristics, potential for “short circuiting”, slower cleanup of finer grained zones).

- 3.1 Sources of cVOCs
- 3.2 Soil Vapor Plume
- 3.3 Geology
- 3.4 Conceptual Air Flow Model

4.0 SVE IMPLEMENTATION PROCESS

Instructions: Present the overall process for implementing the SVE system. Identify the permit and other administrative requirements. Identify the steps that will be used to startup and test the SVE system (e.g., baseline sampling of vapor wells, the sequence of system startup, flow rate testing, leak checks, monitoring frequencies, types of measurements/samples, treatment unit performance assessment). Discuss the activities associated on-going operation of the SVE system (e.g., measurements/sampling to assess performance and status, inspections to ensure proper operation of equipment) and reference the O&M plan. Indicate what performance measures might trigger optimization and what steps might be taken to optimize system performance (e.g., modify system flow rates, taking a well off-line, placing additional wells on-line, treatment system adjustments). Outline an initial strategy for curtailment and closure of the SVE system. To assist with the decision process for curtailing or closing the SVE system, provide a table summarizing possible response actions for specific influent concentrations, air flow rates, and/or mass removal rates (e.g., continue operating a given SVE well if the concentration is above a certain value; if the concentration in a given SVE well falls below a given value, turn off a SVE well and evaluate concentration rebound after an appropriate period of time).

- 4.1 Startup and Testing
- 4.2 Long-term Operation
 - 4.2.1 System Status and Performance Monitoring
 - 4.2.2 System Optimization
- 4.3 Curtailment and Closure Strategy

5.0 FIELD SAMPLING PLAN FOR OPERATING SVE SYSTEM

Instructions: Present the rationale, methods, locations, and frequencies for measurement and sampling activities related to SVE system evaluation, startup, operation, optimization, rebound assessment, and eventual closeout. Indicate that field and laboratory work will follow procedures and protocol provided in the QAPP. Address all types of samples and measurements associated with the SVE system (e.g., soil vapor, scrubber sludge, vacuum measurements). Provide tables and figures summarizing the sampling/measurement frequencies for various system components.

- 5.1 Sampling Locations
- 5.2 Sample Collection Procedures and Analytical Methods
- 5.3 Field Quality Control Samples
- 5.4 Sampling Frequencies

6.0 SVE GENERAL DESIGN AND ENGINEERING CONSIDERATIONS

Instructions: Identify the SVE system components and provide the details regarding the design and function of each component. Indicate the design process for the SVE system (e.g., phased approach, total system approach) as well as the planned design submittals and content (e.g., drawing package will include treatment pad layout and details, piping and mechanical details, process and instrumentation diagram, and electrical single line diagram). Describe measures to be used for noise control and other considerations identified in the CEQA process. Describe the procurement process for the system components. Briefly discuss system operations, referring the reader to Section 4.0 for details. Identify the design and engineering documentation that will be prepared (e.g., design package, O&M plan, report addressing observations and difficulties encountered during the start-up period).

- 6.1 Soil Vapor Wells
- 6.2 Soil Gas Collection System
- 6.3 Vacuum System
- 6.4 Emission Control System
- 6.5 Utility Requirements
- 6.6 SVE System Implementation
 - 6.6.1 Engineering Design
 - 6.6.2 Procurement
- 6.7 Design Submittals
- 6.8 Construction Activities
- 6.9 Operations
 - 6.9.1 Startup and Initial Operations
 - 6.9.2 Long-Term Operations
 - 6.9.3 System Optimization
- 6.10 Documentation

7.0 SVE SYSTEM OPERATIONS REPORTING

Instructions: Indicate the types and frequency of reports to be provided. Identify the purpose, objectives, and typical content of each report.

7.1 Status Reports

7.2 Periodic Monitoring/Operations Reports

8.0 RESIDUALS MANAGEMENT

Instructions: Identify the residuals that will be generated by the SVE system and how the residuals will be managed. Describe any requirements (such as secondary containment) for residual storage areas.

8.1 Liquids/Water

8.2 Sediments/Solids

9.0 QUALITY ASSURANCE PROJECT PLAN

Instructions: Present the organization, functions, procedures, and specific QA and QC activities designed to achieve the DQOs for the SVE system.

9.1 Project Management

9.1.1 Title and Approval Sheet

9.1.2 Table of Contents

9.1.3 Distribution List

9.1.4 Project Organization

9.1.5 Problem Definition/Background

9.1.6 Project/Task Description and Schedule

9.1.7 Data Quality Objectives and Criteria for Measurement Data

9.1.8 Special Training Requirements/Certification

9.1.9 Documentation and Records

9.2 Measurement/Data Acquisition

9.2.1 Sampling Process Design

9.2.2 Sampling Method Requirements

9.2.3 Sample Handling and Custody Requirements

9.2.4 Analytical Methods Requirements

9.2.5 Quality Control Requirements

9.2.6 Instrument Testing, Inspection, and Maintenance Requirements

9.2.7 Instrument Calibration and Frequency

9.2.8 Inspection/Acceptance Requirements for Supplies and Consumables

9.2.9 Data Acquisition Requirements (Non-Direct Measurements)

9.2.10 Data Management

9.3 Assessment/Oversight

9.3.1 Assessments and Response Actions

9.3.2 Reports to Management

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- 9.4 Data Validation and Usability
 - 9.4.1 Data Review, Validation, and Verification Requirements
 - 9.4.2 Validation and Verification Methods
- 9.5 Technical Data Management

10.0 REFERENCES

<i>Instructions: Provide the references cited in the document.</i>
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TABLES

- Cleanup Goals
- General SVE System Operation Parameters
- Soil Parameters
- Soil Gas Sampling Locations and Frequency
- Emissions Sampling Frequency
- Residuals Sampling Frequency
- Measurement and Analytical Methods
- QC Acceptance Criteria
- QA Objectives for Emissions
- Sample Container and Holding Time Requirements

FIGURES

- Site Location Map
- SVE System Location Map
- SVE System Process Flow Diagram

APPENDICES

- Field Data Sheets
- Health and Safety Plan
- Standard Operation Procedures
- Vadose Zone Modeling
- Calculations
- Operations and Maintenance Plan
- Pilot Test Report

12.0 REFERENCES

- Beckett, G.D. and D. Huntley. 1994. Characterization of Flow Parameters Controlling Soil Vapor Extraction. *Groundwater*, v. 32, p. 239 - 247.
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APPENDIX D

LINK TO ADDITIONAL RESOURCES

The following resources from the *PT&R Guidance – Remediation of Metals in Soil* are also applicable to cVOCs.

Annotated Outline for Site Characterization Report	Characterization Phase Workplan (Outline)
Example for Bridging Memorandum	Example for Statement of Basis
Remedial Action Plan Sample	Removal Action Workplan Sample
Scope of Work for Corrective Measures Study	Scope of Work for Interim Measures
Excavation, Disposal, and Restoration Plan Sample	Transportation Plan (Outline)
Annotated Outline for Excavation Completion Report	Public Participation Sample Documents

These appendices can be downloaded individually at the following location:

www.dtsc.ca.gov/SiteCleanup/PTandR.cfm

APPENDIX E CONFIRMATION SAMPLING FOR SOIL EXCAVATIONS

Introduction

Confirmation sampling is conducted to determine whether the remedial action objectives (RAOs) for the soil excavation have been achieved. The remediation by excavation may address all or some of the following exposure pathways.

Soil Matrix RAOs. Soil matrix RAOs are developed for groundwater protection (soil leaching to groundwater pathway) and alleviation of direct contact exposure scenarios (dermal, ingestion, and particulate inhalation). Confirmatory soil matrix sampling involves the collection of samples from the floor and sidewalls of the excavation to demonstrate that contaminated soil was successfully removed.

Soil Gas RAOs. Soil gas RAOs typically are developed to alleviate vapor intrusion and outdoor air exposure. To verify that residual soil gas contamination is protective of human health, soil gas samples are collected around the perimeter of the excavation, and below the excavation footprint and/or within excavation backfill.

Confirmation sampling results can be used to support a post-remediation evaluation of risk (see Sections 6.5 and 8.8 of the main text).

Confirmation Sampling Plan

Confirmation sampling activities should be conducted in accordance with an approved confirmation sampling plan. The plan should consider the following:

- Soil gas and soil matrix samples should have the highest possible data quality objectives (DQOs).
- Statistical strategies that employ grids to facilitate the unbiased selection of sampling points should be used as appropriate. These strategies should provide a 95-percent confidence level of verifying the presence or absence of contamination.
- Flexibility to modify the sampling approach based on field observations and sampling results should be included. For example, non-statistical sampling may be used to evaluate areas where soil staining, odors, or hot spots are observed.
- Logistical considerations that may affect confirmation sampling approaches should be considered (e.g., sampling the sidewalls of a shored excavation).

The following resources may be useful in the development of the confirmation sampling plan:

- *Advisory – Active Soil Gas Investigations* (DTSC/LARWQCB, 2003)¹

¹ Check the following link for the most current version of the document:
www.dtsc.ca.gov/SiteCleanup/Vapor_Intrusion.cfm#Vapor_Intrusion_Guidance_Documents

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE --
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOIL**

- *Interim Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air, Revised* (DTSC, 2005)¹
- *Guidance Document for the Implementation of United States Environmental Protection Agency Method 5035: Methodologies for Collection, Preparation, Storage, and Preparation of Soils to be Analyzed for Volatile Organic Compounds* (DTSC, 2004)
- *Guidance on Choosing a Sampling Design for Environmental Data Collection for Use in Developing a Quality Assurance Project Plan, EPA QA/G-5S* (USEPA, 2002)
- *Guidance on Systematic Planning Using the Data Quality Objective Process, EPA QA/G-4* (USEPA, 2006a)
- *Data Quality Assessment: A Reviewer's Guide, EPA QA/G-9R* (USEPA, 2006b)
- *Data Quality Assessment: Statistical Methods for Practitioners, EPA QA/G-9S* (USEPA, 2006c)
- *SW-846 On-Line* (USEPA, SW-846 On-Line)
- *Technical and Regulatory Guidance for the Triad Approach: A New Paradigm for Environmental Project Management* (ITRC, 2003)

Additional resources are available on the USEPA and Interstate Technology and Regulatory Council (ITRC) web-sites (www.clu-in.org; www.itrcweb.org), among other sources. Attachment A of this appendix provides an annotated outline for a confirmation sampling plan.

Soil Matrix Samples

Soil matrix samples are typically collected from the floor and sidewalls of the excavation using the sampling design identified in the confirmation sampling plan. These samples should be collected in accordance with USEPA Method 5035 (DTSC, 2004). Soil matrix sampling strategies based on incremental sampling methodology (ISM) are the subject of growing interest in the field of environmental restoration. However, ISM has yet to be fully accepted by the scientific community. The ITRC is currently developing ISM guidance and provides links related resources on its web-site². If ISM is being considered for a given site, DTSC should be consulted to obtain concurrence with its use in confirmation sampling.

Post-excavation soil matrix sampling should occur as soon as possible after completion of excavation activities. Soil matrix samples should not be obtained from exposed excavation surfaces. Rather, soil matrix samples should be collected approximately six to eight inches interior to the exposed surface to alleviate potential sample bias due to the volatilization of contaminants.

² www.itrcweb.org/teampublic_ISM.asp

Soil Gas Samples

Soil gas samples should be collected from the around the perimeter of the excavation, and within and/or below the excavation footprint to evaluate the effectiveness of the remedy on eliminating the possibility of vapor intrusion. These samples should be collected at least five feet from exposed soil surfaces to minimize the effects of atmospheric influences on sample representativeness. Soil gas samples should be collected in accordance with DTSC/LARWQCB (2003) which recommends the installation of semi-permanent soil vapor probes.

Non-excavated subsurface cVOC sources can potentially contaminate clean backfilled material through vapor transport. Hence, where excavations are above contaminated groundwater or adjacent to cVOC hot spots, soil gas monitoring will be necessary to determine if the RAOs have been achieved. The duration of the post-excavation monitoring within the backfilled material and adjacent to the excavation pit should be based upon the time needed to re-establish subsurface equilibrium. The time to reach steady-state conditions can be determined using the methods described in Johnson et al. (1999). These timeframes can be lengthy for large excavations. If these monitoring timeframes are incompatible with schedules for property redevelopment, consideration should be given to expanding the size of the proposed excavation.

References

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- DTSC/ Los Angeles Regional Water Quality Control Board (LARWQCB). 2003 (revision pending). *Advisory – Active Soil Gas Investigations*. January. 10.39.0.144/lawsregspolicies/policies/SiteCleanup/upload/SMBR_ADV_activesoilgasinvst.pdf
- Interstate Technology and Regulatory Council (ITRC). 2003. *Technical and Regulatory Guidance for the Triad Approach: A New Paradigm for Environmental Project Management*. December. www.itrcweb.org/Documents/SCM-1.pdf
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- USEPA. 2002. *Guidance on Choosing a Sampling Design for Environmental Data Collection for Use in Developing a Quality Assurance Project Plan, EPA QA/G-5S*. EPA/240/R-02/005. December. www.epa.gov/quality/qa_docs.html
- USEPA. 2006a. *Guidance on Systematic Planning Using the Data Quality Objective Process, EPA QA/G-4*. EPA/240/B-06/001. February. www.epa.gov/quality/qa_docs.html

**PROVEN TECHNOLOGIES AND REMEDIES GUIDANCE --
REMEDICATION OF CHLORINATED VOCs IN VADOSE ZONE SOIL**

USEPA. 2006b. *Data Quality Assessment: A Reviewer's Guide*, EPA QA/G-9R. EPA/240/B-06/002. February. www.epa.gov/quality/qa_docs.html

USEPA. 2006c. *Data Quality Assessment: Statistical Methods for Practitioners*, EPA QA/G-9S. EPA/240/B-06/003. February. www.epa.gov/quality/qa_docs.html

USEPA. SW-846 On-Line: Test Methods for Evaluating Solid Waste, Physical/Chemical Methods. <http://www.epa.gov/waste/hazard/testmethods/sw846/online/index.htm>

ATTACHMENT A
ANNOTATED OUTLINE
CONFIRMATION SAMPLING PLAN FOR SOIL EXCAVATIONS

Preface: The following annotated outline identifies potential content for a confirmation sampling plan. The outline is not intended to be prescriptive and should be adjusted as appropriate for site-specific conditions. Some elements identified may apply to your site, while others do not. Additional elements than are addressed by the outline may also be needed. This outline is for guidance only, and is applicable on a case-by-case basis.

1.0 INTRODUCTION

Instructions: Describe the site location, description, and history. Identify the purpose, scope and objective of the confirmation sampling. Identify the responsible agency, project organization, and responsibilities. If the confirmation sampling plan is a stand-alone document, this section should be more comprehensive.

- 1.1 Site Location, Description, and History
- 1.2 Purpose, Scope, and Objectives of Confirmation Sampling
 - 1.2.1 Demonstrate Achievement of RAOs
 - 1.2.2 Waste Characterization
- 1.3 Responsible Agency
- 1.4 Project Organization and Responsibilities

2.0 SUMMARY OF EXISTING SITE DATA

Instructions: Briefly summarize the existing site data. Identify the estimated nature and extent of contamination. Include figures, such as plume maps and geological cross sections, that support the discussion.

3.0 SUMMARY SOIL REMOVAL ACTIONS

Instructions: Describe the soil removal actions to be taken prior to confirmation sampling. Identify the RAOs, cleanup goals, and regulatory criteria. Support the discussion with appropriate figures (e.g., a figure showing the estimated vertical and lateral extent of the excavation). Describe the approach to excavation activities and confirmation sampling (e.g., sequencing of excavation, logistical considerations, confirmation sampling, laboratory turnaround time, data evaluation and decision to backfill excavation).

- 3.1 Summary of Soil Removal Objectives
 - 3.1.1 Extent of Excavation
 - 3.1.2 Waste Characterization
 - 3.1.3 [Other appropriate subsections_as applicable]
- 3.2 Cleanup Goals and Regulatory Criteria
- 3.3 Role and Timing of Confirmation Sampling in the Decision Process

4.0 CONFIRMATION SAMPLE COLLECTION

Instructions: Describe the sampling design that will be used to confirm that soil excavation efforts have achieved RAOs. Provide the objectives and rationale for sample locations and frequencies. Identify considerations for the timing of sample collection relative to excavation and/or backfill activities. If applicable, describe the method for establishing a sampling grid. Identify the sampling requirements and contingencies for unexpected conditions. Provide general sample collection and preservation procedures, and analytical methods. Reference the applicable field sampling plan.

- 4.1 Sampling Objectives
- 4.2 Sampling Design and Rationale
- 4.3 Sample Locations and Depths
 - 4.3.1 Rationale for Soil Sampling
 - 4.3.2 Rationale for Soil Gas Sampling
- 4.4 Sampling Requirements
- 4.5 Sampling and Analysis
 - 4.5.1 General Sample Collection Procedures
 - 4.5.1.1 Soil Matrix
 - 4.5.1.2 Soil Gas
 - 4.5.2 Laboratory Analytical Methods
 - 4.5.3 Quality Assurance/Quality Control
- 4.6 Contingencies for Unexpected Conditions

5.0 CONFIRMATION SAMPLE COLLECTION FOR WASTE CHARACTERIZATION

Instructions: Describe the sample collection methods for characterizing excavated soil prior to disposal or reuse and to identify the need for treatment prior to disposal. Indicate the sample collection frequency and rationale. Identify the sample requirements (e.g., discrete samples, composite samples). Provide general sample collection and preservation procedures, and analytical methods. Reference the applicable field sampling plan.

- 5.1 Sampling Objectives
- 5.2 Sampling Design and Rationale
- 5.3 Sample Locations
- 5.4 Sampling Requirements
- 5.5 Sampling and Analysis
 - 5.5.1 General Sample Collection Procedures
 - 5.5.2 Laboratory Analytical Methods
 - 5.5.3 Quality Assurance/Quality Control

6.0 DATA QUALITY OBJECTIVES

Instructions: Describe the DQOs, including analytical issues (e.g., method detection limits), QA/QC limitations on data, reproducibility, accuracy and precision, and other issues related to objectives of the confirmation sampling. Reference the applicable quality assurance project plan.

7.0 DATA EVALUATION

Instructions: Describe how the data will be evaluated (1) to support the decision to continue or stop the excavation and (2) to determine appropriate disposal or reuse of excavated soil and identify any treatment requirements. Include detailed descriptions of how the cleanup goals will be applied, the statistical evaluations that will be performed, and any other methods to be used. If appropriate, include decision matrices and/or flow charts to assist with the decision process.

7.1 Determination of Adequacy of Excavation

7.2 Determine Disposal, Reuse, and Treatment Requirements for Excavated Soil

8.0 REPORT

Instructions: Describe the format and schedule for reporting the confirmation sampling and data analysis results. Include all the elements of a standard investigation report, including conclusions and recommendations based on the data and data analysis.

9.0 HEALTH AND SAFETY PLAN

Instructions: A health and safety plan for confirmation sampling activities should be included as a separate section or appendix.

10.0 REFERENCES

Instructions: List all references cited in the plan.

APPENDICES

Field Sampling Plan (FSP)*

Quality Assurance Project Plan (QAPP)*

*The confirmation sampling plan should be supported by a field sampling plan (FSP), and a quality assurance project plan (QAPP). If to be developed in conjunction with the confirmation sampling plan, annotated outlines for a generic FSP and a generic QAPP are included in Appendix A2 of the *PT&R Guidance – Remediation of Metals in Soil*³. Alternatively, the confirmation sampling plan can reference an existing FSP or QAPP that adequately supports the confirmation sampling activities.

³ www.dtsc.ca.gov/SiteCleanup/upload/Appdx_A2_083108.pdf

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: 46 letters regarding File No. 210756
Date: Thursday, July 22, 2021 1:47:00 PM
Attachments: [46 letters regarding File No. 210756.pdf](#)

Hello Supervisors,

Please see attached 46 letters regarding File No. 210756.

File No. 210756 - Hearing of persons interested in or objecting to the disapproval of a Conditional Use Authorization pursuant to Sections 202.2, 303, and 712 of the Planning Code, for a proposed project at 5 Leland Avenue and 2400 Bayshore Boulevard, Assessor's Parcel Block No. 6249, Lot No. 001, identified in Planning Case No. 2021-000603CUA, issued by the Planning Commission by Motion No. 20925, dated May 27, 2021, to allow the establishment of a 2,198 square foot Cannabis Retail Use with no on-site smoking or vaporizing of cannabis products within the ground floor commercial space of a two-story mixed-use building located within the NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District, the Schlage Lock Special Use District, and a 55-X Height and Bulk District. (District 10) (Appellant: Gaynorann Siataga) (Filed June 28, 2021)

Thank you,

Jackie Hickey
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-5184 | Direct: (415) 554-7701
jacqueline.hickey@sfgov.org | www.sfbos.org

From: [Wilber Rosales](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:36:59 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

There is an existing cannabis dispensary on the same block as this proposal. A second cannabis dispensary is not necessary.

The existing cannabis dispensary faced an enormous amount of community resistance. There is no evidence to support the desirability of a second cannabis dispensary on the same block as an existing cannabis dispensary.

The City enacted a 600' radius restriction on cannabis dispensaries for a very good reason, to avoid clustering. The general consensus regarding clustering was that, if not addressed, the concentration of this often-contested use would lead to negative effects along commercial corridors and the surrounding neighborhoods. The 5 Leland proposal is attempting to use a very limited loophole to circumvent Visitacion Valley's protection against a highly contested use. A second cannabis dispensary on the same block (less than 200' away) as an existing cannabis dispensary is in direct contradiction to the City's crystal clear legislated and codified determination on this matter.

The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Wilber Rosales
wilberosales84@gmail.com
40 Leland
San Francisco , California 94112

From: [Anselmo Sanchez](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:37:05 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

There is an existing cannabis dispensary on the same block as this proposal. A second cannabis dispensary is not necessary.

The existing cannabis dispensary faced an enormous amount of community resistance. There is no evidence to support the desirability of a second cannabis dispensary on the same block as an existing cannabis dispensary.

The City enacted a 600' radius restriction on cannabis dispensaries for a very good reason, to avoid clustering. The general consensus regarding clustering was that, if not addressed, the concentration of this often-contested use would lead to negative effects along commercial corridors and the surrounding neighborhoods. The 5 Leland proposal is attempting to use a very limited loophole to circumvent Visitacion Valley's protection against a highly contested use. A second cannabis dispensary on the same block (less than 200' away) as an existing cannabis dispensary is in direct contradiction to the City's crystal clear legislated and codified determination on this matter.

The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Anselmo Sanchez
chemosm@yahoo.com
40 leland ave
San francisco, California 94134

From: [Jeziel Rosales](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:39:34 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The existing cannabis dispensary faced an enormous amount of community resistance. There is no evidence to support the desirability of a second cannabis dispensary on the same block as an existing cannabis dispensary.

The City enacted a 600' radius restriction on cannabis dispensaries for a very good reason, to avoid clustering. The general consensus regarding clustering was that, if not addressed, the concentration of this often-contested use would lead to negative effects along commercial corridors and the surrounding neighborhoods. The 5 Leland proposal is attempting to use a very limited loophole to circumvent Visitacion Valley's protection against a highly contested use. A second cannabis dispensary on the same block (less than 200' away) as an existing cannabis dispensary is in direct contradiction to the City's crystal clear legislated and codified determination on this matter.

The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Jeziel Rosales

jezielrosales13@gmail.com

40 Leland

San Francisco , California 94111

From: [Jessica De la Cruz](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:40:28 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Jessica De la Cruz
1shanyprincess@gmail.com
40 Ieland
San Francisco, California 94112

From: [Samantha Rosales](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:41:01 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

There is an existing cannabis dispensary on the same block as this proposal. A second cannabis dispensary is not necessary.

The existing cannabis dispensary faced an enormous amount of community resistance. There is no evidence to support the desirability of a second cannabis dispensary on the same block as an existing cannabis dispensary.

The City enacted a 600' radius restriction on cannabis dispensaries for a very good reason, to avoid clustering. The general consensus regarding clustering was that, if not addressed, the concentration of this often-contested use would lead to negative effects along commercial corridors and the surrounding neighborhoods. The 5 Leland proposal is attempting to use a very limited loophole to circumvent Visitacion Valley's protection against a highly contested use. A second cannabis dispensary on the same block (less than 200' away) as an existing cannabis dispensary is in direct contradiction to the City's crystal clear legislated and codified determination on this matter.

The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Samantha Rosales
shany1600@att.net
40 Leland
San Francisco , California 94112

From: [Christian Mata](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:44:09 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Christian Mata
christianmata940@yahoo.com
733 Filbert Street
San Francisco, California 94133

From: [Onorio Orellana](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:51:54 AM

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Onorio Orellana
onoriooa@gmail.com
1433 Marelia Ct
San Pablo, California 94806

From: [Elaine Ding](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:57:55 AM

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Elaine Ding
elainedingusa@gmail.com
5851 Mission St.
San Francisco , California 94112

From: [tam tam](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:59:44 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

tam tam

tam94134@gmail.com

360 Hamilton

san francisco, California 94134

From: [Board of Supervisors \(BOS\)](#)
To: [BOS Supervisors](#)
Cc: [Cannabis Justice \(BOS\)](#); [Samara Aliza \(BOS\)](#); [Iya Wilson \(BOS\)](#); [Lawanna Jenkins \(BOS\)](#); [McBough, Elton \(BOS\)](#); [BOS Legislation \(BOS\)](#)
Subject: FW: SUPPORT for the dispensary applicant 5 Leland Avenue
Date: Wednesday, July 21, 2021 9:35:00 AM

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

From: David Goldman <brownie.marysf@gmail.com>
Sent: Tuesday, July 20, 2021 12:49 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Kenneth Koehn <kimkoehn@gmail.com>; John Delaplaine <johnny@access-sf.org>; Quentin Platt <q@access-sf.org>; Bram Goodwin <goodwin.bram@gmail.com>; Michael Bostarr <michaelbostarr@gmail.com>; Keith Baraka <keithbaraka@gmail.com>; Conor Johnston <conorj@otterbrands.com>
Subject: re: SUPPORT for the dispensary applicant 5 Leland Avenue

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

On behalf of the membership of the San Francisco Chapter of the Brownie Mary Democratic Club, we are writing to you today in strong support for the proposed dispensary at 5 Leland Avenue.

We have known John Delaplaine for over 10 years. John and his team are dedicated to the highest standards of professional conduct and integrity. Their South of Market dispensary Project Cannabis is an exemplar. They have also worked assiduously to make 5 Leland Avenue another top notch dispensary, dedicated to supporting the neighborhood. Due to the moratorium on cannabis dispensary applicants several years ago, their application was delayed. This delay should not be construed as lack of support. In fact, many neighbors and businesses to 5 Leland Avenue have expressed strong support for this project.

Like Project Cannabis, 5 Leland Avenue will be a credit to the neighborhood. We urge you to support their application.

Thank you.

Sincerely,

David Goldman
President, San Francisco Chapter
Kenneth Michael Koehn
Secretary, San Francisco Chapter
Brownie Mary Democratic Club
Brownie.MarySF@gmail.com
[https://avanan.ar1.protection.com/v1/urf?](https://avanan.ar1.protection.com/v1/urf?o=www.BrownieMaryDemClub.com&g=ODAaZTYyYnF1ZWZmYxczZQ==&h=YzA3OGRIYTYhNDU4NmY5MWY3N2EzMGVyMWZmOTM1ODc4NGRlZjZmOWRmNzJhYTksMzY1NzZmNGVhZmUwNDg3YQ==&p=YXAuOeNmZHQyOmI2YW50bjpvQjg5ZDM5MDhhYjQ4ZGMlZmFmTU3M2Q0YjgzMGRjNjI0aYk)
[o=www.BrownieMaryDemClub.com&g=ODAaZTYyYnF1ZWZmYxczZQ==&h=YzA3OGRIYTYhNDU4NmY5MWY3N2EzMGVyMWZmOTM1ODc4NGRlZjZmOWRmNzJhYTksMzY1NzZmNGVhZmUwNDg3YQ==&p=YXAuOeNmZHQyOmI2YW50bjpvQjg5ZDM5MDhhYjQ4ZGMlZmFmTU3M2Q0YjgzMGRjNjI0aYk](https://www.BrownieMaryDemClub.com&g=ODAaZTYyYnF1ZWZmYxczZQ==&h=YzA3OGRIYTYhNDU4NmY5MWY3N2EzMGVyMWZmOTM1ODc4NGRlZjZmOWRmNzJhYTksMzY1NzZmNGVhZmUwNDg3YQ==&p=YXAuOeNmZHQyOmI2YW50bjpvQjg5ZDM5MDhhYjQ4ZGMlZmFmTU3M2Q0YjgzMGRjNjI0aYk)

Instagram: @bmf415
m: 415-728-7631

From: Info.BetterHousingPolicies.org
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 2:51:16 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Info BetterHousingPolicies.org
info@betterhousingpolicies.org
945 Taraval Street #167
San Francisco, California 94116

From: [Amy Chen](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 2:55:57 PM

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Amy Chen

amy080chen@gmail.com

My relatives live in Leland & Delta

San Francisco , California 94134

From: [Josephine Zhao](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 3:06:47 PM

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Ms. Clerk of The Board,

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Josephine Zhao

josephine_zhao@yahoo.com

Our community in Visitation Valley

SAN FRANCISCO, California 94134

From: [Jenny Choy](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 3:09:41 PM

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Jenny Choy
jennychoy1000@gmail.com
100 block of Raymond Ave
SAN FRANCISCO, California 94134

From: [Baiping Xie](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 3:58:56 PM

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Baiping Xie
bp_xie@yahoo.com
10719 Verawood Dr
Riverview , Florida 33579

From: [zong.li.feng](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 8:50:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

There is an existing cannabis dispensary on the same block as this proposal. A second cannabis dispensary is not necessary.

The existing cannabis dispensary faced an enormous amount of community resistance. There is no evidence to support the desirability of a second cannabis dispensary on the same block as an existing cannabis dispensary.

The City enacted a 600' radius restriction on cannabis dispensaries for a very good reason, to avoid clustering. The general consensus regarding clustering was that, if not addressed, the concentration of this often-contested use would lead to negative effects along commercial corridors and the surrounding neighborhoods. The 5 Leland proposal is attempting to use a very limited loophole to circumvent Visitacion Valley's protection against a highly contested use. A second cannabis dispensary on the same block (less than 200' away) as an existing cannabis dispensary is in direct contradiction to the City's crystal clear legislated and codified determination on this matter.

The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

zong li feng
zlf94112@gmail.com
55 Oliver St
San Francisco, California 94112

From: [mei ling feng](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 8:51:01 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

There is an existing cannabis dispensary on the same block as this proposal. A second cannabis dispensary is not necessary.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

mei ling feng
mlf94112@gmail.com
55 Oliver St
San Francisco, California 94112

From: [Kevin Feng](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 8:51:59 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Kevin Feng
knjfeng2@gmail.com
55 Oliver St
San Francisco, California 94112

From: [ning kun Feng](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 8:52:18 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

ning kun Feng
kev81421@gmail.com
55 Oliver St
San Francisco, California 94112

From: [Melinda Yuen](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 9:18:10 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Melinda Yuen

vincentyy168@gmail.com

775 Mcallister St. apt J

San Francisco , California California 94102

From: [Xiao Zhu](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 10:23:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Xiao Zhu
ying6578@yahoo.com
259 Dublin Street
San Francisco , California 94112

From: [Bo Jun Xiao](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 10:25:37 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Bo Jun Xiao
jeff.xiao@att.net
75 Oliver St
San Francisco, California 94112

From: [Mike Liang](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 10:29:25 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Mike Liang
mikel32804@gmail.com
Geneva Ave
San Francisco, California 94112

From: [Mei Yan Zeng](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 10:38:06 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Mei Yan Zeng
meiyannatalie@gmail.com
298 Oliver st
Daly City, California 94014

From: [Jiantong Kuang](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 10:44:29 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Jiantong Kuang
jiantong618@hotmail.com
271 Bright St
San Francisco, California 94132

From: [Xiuling Feng](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 10:58:23 PM

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Ms. Clerk of The Board,

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Xiuling Feng
xiulingf@yahoo.com
Revere and third
St, California 94124

From: [Michelle zhang](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 11:07:56 PM

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Ms. Clerk of The Board,

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“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

There is an existing cannabis dispensary on the same block as this proposal. A second cannabis dispensary is not necessary.

The existing cannabis dispensary faced an enormous amount of community resistance. There is no evidence to support the desirability of a second cannabis dispensary on the same block as an existing cannabis dispensary.

The City enacted a 600' radius restriction on cannabis dispensaries for a very good reason, to avoid clustering. The general consensus regarding clustering was that, if not addressed, the concentration of this often-contested use would lead to negative effects along commercial corridors and the surrounding neighborhoods. The 5 Leland proposal is attempting to use a very limited loophole to circumvent Visitacion Valley's protection against a highly contested use. A second cannabis dispensary on the same block (less than 200' away) as an existing cannabis dispensary is in direct contradiction to the City's crystal clear legislated and codified determination on this matter.

The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Michelle zhang
michelle_zjb@yahoo.com
247 Bright street
san Francisco, California 94132

From: [Lai Yee Au](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 11:27:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Lai Yee Au
laiyeeau@gmail.com
48 Peabody Street
San Francisco , California 94134

From: [Liqing Zhang](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 11:31:01 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Liqing Zhang
lzh10318@hotmail.com
Geneva ave
San Francisco, California 94112

From: [Xiaozhen Xiao](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 11:43:40 PM

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Ms. Clerk of The Board,

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Xiaozhen Xiao
xiaoxiaozhen@hotmail.com
20 Byron ct
San Francisco , California 94112

From: [Chenyun Li](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Wednesday, July 21, 2021 11:46:26 PM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Chenyun Li
alysiali888@yahoo.com
89 Farragut Ave
San Francisco, California 94112

From: [Yue Yuan Ruan](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 7:27:30 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Yue Yuan Ruan
joyceyyruan0809@gmail.com
263 Madrid street
San Francisco , California 94112

From: [Yue Yuan Ruan](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 7:31:01 AM

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Ms. Clerk of The Board,

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Yue Yuan Ruan
joyceyyruan0809@gmail.com
263 Madrid street
San Francisco , California 94112

From: [Jean L Lau](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 8:42:29 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Jean L Lau
jlau368@gmail.com
391 Capistrano Ave
San Francisco , Ca 94112

From: [Kai M. Lau](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 8:47:35 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Kai M Lau
klau8338@gmail.com
391 Capistrano Ave
San Francisco , Ca 94112

From: [Marlene TRAN](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 9:59:30 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Marlene TRAN
tranmarlene@yahoo.com
23 Ervine Street
San Francisco, California 94134

From: [Curt Yagi](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 10:19:56 AM

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Ms. Clerk of The Board,

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Curt Yagi
curt@rocksf.org
73 Leland Ave
San Francisco, California 94134

From: [Sammi Huang](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 10:37:40 AM

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Ms. Clerk of The Board,

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Sammi Huang
sam.xm.huang@gmail.com
434 Moscow St
San Francisco, California 94112

From: [Rigoberto Rivera](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:24:53 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

There is an existing cannabis dispensary on the same block as this proposal. A second cannabis dispensary is not necessary.

The existing cannabis dispensary faced an enormous amount of community resistance. There is no evidence to support the desirability of a second cannabis dispensary on the same block as an existing cannabis dispensary.

The City enacted a 600' radius restriction on cannabis dispensaries for a very good reason, to avoid clustering. The general consensus regarding clustering was that, if not addressed, the concentration of this often-contested use would lead to negative effects along commercial corridors and the surrounding neighborhoods. The 5 Leland proposal is attempting to use a very limited loophole to circumvent Visitacion Valley's protection against a highly contested use. A second cannabis dispensary on the same block (less than 200' away) as an existing cannabis dispensary is in direct contradiction to the City's crystal clear legislated and codified determination on this matter.

The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Rigoberto Rivera
riverapainting@hotmail.com
731 Niantic Ave
Daly City , Ca 94014

From: [Lisa Tsang](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:25:03 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

“Conditional Uses require ... to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan.”

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Lisa Tsang
lisa.tsangusa@hotmail.com
29th Avenue
San francisco, California 94116

From: [Clara Eng](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:26:33 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Clara Eng
claraeng49@yahoo.com
344 Felton st
San Francisco , California 94134

From: [Delmer Andino](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:28:17 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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The 5 Leland Ave proposal is unquestionably NOT necessary. Given the community resistance to the first proposal, it should be clear that a second cannabis dispensary is at least equally (if not more) undesirable.

I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Delmer Andino
rnst_pstrn@hotmail.com
Leland ave
San Francisco , California 94134

From: [Stephany Rosales](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:29:04 AM

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Ms. Clerk of The Board,

As a neighbor and a member of the community, I agree with Planning Commission's decision on 5/27/2021 that the project doesn't meet the criteria for Conditional Use Authorization. We already have a cannabis retail a few doors down. We don't need another one. / 作為鄰居和社區成員,我同意規劃委員會於 2021 年 5 月 27 日的決定,即該項目不符合有條件使用授權的標準。我們已經在幾扇門外有一家大麻零售店。我們不需要另一個。 / Como vecino y miembro de la comunidad, estoy de acuerdo con la decisión de la Comisión de Planificación el 27/05/2021 de que el proyecto no cumple con los criterios para la Autorización de uso condicional. Ya tenemos una tienda de cannabis a unas pocas puertas. No necesitamos otro.

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Stephany Rosales
shanns330@gmail.com
295 Miramar ave
San Francisco , California 94112

From: [Godofredo Mina](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:29:36 AM

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Ms. Clerk of The Board,

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Godofredo Mina
godomina67@gmail.com
40 Leland Ave.
San Francisco, Ca, California 94134

From: [Jessica Rosales](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:31:19 AM

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Jessica Rosales
shany1600@att.ney
23370 Nevada Rd
Hayward, California 94541

From: [Oswald Milan Jr](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: Opposing a Cannabis Retail Storefront at 5 Leland Avenue and 2400 Bayshore Blvd
Date: Thursday, July 22, 2021 11:32:42 AM

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Ms. Clerk of The Board,

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I do not support a second cannabis dispensary in my neighborhood. Please vote no on this project.

Oswald Milan Jr
oswald_m@hotmail.com
2420 bayshore Blvd
San Francisco, California 94134

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Carroll, John \(BOS\)](#)
Subject: 34 letters regarding File Nos. 210748 & 210820
Date: Thursday, July 22, 2021 1:33:00 PM
Attachments: [34 letters regarding File Nos. 210748 & 210820.pdf](#)

Hello Supervisors,

Please see attached 34 letters regarding File Nos. 210748 & 210820.

File No. 210748 - Hearing on the de facto route abandonment and service restoration for Muni buses, trains, and cable cars; and requesting the Municipal Transportation Agency to report.

File No. 210820 - Resolution urging the Municipal Transportation Agency to reinstate all transit lines and restore pre-Covid service hours by December 31, 2021, and release by August 31, 2021, a written plan for restoration of all lines and service

Thank you,

Jackie Hickey
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-5184 | Direct: (415) 554-7701
jacqueline.hickey@sfgov.org | www.sfbos.org

From: [Carroll, John \(BOS\)](#)
To: pbelden@gmail.com
Cc: [Board of Supervisors_ \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Tuesday, July 20, 2021 1:52:57 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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From: Peter Belden <pbelden@gmail.com>
Sent: Tuesday, July 20, 2021 1:45 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

This message is from outside the City email system. Do not open links or attachments from untrusted

sources.

Dear SFMTA's Board of Directors, My name is Peter Belden from D10. I am writing to urge that SFMTA restore full service by the end of the year. I also urge that SFMTA not simply restore the same lines but instead use this as an opportunity to make improvements such as running buses at intervals rather than on a schedule. Now is an opportunity to build back better NOT simply to build back.

From: [Carroll, John \(BOS\)](#)
To: [Gary Decad](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Tuesday, July 20, 2021 1:53:36 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
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From: Gary Decad <gmdecad@gmail.com>
Sent: Tuesday, July 20, 2021 1:48 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

This message is from outside the City email system. Do not open links or attachments from untrusted

Dear SFMTA's Board of Directors, My name is Dr. Gary M. Decad from (District 8, Buena Vista TerraceNeighborhood). I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again. Sincerely, Gary M. Decad, Buena Vista Terrace

From: [Carroll, John \(BOS\)](#)
To: [Kristen Leckie](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:21:08 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Kristen Leckie <kristenmleckie@gmail.com>
Sent: Tuesday, July 20, 2021 2:04 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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sources.

Dear SFMTA Board of Directors,

My name is Kristen and I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year. Moving forward, the SFMTA must conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future.

Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back.

Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic.

Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,
Kristen Leckie

From: [Carroll, John \(BOS\)](#)
To: [Charles Whitfield](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:21:56 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: Charles Whitfield <whitfield.cw@gmail.com>
Sent: Tuesday, July 20, 2021 2:24 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Charles Whitfield, and I'm a District 8 resident. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back.

Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Charles Whitfield
District 8

From: [Carroll, John \(BOS\)](#)
To: [Paul Lee](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:23:18 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Paul Lee <frothy.cs@gmail.com>
Sent: Tuesday, July 20, 2021 2:50 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is **Paul Lee** from **the Outer Sunset District**. **I am living on Social Security and I do not have a car, nor can I afford taxicabs.** I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa **and 18-46Ave**, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means

communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Paul Lee - Outer Sunset District

From: [Carroll, John \(BOS\)](#)
To: [Eric Socolofsky](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:24:08 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Eric Socolofsky <eric@transmote.com>
Sent: Tuesday, July 20, 2021 3:14 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is Eric Socolofsky from District 4 / Sunset.

I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back.

Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic.

Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,
Eric Socolofsky
District 4

From: [Carroll, John \(BOS\)](#)
To: [Nishant Kheterpal](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:24:37 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Nishant Kheterpal <nishantkheterpal@gmail.com>
Sent: Tuesday, July 20, 2021 3:28 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Nishant Kheterpal from Hayes Valley. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Nishant Kheterpal

District 5

From: [Carroll, John \(BOS\)](#)
To: [Sarah Katz-Hyman](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:25:13 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Sarah Katz-Hyman <skatzhyman@gmail.com>
Sent: Tuesday, July 20, 2021 4:11 PM
To: MTABoard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Re: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Sarah Katz-Hyman from District 5. I am writing to demand that SFMTA restore all Muni lines, including the 21-Hayes, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future.

Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic.

Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Sarah Katz-Hyman, District 5

On Tue, Jul 20, 2021 at 2:39 PM Sarah Katz-Hyman <skatzhyman@gmail.com> wrote:

Dear SFMTA's Board of Directors,

My name is Sarah Katz-Hyman from District 5. I am writing to demand that SFMTA restore all Muni lines, including the 21-Hayes, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future.

Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic.

Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

From: [Carroll, John \(BOS\)](#)
To: [Kyle Lee](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:26:23 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Kyle Lee <leekyle62@gmail.com>
Sent: Tuesday, July 20, 2021 5:50 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is (your name) from (District number or Neighborhood). I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means

communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again. Sincerely, (Name, District)

From: [Carroll, John \(BOS\)](#)
To: [Eric Sutter](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:27:14 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Eric Sutter <ericyuensutter@gmail.com>
Sent: Tuesday, July 20, 2021 6:20 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Eric Sutter and I live in district 8 and work in district 6. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities, including many individuals I personally work with at a local non-profit, have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Eric Sutter

From: [Carroll, John \(BOS\)](#)
To: [Sueann Mark](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:27:42 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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

From: Sueann Mark <sueannmark1@gmail.com>
Sent: Tuesday, July 20, 2021 7:37 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is Sueann Mark from (District number 1). I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,
Sueann Mark
District 1

Sent from my iPhone, please excuse any typos.

From: [Carroll, John \(BOS\)](#)
To: [Christy Vong](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:28:39 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: Christy Vong <vong.christy@gmail.com>
Sent: Tuesday, July 20, 2021 9:49 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Christy from District 1. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,
Christy, District 1

From: [Carroll, John \(BOS\)](#)
To: [Reed Sandberg](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:29:49 AM
Attachments: [image001.png](#)

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From: Reed Sandberg <reed.n.sandberg@gmail.com>
Sent: Tuesday, July 20, 2021 11:05 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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sources.

Dear SFMTA's Board of Directors, My name is Reed Sandberg from the Mission.

I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to affected communities before any decisions affecting Muni service are made in the future. Affected communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back.

Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely, Reed Sandberg - Mission District

From: [Carroll, John \(BOS\)](#)
To: rjchacko@gmail.com
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:30:15 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

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San Francisco City Hall, Room 244
San Francisco, CA 94102
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From: Ranjit Chacko <rjchacko@gmail.com>
Sent: Wednesday, July 21, 2021 7:16 AM
To: sfmtaboard@sfmta.com
Cc: ChanStaff (BOS) <chanstaff@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; claire@sfbike.org; Preston, Dean (BOS) <dean.preston@sfgov.org>; Carroll, John (BOS) <john.carroll@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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sources.

Dear SFMTA's Board of Directors,

My name is Ranjit Chacko from District 5. I am writing to demand that SFMTA restore all Muni lines to full service by the end of the year.

Additionally moving forward, SFMTA should conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back.

Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

-Ranjit

From: [Carroll, John \(BOS\)](#)
To: [Kathryn Anderson-Levitt](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:30:49 AM
Attachments: [image001.png](#)

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

From: Kathryn Anderson-Levitt <kandersonlevitt@gmail.com>
Sent: Wednesday, July 21, 2021 8:19 AM
To: sfmta@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Kathryn Anderson-Levitt from Sunnyside/Monterey Blvd. I realize that Muni, which ought to be a fully-funded public service, has been struggling with budget deficits, and I appreciate that you have partially restored some lines, for example, to get people to the health clinics and hospitals on Geary.

Nonetheless, it is crucial that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future.

Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Kathryn Anderson-Levitt
Sunnyside

From: [Carroll, John \(BOS\)](#)
To: [Ivan Gonzalez](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:31:28 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

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From: Ivan Gonzalez <ivanglez43@gmail.com>
Sent: Wednesday, July 21, 2021 8:57 AM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is (your name) from (District number or Neighborhood). I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means

communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again. Sincerely, (Name, District)

From: [Carroll, John \(BOS\)](#)
To: [Ellyn Shea](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:34:49 AM
Attachments: [image001.png](#)

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

From: Ellyn Shea <ellyn.shea@sbcglobal.net>
Sent: Wednesday, July 21, 2021 9:32 AM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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From: [Carroll, John \(BOS\)](#)
To: [John McCormick](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: RE: GAO Agenda Item 210748 & 210820: Support for Full Restoration of SFMUNI
Date: Wednesday, July 21, 2021 10:32:10 AM
Attachments: [image001.png](#)

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Assistant Clerk

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From: John McCormick <jmccormick4@dons.usfca.edu>
Sent: Wednesday, July 21, 2021 9:07 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Tumlin, Jeffrey (MTA) <Jeffrey.Tumlin@sfmta.com>; Preston, Dean (BOS) <dean.preston@sfgov.org>
Subject: GAO Agenda Item 210748 & 210820: Support for Full Restoration of SFMUNI

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Good morning,

My name is John McCormick from district 5 and am writing to express my support for the following asks to the SFMTA:

- A commitment to full restoration of all lines to pre-pandemic levels by end of year or provide an honest estimate of when the lines will be back.
- A robust community engagement from SFMTA before changes on transit lines centered around racial and transit equity.
- Work with San Franciscans to find a solution to the budget deficit in order to ensure equitable public transportation for all San Franciscans

For San Franciscans to restore confidence on SFMTA, they need to restore all the lines from where we were before the pandemic shutdown. If not, to provide the public with a more honest assessment on when full restoration may happen. SFMTA needs to ensure the public is always involved in determining transit policies and route modifications, especially if it affects the historically excluded and underserved neighborhoods where a majority of people are poor, Black, Indigenous, and People of Color live. Transit Equity means communities where there are no other resources for alternatives to transportation are served by our public transit agency. Modifying or cutting lines without their prior input do not bring confidence on SFMTA's ability to meet its mission.

We recognize the state of SFMTA's budget deficit and are more than willing to find ways to fill that deficit without having to modify lines, but first, SFMTA needs to restore trust from the public. They can do this by restoring the lines or provide a timeline & bolster its community engagement before modifying lines. Restore the lines to restore our confidence on SFTMA. These are fair and good starting points for San Franciscans to be in before addressing the SFMTA's budget issues. In public transportation, as in the name, the public should come first. Thank you for your time and consideration.

Sincerely,
John McCormick
District 5

From: [Carroll, John \(BOS\)](#)
To: [Siu Cheung](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: GAO Agenda Item 210748 & 210820: Support for Full Restoration of SFMUNI
Date: Wednesday, July 21, 2021 10:32:48 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

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From: Siu Cheung <mamashome@gmail.com>
Sent: Wednesday, July 21, 2021 9:13 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; MTABoard@sfmta.com; Tumlin, Jeffrey

(MTA) <Jeffrey.Tumlin@sfmta.com>

Subject: GAO Agenda Item 210748 & 210820: Support for Full Restoration of SFMUNI

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To the Government Audit and Oversight Committee,

My name is Siu Cheung from District 11 and am writing to express my support for the following asks to the SFMTA:

- A commitment to full restoration of all lines to pre-pandemic levels by end of year or provide an honest estimate of when the lines will be back.
- A robust community engagement from SFMTA before changes on transit lines centered around racial and transit equity.
- Work with San Franciscans to find a solution to the budget deficit in order to ensure equitable public transportation for all San Franciscans

For San Franciscans to restore confidence on SFMTA, they need to restore all the lines from where we were before the pandemic shutdown. If not, to provide the public with a more honest assessment on when full restoration may happen. SFMTA needs to ensure the public is always involved in determining transit policies and route modifications, especially if it affects the historically excluded and underserved neighborhoods where a majority of people are poor, Black, Indigenous, and People of Color live. Transit Equity means communities where there are no other resources for alternatives to transportation are served by our public transit agency. Modifying or cutting lines without their prior input do not bring confidence on SFMTA's ability to meet its mission.

We recognize the state of SFMTA's budget deficit and are more than willing to find ways to fill that deficit without having to modify lines, but first, SFMTA needs to restore trust from the public. They can do this by restoring the lines or provide a timeline & bolster its community engagement before modifying lines. Restore the lines to restore our confidence on SFTMA. These are fair and good starting points for San Franciscans to be in before addressing the SFMTA's budget issues. In public transportation, as in the name, the public should come first.

Thank you for your time and consideration.

Sincerely,

Siu Cheung

District 11

CC:

SF Board of Supervisors

SFMTA Board of Directors

Jefferey Tumlin, SFMTA Director of Transportation

From: [Carroll, John \(BOS\)](#)
To: [Siu Cheung](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: GAO Agenda Item 210748 & 210820: Support for Full Restoration of SFMUNI
Date: Wednesday, July 21, 2021 10:33:25 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

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From: Siu Cheung <mamashome@ymail.com>
Sent: Wednesday, July 21, 2021 9:16 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; MTABoard@sfmta.com; Tumlin, Jeffrey

(MTA) <Jeffrey.Tumlin@sfmta.com>

Subject: GAO Agenda Item 210748 & 210820: Support for Full Restoration of SFMUNI

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Government Audit and Oversight Committee,

My name is Fook Kwan from District 11 and am writing to express my support for the following asks to the SFMTA:

- A commitment to full restoration of all lines to pre-pandemic levels by end of year or provide an honest estimate of when the lines will be back.
- A robust community engagement from SFMTA before changes on transit lines centered around racial and transit equity.
- Work with San Franciscans to find a solution to the budget deficit in order to ensure equitable public transportation for all San Franciscans

For San Franciscans to restore confidence on SFMTA, they need to restore all the lines from where we were before the pandemic shutdown. If not, to provide the public with a more honest assessment on when full restoration may happen. SFMTA needs to ensure the public is always involved in determining transit policies and route modifications, especially if it affects the historically excluded and underserved neighborhoods where a majority of people are poor, Black, Indigenous, and People of Color live. Transit Equity means communities where there are no other resources for alternatives to transportation are served by our public transit agency. Modifying or cutting lines without their prior input do not bring confidence on SFMTA's ability to meet its mission.

We recognize the state of SFMTA's budget deficit and are more than willing to find ways to fill that deficit without having to modify lines, but first, SFMTA needs to restore trust from the public. They can do this by restoring the lines or provide a timeline & bolster its community engagement before modifying lines. Restore the lines to restore our confidence on SFTMA. These are fair and good starting points for San Franciscans to be in before addressing the SFMTA's budget issues. In public transportation, as in the name, the public should come first.

Thank you for your time and consideration.

Sincerely,

Fook Kwan

District 11

CC:

SF Board of Supervisors

SFMTA Board of Directors

Jefferey Tumlin, SFMTA Director of Transportation

From: [Carroll, John \(BOS\)](#)
To: [Sarah Katz-Hyman](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: File Nos. 210748 - 210820 RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:22:34 AM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: Sarah Katz-Hyman <skatzhyman@gmail.com>
Sent: Tuesday, July 20, 2021 2:40 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Sarah Katz-Hyman from District 5. I am writing to demand that SFMTA restore all Muni lines, including the 21-Hayes, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future.

Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic.

Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Sarah Katz-Hyman, District 5

From: [Carroll, John \(BOS\)](#)
To: [Aj Dupree](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: File Nos. 210748 and 210820 - RE: Restore MUNI Service
Date: Wednesday, July 21, 2021 10:25:55 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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

From: Aj Dupree <tsjoan@yahoo.com>
Sent: Tuesday, July 20, 2021 4:54 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore MUNI Service

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Greetings Chair Gwyneth Borden and Members.

Aleta Dupree for the record. (she, her).

I write to you today emphasizing the importance of restoring service on the MUNI bus system. As an ordinary user of MUNI, I feel it essential for SFMTA to restore all MUNI lines to a level of pre pandemic service. I think it important for SFMTA to conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency. A transit-first city means making sure our equity priority communities are able to access safe, reliable, and affordable transportation, especially considering this pandemic is not over. This includes Seniors, Disabled, and Veterans. Please show our equity priority communities a restoration of MUNI service by the end of the year and to make sure a plan is in place to continue such restored service in a sustainable manner.

Thank you.

From: [Carroll, John \(BOS\)](#)
To: [Pamela Wellner](#)
Cc: [Board of Supervisors, \(BOS\)](#)
Subject: File Nos. 21748 and 210820 - RE: Restore our Muni lines now!
Date: Wednesday, July 21, 2021 10:29:12 AM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Pamela Wellner <pwellner@getupstandup.net>
Sent: Tuesday, July 20, 2021 9:50 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is Pamela and I live in Potrero Hill. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again. Sincerely, (Name, District)

Sincerely,

Pamela Wellner

<https://amplifyeco.com/>

From: [Carroll, John \(BOS\)](#)
To: [Sarah Boudreau](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! - File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:50:59 PM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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

From: Sarah Boudreau <boudreau.sarah.m@gmail.com>
Sent: Tuesday, July 20, 2021 1:30 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Sarah from District 1. I am writing in solidarity with SF Bike to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. This does not even cover the congestion, health, and climate reasons to restore service and get lots of folks in the habit of riding transit again . Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again. Sincerely, Sarah, D1

Sent from my iPhone

From: [Carroll, John \(BOS\)](#)
To: [Joseph Amayo](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! - File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:51:45 PM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Joseph Amayo <jamayo20144@gmail.com>
Sent: Tuesday, July 20, 2021 1:32 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Joseph from the Outer Richmond district. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Joseph Amayo (Outer Richmond District resident)

From: [Carroll, John \(BOS\)](#)
To: [Patricia Zurkan](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:46:31 PM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Patricia Zurkan <pbaldueza@gmail.com>
Sent: Tuesday, July 20, 2021 1:13 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is (your name) from (District number or Neighborhood). I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back.

Transit Equity means

communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely, Patricia District 6

From: [Carroll, John \(BOS\)](#)
To: kevin.metcalf2@gmail.com
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:47:22 PM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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

From: kevin.metcalf2@gmail.com <kevin.metcalf2@gmail.com>
Sent: Tuesday, July 20, 2021 1:13 PM
To: sfmta@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Kevin Metcalf from the Mission. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Kevin Metcalf
Mission District resident

From: [Carroll, John \(BOS\)](#)
To: [Shawn Heiser](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:47:57 PM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Shawn Heiser <heiser@sfsu.edu>
Sent: Tuesday, July 20, 2021 1:14 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is Shawn from D-11. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again. Sincerely,

Shawn Heiser (he/him/his)
SF District 11

Research, Instruction, & Outreach Librarian
Geography & Environment | Environmental Studies
Child & Adolescent Development | Liberal Studies
School of Cinema | American Studies
Recreation, Parks, & Tourism

J. Paul Leonard Library
San Francisco State University

heiser@sfsu.edu
(415) 405-3951

From: [Carroll, John \(BOS\)](#)
To: [Amanda Collins](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:48:36 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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From: Amanda Collins <mandaflower@gmail.com>
Sent: Tuesday, July 20, 2021 1:14 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors,

My name is Amanda Collins from District 6. I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,

Amanda Collins, District 6

From: [Carroll, John \(BOS\)](#)
To: [Balakrishna Chennupati](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:49:15 PM
Attachments: [image001.png](#)

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From: Balakrishna Chennupati <c.balakrishna@gmail.com>
Sent: Tuesday, July 20, 2021 1:22 PM
To: sfmtaboard@sfmta.com
Cc: claire@sfbike.org; Carroll, John (BOS) <john.carroll@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is Bala Chennupati from the Mission district. I am writing to demand that SFMTA restore all Muni lines with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back.

Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

Sincerely,
Bala Chennupati,
Mission District

From: [Carroll, John \(BOS\)](#)
To: [Alex Wolz](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:50:10 PM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
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From: Alex Wolz <agwolz@gmail.com>
Sent: Tuesday, July 20, 2021 1:25 PM
To: sfmtaboard@sfmta.com
Cc: ChanStaff (BOS) <chanstaff@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>;
claire@sfbike.org; Preston, Dean (BOS) <dean.preston@sfgov.org>; Carroll, John (BOS)
<john.carroll@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now!

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Dear SFMTA's Board of Directors, My name is (your name) from (District number or Neighborhood). I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future. Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for Muni to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic. Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again. Sincerely, (Name, District)

From: [Carroll, John \(BOS\)](#)
To: [larry williamson](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restoring Bus Line. - File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:43:30 PM
Attachments: [image001.png](#)

By copy of this message, I am forwarding your comments to the board.of.supervisors@sfgov.org email address, and it will be sent to the members of the Board of Supervisors.

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From: larry williamson <texan63@gmail.com>
Sent: Monday, July 19, 2021 4:17 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; MTABoard@sfmta.com; Tumlin, Jeffrey (MTA) <Jeffrey.Tumlin@sfmta.com>

Subject: Restoring Bus Line.

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To the Government Audit and Oversight Committee,

My name is **Larry Williamson** from **District 6** and am writing to express my support for the following asks to the SFMTA:

- A commitment to full restoration of all lines to pre-pandemic levels by end of year or provide an honest estimate of when the lines will be back.
- A robust community engagement from SFMTA before changes on transit lines centered around racial and transit equity.
- Work with San Franciscans to find a solution to the budget deficit in order to ensure equitable public transportation for all San Franciscans

For San Franciscans to restore confidence on SFMTA, they need to restore all the lines from where we were before the pandemic shutdown. If not, to provide the public with a more honest assessment on when full restoration may happen. SFMTA needs to ensure the public is always involved in determining transit policies and route modifications, especially if it affects the historically excluded and underserved neighborhoods where a majority of people are poor, Black, Indigenous, and People of Color live. Transit Equity means communities where there are no other resources for alternatives to transportation are served by our public transit agency. Modifying or cutting lines without their prior input do not bring confidence on SFMTA's ability to meet its mission.

We recognize the state of SFMTA's budget deficit and are more than willing to find ways to fill that deficit without having to modify lines, but first, SFMTA needs to restore trust from the public. They can do this by restoring the lines or provide a timeline & bolster its community engagement before modifying lines. Restore the lines to restore our confidence on SFTMA. These are fair and good starting points for San Franciscans to be in before addressing the SFMTA's budget issues. In public transportation, as in the name, the public should come first.

Thank you for your time and consideration.

Sincerely,

Larry Williamson

District 6

From: [Carroll, John \(BOS\)](#)
To: sfbicyclist@yahoo.com
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: Restore our Muni lines now! (SFMTAB Item 14 and SFBOS GAO committee Item 1) File Nos. 210748 and 210820
Date: Tuesday, July 20, 2021 1:44:38 PM
Attachments: [image001.png](#)

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John Carroll
Assistant Clerk

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From: sfbicyclist@yahoo.com <sfbicyclist@yahoo.com>
Sent: Monday, July 19, 2021 5:01 PM
To: MTABoard@sfmta.com
Cc: Carroll, John (BOS) <john.carroll@sfgov.org>; camable@sfbike.org; Haney, Matt (BOS) <matt.haney@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>
Subject: Restore our Muni lines now! (SFMTAB Item 14 and SFBOS GAO committee Item 1)

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sources.

Dear SFMTA's Board of Directors,

My name is Edgar Micua from District 6, Tenderloin neighborhood.

I am writing to demand that SFMTA restore all Muni lines, including the 31-Balboa, with full service by the end of the year and that moving forward, SFMTA will conduct targeted outreach and engagement to underserved communities before any decisions affecting Muni service are made in the future.

Historically excluded and underserved communities have been operating without their bus lines for over a year now and are continuously vocalizing the dire need for MUNI to come back. Transit Equity means communities like those where there are no other resources for alternatives to transportation are served by our public transit agency and a transit-first city means prioritizing equity and making sure our most vulnerable communities are able to access reliable and affordable transportation especially in the middle of a pandemic.

Please show our communities they are a top priority by restoring Muni service by the end of the year and to make sure a plan is in place if this is ever to happen again.

*Sincerely,
Edgar Micua
District 6*

From: [Carroll, John \(BOS\)](#)
To: [Lyzette E Wanzer](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: RE: GAO Agenda Items #210748 & #210820: SFMTA Concerns
Date: Tuesday, July 20, 2021 1:45:24 PM
Attachments: [image001.png](#)

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John Carroll
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From: Lyzette E Wanzer <web.print.editorialguru@gmail.com>
Sent: Monday, July 19, 2021 10:45 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; MTABoard@sfmta.com; Tumlin, Jeffrey

(MTA) <Jeffrey.Tumlin@sfmta.com>

Subject: GAO Agenda Items #210748 & #210820: SFMTA Concerns

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To the Government Audit and Oversight Committee,

I'm Lizette Wanzer from the TL neighborhood in District 6. I'm calling on the SFMTA to stop sidelining, undermining, and ignoring Tenderloin residents' concerns, needs, and demands (while catering to other, more moneyed neighborhoods with higher SES levels) and attend to the following items. I will continue to believe that the Agency is acutely disinterested in transit equity affairs unless I see earnest, resolved commitments to:

- restore ALL transit lines to pre-pandemic levels by year-end;
- engage in community engagement prior to executing transit line or route alterations, especially and most emphatically where predominantly minority, senior, and low socioeconomic communities are affected;
- work with city residents across all neighborhoods to ensure San Francisco possesses a public transportation that serves all--not a chosen, exalted few--communities responsibly and equitably.

Every major metropolitan city in the nation has a robust and responsive public transit system. San Francisco should not be lagging behind in that responsibility.

Public education schools cannot pick and choose which students they will serve; they have to serve *all* of them. That's what "public" means. Or at least, what it's supposed to mean. Cities refer to transit as public transportation for a reason: the transit is supposed to serve the public. *All* of it.

Thank you for your swift attention to this matter.

Sincerely,
Lizette Wanzer, MFA
Author and Medical, Pharmaceutical, & Wellness Website Manager
District 6

cc:
SF Board of Supervisors
SFMTA Board of Directors
Jefferey Tumlin, SFMTA Director of Transportation

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: CAP Environmental Code Public Comment
Date: Tuesday, July 20, 2021 3:31:02 PM
Attachments: [CAP Env Code Letter.pdf](#)

From: Kirstin Weeks <kirstin@bio.studio>
Sent: Tuesday, July 20, 2021 11:45 AM
To: Major, Erica (BOS) <erica.major@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>
Subject: CAP Environmental Code Public Comment

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

In light of the joint global crises of climate change and biodiversity loss, we need the strongest possible climate action now. By making strong commitments and focusing on nature-based solutions, San Francisco can lead in solving both of these challenges while improving equity and mental health for all San Franciscans. As an Advisory Council member of Nature in the City, I share in the call to action attached to this email.

Thank you for your leadership at this critical time in shaping a living future for the children of San Francisco and the world.

Sincerely,
Kirstin Weeks



July 19, 2021

Re File no 210563: Further Strengthening the need of Environment-Code—Climate Action Plan

Dear Land Use & Transportation Committee and Supervisors:

I am writing on behalf of Nature in the City's staff, supporters, volunteers, and members—over 1000 people. Urban areas occupy less than 1% of the Earth's land area but are home to more than half the people. Despite their steel and concrete, crowds and traffic, cities like San Francisco are living systems with conditions that profoundly mark the quality of our lives. Functioning urban ecosystems help clean our air and water, cool urban heat islands, shield us from hazards, and provide opportunities for rest and play. They can also host a surprising amount of biodiversity.

While we can not reverse 500 years of history and pivot 180 degrees overnight, very rarely are we offered the possibility to have an impact to radically and historically change the direction of our city. The Climate Action Plan, Chapter 9 (Environment Code - Climate Action Plan) update you have in front of you is one such opportunity. Unfortunately, this Chapter 9 update is based on outdated science, and the stated goals follow the 2018 IPCC report recommendations for "average" global action—this falls far short and does not position San Francisco as a leader in the climate movement, such as the San Francisco Climate Emergency declaration promises. What's more, postponing the global goal of net zero carbon emissions by 2030 and getting to net zero emissions by 2050 now appears woefully inadequate to support human life and ecosystems as we know them on our planet.

Instead, our city's goal, especially as a vanguard city, should be net zero emissions by 2030. We can achieve this by spearheading climate change adaptations that include establishing vibrant green San Francisco open spaces, where biodiversity and urban populations can thrive. Protecting & restoring ecosystems, enhancing their ability to store carbon, and greening and beautifying for our wellbeing—these are all critical in light of the challenges we face due to climate change.

Putting healthy ecosystems to work can benefit every district in San Francisco. As a city, we have paid far too little attention to the physical and mental health benefits healthy ecosystems can provide.

More specific comments on sections:

Page 14: include SF Rec & Park Dpt. as well as SF Port explicitly in the language as part of interagency coordination. Our city's port manages our bay edge wetlands, estuaries, and coastal ecosystems. Our city's Rec & Park Dpt. manages the largest land and ecosystems in San Francisco. Not listing these agencies to collaborate and help develop the plan is simply not practical or acceptable.

Under Amendments to Current Law:

Broaden the definition of ways we as San Franciscans can help reduce greenhouse gas emissions with our natural ecosystem-based solutions under "Roots". It is now defined—"Roots: sequestering carbon

through ecosystem restoration, including increased urban tree canopy, green infrastructure, and compost application.” This statement is too limiting. Please use more inclusive language that incorporates the many existing tools we have that help solve the interrelated catastrophes of climate change and biodiversity loss.

SF’s available tools for “Roots”:

- Plant native and drought tolerant gardens in sidewalk gardens and private landscaping.
- Restore wetlands, creeks, and coastal ecosystems (examples: Mountain Lake, Heron’s Head Park, and Islais Creek).
- Prioritize green infrastructure, such as living roofs & walls, and replace asphalt and concrete with permeable and living and deeply-rooted indigenous gardens and native trees, especially oaks (school yards, medians & intersections, some slow streets have great potential for these actions).
- Promote backyard composting for residents and on-site composting for city agencies.

All these tools are available now and we have the knowledge and institutions to help lead the way for the city to address climate change and urban heat island effect while beautifying our city and providing wellbeing for residents and visitors. We need to reduce emissions now, with tools available now.

It is with high hopes and great appreciation that we urge you to amend Chapter 9 by setting appropriate goals and providing tools for residents and city agencies to implement the Climate Action Plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Hasselbring', with a large, stylized loop at the end.

Amber Hasselbring, Executive Director
c: (415) 823-3477

Nature in the City’s mission: **Connect everyone in San Francisco to nature by cultivating and conserving local habitats**

NTC is project of Earth Island Institute, a 501(c)3 California nonprofit public benefit corporation

www.natureinthecity.org info@natureinthecity.org

PO Box 170088, San Francisco, CA 94117

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: File no. 210563: Further Strengthening the need of Environment-Code—Climate Action Plan
Date: Tuesday, July 20, 2021 2:57:54 PM

From: Thilini Chandrasekera <thilini.l.chandrasekera@gmail.com>
Sent: Tuesday, July 20, 2021 11:34 AM
To: Major, Erica (BOS) <erica.major@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>
Subject: File no. 210563: Further Strengthening the need of Environment-Code—Climate Action Plan

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Dear Land Use & Transportation Committee and Supervisors:

I am a resident of San Francisco and a member of the advisory council of Nature in the City. I am writing to urge you to seize a concrete opportunity to radically and historically change the direction of our city by amending Chapter 9 of the Climate Action Plan (Environment Code) to set appropriate goals and provide implementation tools for residents and city agencies. A city like San Francisco is a living system with conditions that profoundly mark the quality of our lives. Functioning urban ecosystems help clean our air and water, cool urban heat islands, shield us from hazards, and provide opportunities for rest and play. They can also host a surprising amount of biodiversity.

The Chapter 9 update you reviewed at the July 19, 2021 meeting is based on outdated science, and the stated goals follow the 2018 IPCC report recommendations for “average” global action. Relying on the current update falls far short of the needs of our city and planet and does not position San Francisco as a leader in the climate movement, despite the promises of the San Francisco Climate Emergency declaration. Postponing the global goal of net zero carbon emissions by 2030 and getting to net zero emissions by 2050 now appears woefully inadequate to support human life and ecosystems as we know them on our planet.

Our city's goal, especially as a vanguard city, should be net zero emissions by 2030. We can achieve this by spearheading climate change adaptations that include establishing vibrant green San Francisco open spaces, where biodiversity and urban populations can thrive. Protecting and restoring ecosystems, enhancing their ability to store carbon, and greening and beautifying for our wellbeing are all critical processes in light of the challenges we face due to climate change.

Putting healthy ecosystems to work can benefit every district in San Francisco. As a city, we have paid far too little attention to the physical and mental health benefits healthy ecosystems can provide.

Specifically, I urge you to amend the following pages and sections of the proposed Chapter 9 update.

1. Page 14:

Include SF Rec & Park Dpt. as well as SF Port explicitly in the language as part of interagency coordination. Our city's port manages our bay edge wetlands, estuaries, and coastal ecosystems. Our city's Rec & Park Dpt. manages the largest land and ecosystems in San Francisco. Not listing these agencies to collaborate and help develop the plan is simply not practical or acceptable.

2. Under "Amendments to Current Law":

Broaden the definition of ways we as San Franciscans can help reduce greenhouse gas emissions with our natural ecosystem-based solutions under "Roots". The current definition provides: "Roots: sequestering carbon through ecosystem restoration, including increased urban tree canopy, green infrastructure, and compost application." This statement is too limiting. Please use more inclusive language that incorporates the many existing tools we have, such as those listed below, that help solve the interrelated catastrophes of climate change and biodiversity loss.

SF's available tools for "Roots":

- Plant native and drought tolerant gardens in sidewalk gardens and private landscaping.
- Restore wetlands, creeks, and coastal ecosystems (examples: Mountain Lake, Heron's Head Park, and Islais Creek).
- Prioritize green infrastructure, such as living roofs & walls, and replace asphalt and concrete with permeable and living and deeply-rooted indigenous gardens and native trees, especially oaks (school yards, medians & intersections, some slow streets have great potential for these actions).
- Promote backyard composting for residents and on-site composting for city agencies.

We have the knowledge and institutions to help lead the way for the city to address climate change and urban heat island effect, all while beautifying our city and providing wellbeing for residents and visitors. We need to reduce emissions now, with tools available now.

Sincerely,
Thilini Chandrasekera

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: 5 letters regarding File No. 210563, Item 69 on today's agenda
Date: Tuesday, July 20, 2021 3:18:00 PM
Attachments: [5 letters regarding File No. 210563.pdf](#)

Hello Supervisors,

Please see attached 5 letters regarding File No. 210563.

File No. 210563 - Ordinance amending the Environment Code to update the City's climate action goals and planning process, and establish departmental roles and responsibilities; and affirming the Planning Department's determination under the California Environmental Quality Act.

Regards,

Jackie Hickey
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-5184 | Direct: (415) 554-7701
jacqueline.hickey@sfgov.org | www.sfbos.org

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Comments: Amending the Environment Code to update the City's climate action goals
Date: Monday, July 19, 2021 4:56:11 PM
Attachments: [NTC Comment Letter CAP.docx.pdf](#)

From: amber@natureinthecity.org <amber@natureinthecity.org>
Sent: Monday, July 19, 2021 3:18 PM
To: Major, Erica (BOS) <erica.major@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>
Subject: Comments: Amending the Environment Code to update the City's climate action goals

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To all it concerns:

Please see Nature in the City's letter of comment regarding amending the Environment Code to update the City's climate action goals.

Thank you!

Amber Hasselbring, Executive Director
Nature in the City
c: 415-823-3477
www.natureinthecity.org

[Read our Summer Solstice Newsletter](#)

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July 19, 2021

Re File no 210563: Further Strengthening the need of Environment-Code—Climate Action Plan

Dear Land Use & Transportation Committee and Supervisors:

I am writing on behalf of Nature in the City's staff, supporters, volunteers, and members—over 1000 people. Urban areas occupy less than 1% of the Earth's land area but are home to more than half the people. Despite their steel and concrete, crowds and traffic, cities like San Francisco are living systems with conditions that profoundly mark the quality of our lives. Functioning urban ecosystems help clean our air and water, cool urban heat islands, shield us from hazards, and provide opportunities for rest and play. They can also host a surprising amount of biodiversity.

While we can not reverse 500 years of history and pivot 180 degrees overnight, very rarely are we offered the possibility to have an impact to radically and historically change the direction of our city. The Climate Action Plan, Chapter 9 (Environment Code - Climate Action Plan) update you have in front of you is one such opportunity. Unfortunately, this Chapter 9 update is based on outdated science, and the stated goals follow the 2018 IPCC report recommendations for “average” global action—this falls far short and does not position San Francisco as a leader in the climate movement, such as the San Francisco Climate Emergency declaration promises. What's more, postponing the global goal of net zero carbon emissions by 2030 and getting to net zero emissions by 2050 now appears woefully inadequate to support human life and ecosystems as we know them on our planet.

Instead, our city's goal, especially as a vanguard city, should be net zero emissions by 2030. We can achieve this by spearheading climate change adaptations that include establishing vibrant green San Francisco open spaces, where biodiversity and urban populations can thrive. Protecting & restoring ecosystems, enhancing their ability to store carbon, and greening and beautifying for our wellbeing—these are all critical in light of the challenges we face due to climate change.

Putting healthy ecosystems to work can benefit every district in San Francisco. As a city, we have paid far too little attention to the physical and mental health benefits healthy ecosystems can provide.

More specific comments on sections:

Page 14: include SF Rec & Park Dpt. as well as SF Port explicitly in the language as part of interagency coordination. Our city's port manages our bay edge wetlands, estuaries, and coastal ecosystems. Our city's Rec & Park Dpt. manages the largest land and ecosystems in San Francisco. Not listing these agencies to collaborate and help develop the plan is simply not practical or acceptable.

Under Amendments to Current Law:

Broaden the definition of ways we as San Franciscans can help reduce greenhouse gas emissions with our natural ecosystem-based solutions under “Roots”. It is now defined—“Roots: sequestering carbon

through ecosystem restoration, including increased urban tree canopy, green infrastructure, and compost application.” This statement is too limiting. Please use more inclusive language that incorporates the many existing tools we have that help solve the interrelated catastrophes of climate change and biodiversity loss.

SF’s available tools for “Roots”:

- Plant native and drought tolerant gardens in sidewalk gardens and private landscaping.
- Restore wetlands, creeks, and coastal ecosystems (examples: Mountain Lake, Heron’s Head Park, and Islais Creek).
- Prioritize green infrastructure, such as living roofs & walls, and replace asphalt and concrete with permeable and living and deeply-rooted indigenous gardens and native trees, especially oaks (school yards, medians & intersections, some slow streets have great potential for these actions).
- Promote backyard composting for residents and on-site composting for city agencies.

All these tools are available now and we have the knowledge and institutions to help lead the way for the city to address climate change and urban heat island effect while beautifying our city and providing wellbeing for residents and visitors. We need to reduce emissions now, with tools available now.

It is with high hopes and great appreciation that we urge you to amend Chapter 9 by setting appropriate goals and providing tools for residents and city agencies to implement the Climate Action Plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amber Hasselbring', with a large, stylized loop at the end.

Amber Hasselbring, Executive Director
c: (415) 823-3477

Nature in the City’s mission: **Connect everyone in San Francisco to nature by cultivating and conserving local habitats**

NTC is project of Earth Island Institute, a 501(c)3 California nonprofit public benefit corporation

www.natureinthecity.org info@natureinthecity.org

PO Box 170088, San Francisco, CA 94117

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Comment on Proposed Amendment to Chapter 9 of Environment Code, currently in Transportation and Land Use Committee
Date: Monday, July 19, 2021 5:15:52 PM
Attachments: [Comment on Chapter 9 Revision by Tom Whitehead.pdf](#)

From: TomWhi <tomwhi@ix.netcom.com>
Sent: Monday, July 19, 2021 1:14 PM
To: Major, Erica (BOS) <erica.major@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: Comment on Proposed Amendment to Chapter 9 of Environment Code, currently in Transportation and Land Use Committee

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Erica Major –

I am attaching a pdf with my brief comments on the Proposed Amendment to Chapter 9 of the SF Environment Code, currently in the Transportation and Land Use Committee. I hope this is an acceptable format for commenting.

Thanks.

Tom Whitehead

Re File no 210563: Further Strengthening needed of Environment-Code - Climate Action Plan

Dear Land Use and Transportation Committee and all Supervisors

I have reviewed a copy of the proposed revisions to Chapter 9 of the Environment Code, and although I wish I had more time to discuss it with colleagues, those who I have spoken with share a concern that while it represents many important advances, the urgency of taking major action to address climate change means that we must strive to achieve more challenging goals.

The language in Chapter 9 is aspirational. San Francisco has already gone farther than most cities to lead the way on climate action. We are fortunate to have been putting plans in place on many fronts to confront the challenges posed by a legacy of greenhouse gas emissions and human-caused warming. But it appears unlikely that we will avoid the catastrophic effects of global warming if we do not take more comprehensive action in a shorter time-frame than envisioned in the revised Chapter 9.

San Francisco occupies a mere 50 square miles of the Earth's surface, but it occupies a much larger footprint as a leader in confronting climate change. San Francisco also occupies an incredibly important position on the Earth's surface, in the diversity of species that share this space with humans, the diversity of environments we live in, the social and economic diversity of our people. You, our elected leaders, represent so many constituencies. You have a difficult job, and these are difficult times. You need to enlist the broadest support, both local and regional, and you need to set higher goals than you may think are achievable.

Our city's goal should be to achieve net zero emissions by 2030. Global warming is accelerating. More importantly, our citizens are increasingly aware of the effects that climate change will have, and is already having, on their lives. Now is the time to challenge the City, the region, and the nation, to accelerate our responses to climate change.

I feel confident that San Franciscan's will move forward vigorously to support implementation of the measures and strategies illuminated in the six overlapping basic categories of actions in the City's Climate Action Plan. But I am particularly concerned about one shortcoming of the proposed revisions to Chapter 9, which is why I am writing.

Throughout Chapter 9, but more specifically on page 8 of the redline copy of the Ordinance, at Sec. 902 (b)(6) Roots, the ordinance appears to limit the concept of the "Roots" component of the CAP to sequestering carbon. While this is certainly an important feature of Roots, I think it is important not to imply that this is the only, or even the most important feature. SFE has pursued a much broader concept, involving multiple benefits to the public, the economy, ecosystem health, biodiversity, equity, temperature mediation, increasing open space, etc., etc., that fills out the Roots concept and allows it to expand and adapt.

The proposed wording of Chapter 9 does not preclude this more expansive conceptual framework for the Roots component, but it worries me that if this limiting and slightly ambiguous language is embedded in the Code, it will give cover in the future to ignoring the much broader range of actions and benefits that are currently included in the Roods framework. This would be especially unfortunate if it results in insufficient funding and support for these broader measures. Furthermore, Roots is possibly the component that has the greatest opportunity for broad public participation, and probably at lowest cost. Simply revising the wording describing Roots to refer to its wider meaning, and making it clear that carbon sequestration is only one purpose of Roots, will help ensure that the Roots component continues to expand and attract ideas. Rather than the currently proposed language:

“ Roots. Sequestering carbon through ecosystem restoration, including increased urban tree canopy, green infrastructure, and compost application.”

Please consider more inclusive language, such as:

“ Roots. A broad range of strategies and techniques to protect biodiversity, increase open space and public access to open space, restore ecosystems, improve watershed function, increase the ability of natural systems to sequester carbon, reduce urban heat islands through tree plantings, and others.”

Thank you for continuing to lead in the effort to set appropriate and rigorous goals in the amendments to Chapter 9, and for providing funding and other tools to citizens and city agencies to implement these goals.

Thomas Whitehead
91 Melrose Ave
7th Supervisor District

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Re File no 210563: Further Strengthening needed of Environment-Code - Climate Action Plan
Date: Monday, July 19, 2021 5:16:23 PM

From: zahra ghayour-kelly <kellyvillage@sbcglobal.net>
Sent: Monday, July 19, 2021 1:08 PM
To: Major, Erica (BOS) <erica.major@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; dean.preston@sfgove.org; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Re File no 210563: Further Strengthening needed of Environment-Code - Climate Action Plan

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Land Use and Transportation Committee and all Supervisors,

Urban areas occupy less than 1 per cent of the Earth's land surface but house more than half of its people. Despite their steel and concrete, crowds and traffic, cities, like San Francisco are still ecosystems whose condition profoundly marks the quality of our lives. Functioning urban eco-systems help clean our air and water, cool urban heat islands, shield us from hazards and provide opportunities for rest and play. They can also host a surprising amount of biodiversity.

While we can not turn 500 years of history and 180 degrees overnight, very few times are we offered the possibility that can have an impact that can really change things, change the direction of history of our city. The Chapter 9 (Environment Code - Climate Action Plan) update you have in front of you is such an opportunity. Unfortunately, the Chapter 9 update you have in front of you is based on outdated science, and goals which follow the 2018 IPCC report recommendations for "average" global action, instead of positioning San Francisco as the leader that the San Francisco Climate Emergency declaration promises.

The goal of globally halving carbon emissions by 2030 and getting to net zero by 2050 now appears woefully inadequate to supporting human life as we know it on our planet.

Instead, our city's goal, especially as a leading City, should be to get our emissions down almost to zero by 2030 and to spearhead climate change adaptation efforts including promoting the establishment of vibrant green San Francisco, where biodiversity and populations can thrive. Protecting ecosystems and enhancing their ability to store carbon and their contribution to our well-being is so critical in light of climate change challenges.

Applications of Healthy ecosystems can work in every district in San Francisco. Far too little

attention has been paid to the physical and mental health benefits that investment in healthy ecosystems can provide.

More specific comments on the current draft of Environment Code (section):

-
- Page
- 14- Please include SF Rec and Park as well as SF Port explicitly in the language as part of interagency coordination.

-

Our city's port manages our waterways and coastal ecosystems. Our city's Rec and Park manages large amounts of land on behalf of San Francisco citizens. Not listing these agencies as part of the collaboration to develop the plan to address climate change is simply not practical and not acceptable.

-

- Under
- Amendments to current law:

-

The narrow definition of ways we as San Franciscans can help reduce greenhouse gas emissions with our given natural ecosystems under "Roots - (" Roots. Sequestering carbon through ecosystem restoration, including increased urban tree canopy, green infrastructure, and compost application.") is very limiting. Please use an inclusive language which also can includes the many existing tools we have now to use. Please include increasing our city's natural biodiversity on private and publicly managed land. We can sequester carbon, green our city and stop the loss of local biodiversity. It simply can happen through thoughtful and better land management.

Just to mention some of the tools available to us are: sidewalk gardens, backyard, front yards to plant native and drought tolerant gardens. We also have the opportunity and know how to restore creeks and coastal ecosystems (like Heron's Head Park in the Bay View). Planting mini dense native forests, green roofs, green infrastructure, removing unnecessary concrete and replacing concrete with living and deep root indigenous urban green gardens and trees (school yards and some areas of slow streets have great potential for these actions). Promoting backyard composting and mandating on-site composting for city agencies with larger green organic waste are just some ready to go solutions that will fall under Roots. These tools are available now and the city can use these to address climate change and island heat effect while beautifying our city.

We need to reduce emissions now, with tools available now.

It is with high hope and great appreciation that we urge you to write the amendment of our city's Chapter 9 by setting appropriate goals and providing tools to citizens and city agencies to implement. Thank you.

Sincerely,
Zahra Ghayour-Kelly

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Re File 210563: Please further strengthen Environment-Code - Climate Action Plan
Date: Monday, July 19, 2021 5:25:29 PM

From: Helena Birecki <earthsanity@gmail.com>
Sent: Monday, July 19, 2021 8:32 AM
To: Major, Erica (BOS) <erica.major@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; PrestonStaff (BOS) <prestonstaff@sfgov.org>; Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Waltonstaff (BOS) <waltonstaff@sfgov.org>; Haneystaff (BOS) <haneystaff@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Marstaff (BOS) <marstaff@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: Re File 210563: Please further strengthen Environment-Code - Climate Action Plan

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Land Use and Transportation Committee and all Supervisors,

Because of unprecedentedly hot weather, this July 2021 there is no snowpack left in the mountains that feed the Hetch Hetchy reservoir to provide our drinking water. I saw it with my own eyes as I sweated hiking at 10,000 feet. We are in the climate emergency now, and even as privileged San Franciscans, our ability to meet our basic life needs is becoming more precarious with every extra ton of greenhouse gas that goes into the atmosphere. Meanwhile, the Chapter 9 (Environment Code - Climate Action Plan) update you have in front of you is based on outdated science, and goals which follow the 2018 IPCC report recommendations for “average” global action, instead of positioning San Francisco as the leader that the San Francisco Climate Emergency declaration promises, and that as a wealthy City, it should be.

Over and over world events have demonstrated that the 2018 IPCC report which shocked so many was in fact too optimistic in its predictions. The goal of *globally* halving carbon emissions by 2030 and getting to net zero by 2050 now appears woefully inadequate to supporting human life as we know it on our planet.

Instead, our goal, especially as a leading City, should be to

- get our emissions down almost to zero by 2030-- I support the SF Climate Emergency Coalition's 90% reduction standard

and to spearhead climate change adaptation efforts including

- building decarbonization -- which is essential for indoor air quality as well as emissions reductions, and
- healthy ecosystems work in every district in San Francisco. Far too little attention has

been paid to the physical and mental health benefits, as well as local work, and flooding abatement (particularly with wetland restoration in vulnerable areas like the Bayview) and temperature moderation (particularly with appropriate, drought resistant native tree cover) that investment in healthy ecosystems can provide.

The climate emergency proceeds apace, with record drought and early wildfires in California threatening our lungs, water, and food supply. Carbon capture and sequestration at a later date will not fix the life-threatening problems that emerge in the meantime. We need to reduce emissions now, with tools available now. The future will only be livable if we bet on, and do all we can in, the present. We applaud the Department of Environment and others who are working hard to make climate mitigation and resilience work a reality. Now the City needs to prioritize this action as if our lives depended on it. Because they do.

Sincerely,

Helena Birecki

--District 9 resident for 11 years

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Re File 210563
Date: Monday, July 19, 2021 5:26:05 PM
Attachments: [Re File 210563 San Francisco Climate Emergency Coalition.docx](#)

From: Sara Greenwald <saragreenwald2@gmail.com>
Sent: Sunday, July 18, 2021 5:14 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>
Cc: Major, Erica (BOS) <erica.major@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: Re File 210563

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Re File 210563

Dear Supervisors and Mayor Breed,

We're pleased to hear of your decisions to update Chapter 9 of the City Code and to incorporate a focus on health and equity into the updated version. This change can put the city on the right track to address the climate -- and climate justice -- emergency, if its implementation follows immediately and comprehensively. As you know, this means that we must invest a significant amount of SF's city budget to make this vision for a livable future a reality.

However, even the new update is based on old science. Climate disasters are coming faster and harder than predicted even by the 2018 IPCC report. We are running out of time to make changes that preserve our access to clean water and our capacity to grow food. In essence, we are running out of time to make changes to sustain life as we know it. So the SF Climate Emergency Coalition urges the Committee to set earlier deadlines for the goals in the new Chapter 9.

We are glad to see a systems approach and an intentional cooperation between City Departments on the climate effort, with SFE in a central role. SFE's role is to be the one entity responsible for and with the authority to coordinate and monitor effective climate action, and we appreciate that as a positive step. However, we feel that the current writing falls short of providing SFE with the authority they need to actually implement and enforce (the word 'enforcement' is literally being stripped from Chapter 9) action across city departments. We cannot continue to hobble a department that works on saving our lives, and continues to punch well above its weight, by leaving it without adequate authority, mandate, and funding from the City.

The inclusion of considerations of equity and justice at every point in the planning and evaluation processes is commendable and key. Again, we urge careful adherence to the spirit of the text and a watchfulness that SF's actions do not cause unintended displacement of people, or inequities.

In furtherance of the above, we make these specific suggestions:

- The overall goal should be at least 90% GHG emissions reduction by 2030, so that as a wealthy city we can be ahead of the IPCC curve that requires GLOBAL AVERAGE reductions of 50% by 2030, and due to the severe wealth disparities in the Bay Area, the document must specify that the reduction be achieved equitably.
- "Renewable energy" should be carefully defined not to allow "renewable diesel," "biodiesel," "renewable natural gas" and biogas (with the exception of locally produced and used biogas from SF's own waste treatment facilities, which is not produced for fuel but is an incidental product that is captured for efficient use) to be included in any components of SF climate solutions. These products have limited-if-any greenhouse gas reduction benefits and continue the particulate pollution harm being perpetrated on the lungs of San Franciscans, especially in low-income communities of color (near highly trafficked roads and freeways).
- We also recommend that collective action on building decarbonization and energy efficiency be supported, rather than individual action. From microgrids with district energy storage to increasing electricity supply to, and capacity and supply within, buildings on a whole street at once, there is time, money, and resource savings to be had by the collective approach.

Because of unprecedented hot weather, on July 6 2021 there was no snowpack left in the mountains that feed the Hetch Hetchy reservoir, which provides our drinking water. We are in the climate emergency now, and even among privileged San Franciscans, our ability to meet our basic life needs is becoming more precarious with every extra ton of greenhouse gas that goes into the atmosphere. Carbon capture and sequestration at a later date will not fix the life-threatening problems that emerge in the meantime.

We need to reduce emissions now, with tools available now. The future will only be livable if we bet on, and do all we can in, the present. We applaud the Department of Environment and others who are working hard to make climate mitigation and resilience work a reality. Now the City needs to prioritize this action as if our lives depended on it. Because they do.

Thank you,

San Francisco Climate Emergency Coalition
(Copy attached)



July 18, 2021

To: bos-supervisors@sfgov.org, MayorLondonBreed@sfgov.org
Cc: Erica.Major@sfgov.org, bos-legislative_aides@sfgov.org

Re File 210563

Dear Supervisors and Mayor Breed,

We're pleased to hear of your decisions to update Chapter 9 of the City Code and to incorporate a focus on health and equity into the updated version. This change can put the city on the right track to address the climate -- and climate justice -- emergency, if its implementation follows immediately and comprehensively. As you know, this means that we must invest a significant amount of SF's city budget to make this vision for a livable future a reality.

However, even the new update is based on old science. Climate disasters are coming faster and harder than predicted even by the 2018 IPCC report. We are running out of time to make changes that preserve our access to clean water and our capacity to grow food. In essence, we are running out of time to make changes to sustain life as we know it. So the SF Climate Emergency Coalition urges the Committee to set earlier deadlines for the goals in the new Chapter 9.

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The inclusion of considerations of equity and justice at every point in the planning and evaluation processes is commendable and key. Again, we urge careful adherence to the spirit of the text and a watchfulness that SF's actions do not cause unintended displacement of people, or inequities.

In furtherance of the above, we make these specific suggestions:

- The overall goal should be at least 90% GHG emissions reduction by 2030, so that as a wealthy city we can be ahead of the IPCC curve that requires GLOBAL AVERAGE

reductions of 50% by 2030, and due to the severe wealth disparities in the Bay Area, the document must specify that the reduction be achieved equitably.

- “Renewable energy” should be carefully defined not to allow "renewable diesel," "biodiesel," "renewable natural gas" and biogas (with the exception of locally produced and used biogas from SF's own waste treatment facilities, which is not produced for fuel but is an incidental product that is captured for efficient use) to be included in any components of SF climate solutions. These products have limited-if-any greenhouse gas reduction benefits and continue the particulate pollution harm being perpetrated on the lungs of San Franciscans, especially in low-income communities of color (near highly trafficked roads and freeways).
- We also recommend that collective action on building decarbonization and energy efficiency be supported, rather than individual action. From microgrids with district energy storage to increasing electricity supply to, and capacity and supply within, buildings on a whole street at once, there is time, money, and resource savings to be had by the collective approach.

Because of unprecedented hot weather, on July 6 2021 there was no snowpack left in the mountains that feed the Hetch Hetchy reservoir, which provides our drinking water. We are in the climate emergency now, and even among privileged San Franciscans, our ability to meet our basic life needs is becoming more precarious with every extra ton of greenhouse gas that goes into the atmosphere. Carbon capture and sequestration at a later date will not fix the life-threatening problems that emerge in the meantime.

We need to reduce emissions now, with tools available now. The future will only be livable if we bet on, and do all we can in, the present. We applaud the Department of Environment and others who are working hard to make climate mitigation and resilience work a reality. Now the City needs to prioritize this action as if our lives depended on it. Because they do.

Thank you,

San Francisco Climate Emergency Coalition

From: [Chelsea Sellin](#)
To: [Board of Supervisors, \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Major, Erica \(BOS\)](#)
Cc: [Kerri Young](#)
Subject: Landmark Designation of Lincoln Park
Date: Saturday, July 17, 2021 1:29:52 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Board of Supervisors,

I am writing in support of a city landmark designation of Lincoln Park. Despite its deep connections to San Francisco history and the city's diverse cultures, public recognition of the former City Cemetery's history and significance is almost non-existent. With an estimated 10,000 bodies still resting beneath the park and golf course, this sacred space deserves commemoration. A landmark designation would be an important first step in honoring the site's history and the broad swath of the city's cultural communities that are connected to it.

Sincerely,

Chelsea Sellin

From: [Ken Reuther](#)
To: [Board of Supervisors, \(BOS\)](#)
Subject: city landmark designation of Lincoln Park
Date: Saturday, July 17, 2021 4:20:18 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Board of Supervisors,

I am writing in support of a city landmark designation of Lincoln Park, which from 1870 until the early 1900s was used as a large cemetery ground for Chinese, Japanese, French, Jewish, Greek, Scandinavian, Italian, fraternal, and veteran organizations.

Although transformed into a park and golf course in the early twentieth century, an estimated ten thousand bodies still rest beneath the turf, and two prominent cemetery monuments still stand in two fairways, including one associated with the Kong Chow Association.

Despite its deep connections to San Francisco history and the city's diverse cultures, public recognition of City Cemetery's history and significance is almost non-existent. A broad coalition of the city's cultural communities and organizations have historical connections to City Cemetery, and the land is a sacred space that deserves to be commemorated. A landmark designation would be an important first step.

Sincerely,

Ken Reuther

From: [Nicole Meldahl](#)
To: [Board of Supervisors, \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Major, Erica \(BOS\)](#); [Kerri Young](#)
Subject: Landmarking of Lincoln Park
Date: Sunday, July 18, 2021 11:45:25 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Members of the San Francisco Board of Supervisors,

I'm writing to say we are thrilled to hear that San Francisco Heritage, with support from District 1 Supervisor Connie Chan and her predecessor, Sandra Lee Fewer, is advocating for the designation of Lincoln Park as a City Landmark.

If you don't know, I run a community history nonprofit called Western Neighborhoods Project that has preserved, interpreted, and shared the history of San Francisco's west side since 1999. People have long been fascinated with the often untold history of cemeteries in San Francisco. The remnants of City Cemetery, particularly the Kong Chow Funerary Chapel but also the Ladies' Seaman's Friends Monument with Mrs. Lambert's headstone by its side, set on the grounds of a public golf course are remarkably evocative. We lead an annual evening walking tour throughout the grounds in October and it's one of our most popular. You'll find a description [HERE](#). Please let me know if you're interested in attending and I'll add you to the list, free of charge.

It's simply unbelievable that so many of our ancestors (Chinese, Jewish, Italian, and more), our poor, were buried, forgotten, and partially exhumed. Without the sites mentioned above, it would be so much harder to remember these souls. Frankly, it's a miracle they have survived this long without official protection and touchstones like these are so vital to relating the history of overlooked San Franciscans. It would be a great comfort to neighborhood historians like us to know their preservation is assured.

We'll be watching San Francisco Heritage's landmarking efforts with bated breath. Please let me know if you have any questions for me, or if we can assist with additional historical context to support this designation. We're always happy to help the Board of Supervisors and lend a helping history hand.

Best,
Nicole Meldahl

--

Nicole Meldahl

Executive Director

[Western Neighborhoods Project](#) / [OpenSFHistory](#)

1617 Balboa, San Francisco, CA 94121

nicole@outsidelands.org

(415) 661-1000

Please note that I am not in the office Sunday-Monday and my response may be delayed as a

result.

In this time of coronavirus (COVID-19), every dollar helps us keep the lights on and the content flowing. Please consider a [tax-deductible donation](#) to support your local history.

From: [Matthew Silvestrini](#)
To: [Board of Supervisors, \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: Letter in support of Lincoln Park landmarking
Date: Friday, July 16, 2021 12:51:51 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors -

I'm writing in support of the Lincoln Park Landmarking effort. I learned about the interesting history of City Cemetery (Lincoln Park) when I happened upon the Kong Chow and Ladies' Seaman's structures, and my curiosity was piqued. By preserving these structures, we'll inspire curiosity and discovery for future generations while also honoring the diverse group of pioneers who helped lay the groundwork for San Francisco. As a Richmond resident, I value the cultural richness that City Cemetery brings to this neighborhood, and I'd love to see its history preserved through landmarking.

Thank you for your consideration,
Matthew

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: FW: Letter in support of Lincoln Park landmarking
Date: Friday, July 16, 2021 3:22:00 PM

From: Jessica Barros <barro118@gmail.com>

Sent: Friday, July 16, 2021 12:11 PM

To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>

Cc: kyoung@sfheritage.org; Major, Erica (BOS) <erica.major@sfgov.org>

Subject: Letter in support of Lincoln Park landmarking

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors -

I'm writing in support of the Lincoln Park Landmarking effort. I learned about the interesting history of City Cemetery (Lincoln Park) when I happened upon the Kong Chow and Ladies' Seaman's structures, and my curiosity was piqued. By preserving these structures, we'll inspire curiosity and discovery for future generations while also honoring the diverse group of pioneers who helped lay the groundwork for San Francisco. As a Richmond resident, I value the cultural richness that City Cemetery brings to this neighborhood, and I'd love to see its history preserved through landmarking.

Thank you for your consideration,
Jess

--

Jessica Barros
barro118@gmail.com
925.222.1205

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Annual hearing on City pest management activities
Date: Monday, July 19, 2021 4:54:20 PM

From: San Francisco Department of the Environment <ENV-IPM@sfgov.org>
Sent: Monday, July 19, 2021 4:29 PM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Annual hearing on City pest management activities

Public posting on annual IPM hearing



Dear Friends,

Please find the public posting for our annual hearing on City pest management activities below. Attachments and other details can be found at the web posting [here](#).

=====

[City and County of San Francisco](#)
Department of the Environment

**Notice of Annual Public Hearing Regarding Pest Management Activities on
City Properties**

(San Francisco Environment Code Chapter 3, Section 310)

WHEN: Wednesday, July 28, 2021, 5:00 p.m.

LOCATION: via WebEx

PUBLIC COMMENT CALL-IN

1-415-655-0001 / Access Code: 146 057 1798

Due to the COVID-19 health emergency and to protect Commissioners, SFE staff, and members of the public, the Meeting Room's at City Hall is closed.

Members of the public are to participate remotely. If you want to ensure your comment on any item on the agenda is received by Commission Affairs Manager, Katie Chansler in advance of the meeting, please send an email to katie.chansler@sfgov.org by 5pm on Tuesday, July 27th or call (415) 355-3709.

Refer to the “Remote Access to Information and Participation” section below for instructions.

AUTHORIZATION

San Francisco Environment Code Chapter 3, Section 310

San Francisco city staff have been national leaders in integrated pest management (IPM) since the City passed its Integrated Pest Management Ordinance in 1996. The Ordinance governs the way pests are managed on all City properties, but does not apply to private property. Specifically, the law applies to any City staff or contractors managing unwanted insects, rodents, birds, weeds, or other organisms for buildings & landscapes that are owned by the City, even if in other counties, or leased from the City (with leases signed after 1996), such as golf courses or vendors at San Francisco International Airport.

The San Francisco Environment Code Chapter 3, Section 310, calls for a noticed public meeting at least once a year to consider issues on matters related to pest management activities on City property, including the use of certain pesticides. City departments are to explain any exemptions they were granted from the City’s pesticide requirements, as well as any uses of “most restricted” pesticides.

Important Information

In accordance with Governor Gavin Newsom’s statewide order for all residents to “Stay at Home” - and the numerous local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus. Copies of explanatory documents are available at 1) the Department website sfenvironment.org; (2) upon request to the Commission Secretary, at telephone number (415) 355-3709, or via e-mail at katie.chansler@sfgov.org.

If any materials related to an item on this agenda have been distributed after distribution of the agenda packet, those materials are available for public inspection with request sent to Commission Secretary, at telephone number 415-355-3709, or via e-mail at katie.chansler@sfgov.org during normal office hours or will be made available on the website <http://www.sfenvironment.org/article/city-staff/pest-management#meetings>.

During the hearing, members of the public will have the opportunity to comment about individual agenda items or speak generally about pest management activities on City properties and properties leased by the City, including those activities affecting weeds, rodents, insects, mammals, birds, and aquatic plants. Persons unable to attend the hearing may submit to the Department of the Environment, by the time the hearing begins, written comments. These comments will be made a part of the official public record and shall be brought to the attention of the Department. Any written comments should be sent to: Chris Geiger, 1155 Market Street, 3rd Floor, San Francisco, CA 94103 by 5:00 p.m. on the day prior to the hearing. Comments that cannot be delivered by that time may be sent via e-mail to chris.geiger@sfgov.org.

ORDER OF BUSINESS

1. **Call to order**
2. **Introduction, current Citywide integrated pest management (IPM) initiatives, pesticide use trends.** Speaker: Chris Geiger, Integrated Pest Management Program Manager, San Francisco Department of the Environment
 - Public Comment
3. **Presentation by representatives from City departments that requested pesticide exemptions or used pesticides on the “most restricted” list in Fiscal Year 2020-2021.** (Informational presentation and discussion only) Speakers: Chris Geiger, Integrated Pest Management Program Manager, San Francisco Department of the Environment; Department of Recreation & Parks; Public Works; San Francisco International Airport; Port of San Francisco; Pestec; San Francisco Public Utilities Commission (Explanatory Document: Attachment A: Staff Memo and Attachment B: Summary of Pesticide Use Exemptions Granted for San Francisco City Operations)
 - Public Comment
4. **General Public Comment.** Members of the public may speak on matters that are relevant to pest management on city properties, or properties leased from the City, but are not on today’s agenda.
5. **Adjourn**

ATTACHMENTS:

- A. Staff Memo
- B. Summary of Pesticide Use Exemptions Granted for San Francisco City Operations

Remote Access to Information and Participation

This meeting will be held remotely using video conferencing, through the WebEx Meetings platform, and by telephone for members of the public who are unable to attend using computers or smart devices.

Attending the Meeting: Watch or Listen

Members of the public have the following options for attending the meeting:

Option 1: Watch the meeting using a computer or smart device by clicking on the following link:

<https://ccsf.webex.com/ccsf/onstage/g.php?MTID=e70d9c578736ce4cf250ad87159c96644>

- If you are able to and would like to watch via your computer, please follow these instructions: i) Click on the link above; ii) Enter your first name, last name, and email address if desired; iii) Click "Join by Browser" (directly beneath the "Join Now" button);
- If you are able to watch via your smart mobile device: i) Download the WebEx Meetings application; ii) Click on the link above; iii) Click "Join"; iv) Enter your name and email; v) Click "Ready to Join".

Option 2: Join the meeting by phone if you do not have access to a computer or smart device.

Dial: 415-655-0001 and then enter the Access Code: **146 057 1798**

Participating During Public Comment

Members of the public will have opportunities to participate during public comment. The public is asked to wait for the particular agenda item before making a comment on that item. Comments will be addressed in the order they are received. When the moderator announces that the Committee is taking public comment, members of the public can:

Dial: 415-655-0001 and then enter the Access Code: **146 057 1798**

1. Participate over the phone by pressing *3 (this step is very important, as it will activate the "Raise Hand" icon in the Participant window)

Depending on the number of people also in line ahead of you, you may have to wait before it is your opportunity to speak. When it is your turn, you will be notified that your line has been unmuted, and it will be your opportunity to speak. Your line will be muted again when your allotted time expires.

Announcement

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this hearing. Please be advised that the hearing officer may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Public Comment

At this time, members of the public may speak on items of interest that are relevant to pest management on city properties but are not on today's agenda. Public comment will be taken following each agenda item. Each member of the public may address the hearing for up to three minutes, unless otherwise announced by the hearing officer. If it is demonstrated that the comments by the public will exceed 15 minutes, the hearing officer may

continue Public Comment to another time during the meeting.

The Brown Act forbids the Department from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agenda item, the Department is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Accessibility Meeting Policy

The public hearing will be held virtually due to the public health emergency.

To obtain a disability-related accommodation, including auxiliary aids or services, or to obtain meeting materials in alternative format, please contact Katie Chansler at 415-355-3709. Providing at least 72 hours' notice will help to ensure availability. Written reports or background materials for calendar items are available for public inspection and are available online at www.sfenvironment.org/coe. Public comment will be taken on each item before or during consideration of the item.

The following services are available on request 72 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Katie Chansler at 415-355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

Language Access

Per the Language Access Ordinance (Chapter 91 of the San Francisco Administrative Code), Chinese, Spanish and or Filipino (Tagalog) interpreters will be available upon requests.. Assistance in additional languages may be honored whenever possible. To request assistance with these services please contact the Commission Affairs Manager at 415-355-3709, or katie.chansler@sfgov.org at least 48 hours in advance of the hearing. Late requests will be honored if possible.

語言服務

根據語言服務條例(三藩市行政法典第91章),中文、西班牙語和/或菲律賓語(泰加洛語)傳譯人員在收到要求後將會提供傳譯服務。翻譯版本的會議記錄可在委員會通過後透過要求而提供。其他語言協助在可能的情況下也將可提供。上述的要求,請於會議前最少48小時致電 415-355-3709或電郵至katie.chansler@sfgov.org向委員會秘書提出。逾期提出的請求,若可能的話,亦會被考慮接納。

Acceso A Idioma

De acuerdo con la Ordenanza de Acceso a Idiomas "Language Access Ordinance" (Capítulo 91 del Código Administrativo de San Francisco "Chapter 91 of the San Francisco Administrative Code") intérpretes de chino, español y/o filipino (tagalo) estarán disponibles de ser requeridos. Las minutas podrán ser traducidas, de ser requeridas, luego de ser aprobadas por la Comisión. La asistencia en idiomas adicionales se tomará en cuenta siempre que sea posible. Para solicitar asistencia con estos servicios favor comunicarse con el Secretario de la Comisión al 415-355-3709, o katie.chansler@sfgov.org por lo menos 48 horas antes de la reunión. Las solicitudes tardías serán consideradas de ser posible.

Access Sa Wika

Ayon sa Language Access Ordinance (Chapter 91 ng San Francisco Administrative Code), maaaring mag-request ng mga tagapagsalin sa wikang Tsino, Espanyol, at/o Filipino (Tagalog). Kapag hiniling, ang mga kaganapan ng miting ay maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Maari din magkaroon ng tulong sa ibang wika. Sa mga ganitong uri ng kahilingan, mangyaring tumawag sa Clerk ng Commission sa 415-355-3709, o katie.chansler@sfgov.org sa hindi bababa sa 48 oras bago mag miting. Kung maari, ang mga late na hiling ay posibleng pagbibigyan.

Know your Rights under the Sunshine Ordinance

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, 415-554-7724 (phone), 415-554-5163 (fax) or by email to sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, 2nd Floor, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112, web site at www.sfgov.org/ethics.

Katie Chansler, Commission Secretary
TEL: (415) 355-3709; FAX: (415) 554-6393

Posted: July 16, 2021

Kind regards,

Chris Geiger, PhD.
Integrated Pest Management Program Manager
San Francisco Department of the Environment

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1155 Market Street 3rd Floor
San Francisco, CA | 94103 US

This email was sent to angela.calvillo@sfgov.org.
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Commissioners
Peter S. Silva, President
 Jamul
Samantha Murray, Vice President
 Del Mar
Jacque Hostler-Carmesin, Member
 McKinleyville
Eric Sklar, Member
 Saint Helena
Erika Zavaleta, Member
 Santa Cruz

STATE OF CALIFORNIA
 Gavin Newsom, Governor

Fish and Game Commission



Wildlife Heritage and Conservation
 Since 1870

Melissa Miller-Henson
 Executive Director
 P.O. Box 944209
 Sacramento, CA 94244-2090
 (916) 653-4899
fgc@fgc.ca.gov
www.fgc.ca.gov

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO

JUL 19 PM 4:08

NOTICE OF RECEIPT OF PETITION

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission (Commission), on June 14, 2021, received a petition from California Trout to list Southern California steelhead (also known as southern steelhead) (*Oncorhynchus mykiss*) as endangered under the California Endangered Species Act.

The Southern California steelhead is a highly migratory and adaptive species utilizing multiple habitat types over their complete life-history. This species of fish will spend one to four years maturing in the Pacific Ocean. Once Southern California steelhead have reached maturity, they will typically return to their natal river system to spawn. Upon entering the river system, Southern California steelhead can migrate several to hundreds of miles to reach suitable spawning habitat. Southern California Steelhead require cool, clean water, and complex, connected habitat that provides sufficient nutrients and foraging opportunities. The geological character of their geographic range is young, highly erodible sedimentary rock that is suitable for spawning and incubation. Freshwater spawning sites must provide sufficient water quantity and quality. The primary habitat conditions that influence the species are temperature, dissolved oxygen, water depth and velocity.

Pursuant to Section 2073 of California Fish and Game Code, on June 23, 2021, the Commission transmitted the petition to the California Department of Fish and Wildlife (Department) for review pursuant to Section 2073.5 of said code. The Commission will receive the petition at its August 18-19, 2021 meeting which will be held via teleconference and webinar. It is anticipated that the Department's evaluation and recommendation relating to the petition will be received by the Commission at its October 13-14, 2021, meeting in Sacramento.

Interested parties may contact Jonathan Nelson, Environmental Program Manager I, Anadromous Fisheries Conservation and Management Program, at California Department of Fish and Wildlife, 1010 Riverside Parkway, West Sacramento, CA 95605 or (916) 376-1641 or Jonathan.nelson@wildlife.ca.gov, for information on the petition or to submit information to the Department relating to the petitioned species.

July 2, 2021

Fish and Game Commission

Melissa Miller-Henson
 Executive Director

Commissioners
Peter S. Silva, President
Jamul

Samantha Murray, Vice President
Del Mar

Jacque Hostler-Carmesin, Member
McKinleyville

Eric Sklar, Member
Saint Helena

Erika Zavaleta, Member
Santa Cruz

STATE OF CALIFORNIA
Gavin Newsom, Governor

Fish and Game Commission



Wildlife Heritage and Conservation

Since 1870

Melissa Miller-Henson
Executive Director
P.O. Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
fgc@fgc.ca.gov
www.fgc.ca.gov

July 15, 2021

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Receipt of Petition concerning the petition to list Southern California steelhead (*Oncorhynchus mykiss*) as endangered under the California Endangered Species act. This notice will be published in the California Notice Register on July 16, 2021.

Sincerely,

Jenn Greaves
Associate Governmental Program Analyst

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: CPUC - Verizon Wireless - City of San Francisco-CA_SF_Potrero_Hills_034-675382
Date: Monday, July 19, 2021 10:15:00 AM
Attachments: [CPUC_1855.pdf](#)

From: CPUC Team <westareacpuc@vzwnet.com>
Sent: Monday, July 19, 2021 7:04 AM
To: GO159Areports@cpuc.ca.gov
Cc: westareacpuc@VerizonWireless.com; CPC.Wireless <CPC.Wireless@sfgov.org>; Administrator, City (ADM) <city.administrator@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; jennifer.navarro@VerizonWireless.com
Subject: CPUC - Verizon Wireless - City of San Francisco-CA_SF_Potrero_Hills_034-675382

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This is to provide your agency with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California (CPUC) see attachment.
 This notice is being provided pursuant to Section IV.C.2.

Jul 19, 2021

Consumer Protection and Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
GO159Areports@cpuc.ca.gov

RE: Notification Letter for CA_SF_Potrero_Hills_034
 SF EXCELSIOR 013
 SF EXCELSIOR 025 - A

San Francisco, CA /GTE Mobilnet California LP

This is to provide the Commission with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact the representative below.

Verizon Wireless

Ann Goldstein
Coordinator RE & Compliance - West Territory
1515 Woodfield Road, #1400
Schaumburg, IL 60173
WestAreaCPUC@VerizonWireless.com



JURISDICTION	PLANNING MANAGER	CITY MANAGER	CITY CLERK	DIRECTOR OF SCHOOL BOARD	COUNTY
City of San Francisco	CPC.Wireless@sfgov.org	city.administrator@sfgov.org	Board.of.Supervisors@sfgov.org		San Francisco

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		CA_SF_Potrero_Hills_034		501 Paul Ave, San Francisco , CA94124		Pole Utility	N/A
Site Latitude	Site Longitude	PS Location Code	Tower Appearance	Tower Height (in feet)	Type of Approval	Approval Issue Date	
37°43'24.154"N	122°24'0.623"W	675382	Antenna Rad: 31'	42'	Permitting	07/09/2021	
Project Description: Installation (3) 6701 - 5G Antenna on new replacement JPA utility pole							

VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		SF EXCELSIOR 013		62 Girard St, San Francisco , CA94134		Pole Utility	N/A
Site Latitude	Site Longitude	PS Location Code	Tower Appearance	Tower Height (in feet)	Type of Approval	Approval Issue Date	
37°43'52.914"N	122°24'22.857"W	454190	Antenna Rad: 33'	46.5'	Permitting	07/14/2021	
Project Description: Installation (2) 6701 - 5G Antenna on new replacement JPA utility pole							



VZW Legal Entity		Site Name		Site Address		Tower Design	Size of Building or NA
GTE Mobilnet California LP		SF EXCELSIOR 025 - A		500 Felton St, San Francisco , CA94134		Utility pole/tower	N/A
Site Latitude	Site Longitude	PS Location Code	Tower Appearance	Tower Height (in feet)	Type of Approval	Approval Issue Date	
37°43'45.167"N	122°24'31.429"W	454198	Antenna Rad: 27' 5	34'	Permitting	07/15/2021	
Project Description: Installation (3) 6701 Antenna on new replacement JPA utility pole							

From: [William B Gould IV](#)
To: [Black Employee Alliance](#)
Cc: [Breed, Mayor London \(MYR\)](#); [Walton, Shamann \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Chan, Connie \(BOS\)](#); [John Doherty](#); [cityworker@sfcwu.org](#); [Charles Lavery](#); [mbrito@oe3.org](#); [tneep@oe3.org](#); [oashworth@ibew6.org](#); [debra.grabelle@ifpte21.org](#); [kgeneral@ifpte21.org](#); [Jessica Beard](#); [tmathews@ifpte21.org](#); [Vivian Araullo](#); [ewallace@ifpte21.org](#); [aflores@ifpte21.org](#); [smcgarry@nccrc.org](#); [larryjr@ualocal38.org](#); [jchiarenza@ualocal38.org](#); [SEichenberger@local39.org](#); [Richard Koenig](#); [anthonyu@smw104.org](#); [Charles, Jasmin \(MTA\)](#); [twulocal200@sbcglobal.net](#); [roger marengo](#); [Peter Wilson](#); [Theresa Foglio](#); [bart@dc16.us](#); [dharrington@teamster853.org](#); [MLeach@ibt856.org](#); [jason.klumb@seiu1021.org](#); [theresa.rutherford@seiu1021.org](#); [XiuMin.Li@seiu1021.org](#); [Hector Cardenas](#); [pmendeziamaw@comcast.net](#); [mjayne@iam1414.org](#); [raquel@sfmea.com \(contact\)](#); [christina@sfmea.com](#); [criss@sfmea.com](#); [rudy@sflaborcouncil.org](#); [CivilService, Civil \(CSC\)](#); [kim@sflaborcouncil.org](#); [sflc@sflaborcouncil.org](#)
Subject: Re: Bill Gould Report Concerning Disparate Treatment Towards Black Employees at the City and County of San Francisco
Date: Thursday, July 15, 2021 1:04:06 PM

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Dear Alliance and Coalition members ,
 Thanks very much for your July 10 note and your kind comments. Of course, I welcome your views as I have in the past. While my job was to produce the Independent Reviewer Report, at this point for the foreseeable future, I'm going to restrict myself to open testimony and public speeches should I be called upon to provide either under appropriate and proper circumstances . This seems to be the appropriate path for me to follow and perhaps we will have the chance to exchange views again in such a venue.
 Again any thanks for your response .
 Best wishes,
 WBGIV

William B. Gould IV

Most recent book: A Primer on American Labor Law (6th edition. 2019)

Charles A. Beardsley Professor of Law, Emeritus

Stanford Law School

Chairman of the National Labor Relations Board (1994-98)

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559 Nathan Abbott Way

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Fax (650) 725-02533/a

On Jul 10, 2021, at 4:00 PM, Black Employee Alliance
<blackemployeealliance@gmail.com> wrote:

Good afternoon Dr. William Gould -

The Black Employees Alliance and Coalition Against Anti-Blackness, on behalf of our members and in the spirit of the pursuit for justice concerning all Black and marginalized employees, would like to applaud you and your team's efforts in this endeavor. We appreciate your candor, clarity, and validation about the issues Black employees have raised in the City for more than ten years. As you and your team noted in your report, these problems of anti-Black racism and racial bias are systemic at the City and County of San Francisco.

To our members, allies, labor partners, and City leadership

The BEA would like to thank especially, **Brenda Barros, Phelicia Jones, Cheryl Thornton, Madelyn McMillian, and Ingrid Cobb from SEIU 1021**, for standing on the frontlines and spearheading the GAO Committee, and full BOS hearings of September, and November 2018, even when they did not have the support of the Labor Union leadership. We also want to amplify and thank **Kathy Broussard, Irella Blackwood, Jessica Brown, Demarris Evans, Jumoke Akin-Taylor, Alisha Willis, Nikki Roldan, Nikcole Cunningham, Dr. Zea Malawa, Keka Robinson-Luqman, Kimberly Cox, Nicole Christian, Alyssa Jones-Garner, Betsy Gran, and Dante King** for consistently organizing, mobilizing, and rallying Black employees together, in collaboration with SEIU AFRAM and other union members to organize and mobilize hundreds of Black employees. These efforts ultimately led to the creation of the Black Employees Alliance, whose sole purpose has been to highlight and address the inequitable and unfair employment practices faced by Black employees at the City and County of San Francisco.

We are calling on Mayor Breed and City Attorney's Office, to act judiciously and expediently in resolving the current legal disputes Black employees have filed against the City and County of San Francisco. The City's fight against these Black employees exacerbates and continues abuse of employment practices, and anti-Black racism against these employees who sought justice outside of a system that was racist and biased against them. Contrary to current DHR Director Carol Isen's (and former Director Micki Callahan's) comments about Rebecca Sherman in yesterday's SF Chronicle article, Rebecca was not a "rogue" employee, and did not act alone. Complaints of racial discrimination at DHR are reduced to "problematic Black people complaining", and as noted in Sherman's resignation letter, she was coached and persuaded by the previous EEO Director Linda Simon, that she could not make a finding in the Kathy Broussard case, even if there was legitimate cause. There are multiple employees who previously worked at DHR, and can go on record that such unethical and racist guidance was

practiced by DHR leadership ongoing. Nevertheless, there is now a report by an independent expert, that substantiates the position Black employees have continued voicing over the last several years, and we are calling on the City to act responsibly, with a sense of urgency, and accountability.

The BEA acknowledges and appreciates Mayor Breed's leadership and that of Supervisors Walton, Ronen, and Haney (former Supervisors Malia Cohen, and Sandra Fewer) who continued to support justice, equity, and due process for the City's Black employees. We are encouraged by this report, and **implore the City to expand upon two of Dr. Gould's suggestions with regard to reforming recruitment and hiring standards, and disproportionate actions by management to include: 1.) an entire overhaul of the City's Civil Service process - which continues to produce anti-Black outcomes in professional and specialized classifications; 2.) include discipline as a recommended action - in addition training, for managers who enact disproportionate disciplinary and corrective actions against any group of employees - with particular regard to people in protected categories who have been and continue to be marginalized.**

To Dr. Gould - Thank you for acting with investigative integrity and ethics throughout this process, and for the multiple meetings you held with members of the Black Employees Alliance. The BEA would like to schedule a follow-up meeting with you to debrief the findings if possible.

Best,

Black Employees Alliance and Coalition Against Anti-Blackness

From: [Black Employee Alliance](#)
To: [William B Gould IV](#)
Cc: [Breed, Mayor London \(MYR\)](#); [Walton, Shamann \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Chan, Connie \(BOS\)](#); [John Doherty](#); [cityworker@sfcwu.org](#); [Charles Lavery](#); [mbrito@oe3.org](#); [tneep@oe3.org](#); [oashworth@ibew6.org](#); [debra.grabelle@ifpte21.org](#); [kgeneral@ifpte21.org](#); [Jessica Beard](#); [tmathews@ifpte21.org](#); [Vivian Araullo](#); [ewallace@ifpte21.org](#); [aflores@ifpte21.org](#); [smcgarry@nccrc.org](#); [larryjr@ualocal38.org](#); [jchiarenza@ualocal38.org](#); [SEichenberger@local39.org](#); [Richard Koenig](#); [anthonyu@smw104.org](#); [Charles, Jasmin \(MTA\)](#); [twulocal200@sbcglobal.net](#); [roger_marenco](#); [Peter Wilson](#); [Theresa Foglio](#); [bart@dc16.us](#); [dharrington@teamster853.org](#); [MLeach@ibt856.org](#); [jason.klumb@seiu1021.org](#); [theresa.rutherford@seiu1021.org](#); [XiuMin.Li@seiu1021.org](#); [Hector Cardenas](#); [pmendeziamaw@comcast.net](#); [mjayne@iam1414.org](#); [raquel@sfmea.com \(contact\)](#); [christina@sfmea.com](#); [criss@sfmea.com](#); [rudy@sflaborcouncil.org](#); [CivilService, Civil \(CSC\)](#); [kim@sflaborcouncil.org](#); [sflc@sflaborcouncil.org](#)
Subject: Re: Bill Gould Report Concerning Disparate Treatment Towards Black Employees at the City and County of San Francisco
Date: Thursday, July 15, 2021 2:18:34 PM
Attachments: [Independent Report June 2021 Bill Gould Report.pdf](#)

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Dr. Gould -

Thank you again for your efforts.

Dear BEA Members -

As requested by many of you, attached is the Independent Report which was published by Dr. Gould. Please review this report prior to our next meeting. In addition, please forward this message to your Department Directors (heads), Human Resources Directors, Racial Equity Leaders, and respective Labor Unions (all of which are also copied on this message - labor only). It is important the all department heads, executive teams, HR Directors, and Racial Equity leadership review this report to ensure they are responsible and accountable for implementing the recommendations highlighted in the report.

The issues highlighted in this report align directly with the expectations and actions noted within the Racial Equity Action Plan. It is imperative that all departments use this report to inform approaches to their racial equity work (all equity work), particularly in the areas of recruitment, hiring, promotions, and discipline. Please forward to your leaders, and request a response within 60-days from your department heads and/or management teams noting:

- Department's reaction to the report
- Detailed priorities from actions outlined in the plan - over the next three years (short-and-long-term)
- Department's actions from the report over the next six months to address issues within their purview/control.

We look forward to discussing these points, and hearing from each of you at our next meeting.

Best,

Black Employees Alliance and Coalition Against Anti-Blackness

On Thu, Jul 15, 2021 at 1:03 PM William B Gould IV <wbgould@stanford.edu> wrote:

Dear Alliance and Coalition members ,

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continue to be marginalized.

To Dr. Gould - Thank you for acting with investigative integrity and ethics throughout this process, and for the multiple meetings you held with members of the Black Employees Alliance. The BEA would like to schedule a follow-up meeting with you to debrief the findings if possible.

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REPORT OF SAN FRANCISCO INDEPENDENT REVIEWER FOR MAYOR LONDON BREED

William B. Gould IV
Independent Reviewer, Stanford, California

Assisted by Cody Kahoe and Colin J. O'Brien

June 2021

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Introduction

“[T]he struggle was against hopeless odds—hopeless because all who possessed African blood were isolated, ridiculed, despised—and thus regarded as unfit for occupations and work that the white man was willing to perform...”¹

“Who among us would be content to have the color of his skin changed, and stand in his place? Who among us would then be content with the counsels of patience and delay?”²

“[F]ederal, state, and local governments purposely created segregation in every metropolitan area of the nation. If it could happen in liberal San Francisco, then indeed, it not only could but did happen everywhere... Like cities nationwide, San Francisco practiced discrimination in public employment...”³

San Francisco Mayor London Breed has formulated the first big city “reckoning” in the wake of the George Floyd murder a little more than a year ago through the commission of this report on equal employment opportunity in the City workforce last November. Of course, her initiative, however significant, represents the first effort in what will be a line of proposed policies aimed at the centuries-old⁴ practices of racial misconduct in the country. On this eve of Juneteenth, it is an attempt to foster the beginnings of what some have characterized as the Third Reconstruction⁵. This movement has “...sparked the biggest civil rights protests in America’s history. Some 20m Americans took part, flouting covid-19 restrictions. There were 7,750 protests in over 2,440 places, in every state. Beyond America, Black Lives Matter protests were staged in Brazil, France, Japan and New Zealand, among others.”⁶

¹ 120 Cong. Rec 16, 229-30 (daily ed. May 22, 1974); *Conversations with Earl Warren*, Stan. Law., Summer 1974, at 9.

² President John F. Kennedy, June 1963, In Anthony Lewis, *Portrait of a Decade* (New York, 1964), p. 193

³ Richard Rothstein, *The Color of Law*, 13, 14, 163 (2017). Racial discrimination was so rampant in the Bay Area that it triggered the first major intervention by any state court in this arena. *James v. Marinship Corp.*, 25 Cal. 2d 721, 155 P.2d 329 (1944). Thus, this first job bias “reckoning” emerged just a few miles north of San Francisco. Cf. *Steele v. Louisville & Nashville Railroad*, 323 U.S. 192 (1944); *Betts v. Easley*, 161 Kan, 459, 169 F. 2d 831 (1946)

⁴ *Shepherd Tissue, Inc.* 326 NLRB 369 (1998) (Chairman Gould concurring) (a union campaign handbill concerning a sexual harassment investigation stating that “black folks have been wrongly touched by whites for over 300 years” was germane to solidarity and working conditions and therefore did not constitute grounds to invalidate an NLRB election).

⁵ William Barber II and Jonathan Wilson-Hartgrove, ‘*I Can’t Breathe.*’ *A Cry for Change*, New York Times, May 23, 2021 at SR2

⁶ *What it means to be an American*, Special Report: Race in America, The Economist, May 22, 2021 at p. 3.

The first undertaking to redeem our country's promises of 1776 and '87 emerged with our brief interlude of Reconstruction-fashioned democracy which was quickly abandoned in 1877. The second Reconstruction took place with the civil rights movement of the 1960s and the landmark legislation enacted in the form of antibias strictures⁷ contained in the landmark trilogy of statutes in '64, '65 and '68.⁸ "Despite the gains in legal and political rights made by African-Americans since the civil-rights era, measures of relative poverty and black-white segregation have barely moved for half a century."⁹

Thus, we have been here before. More than a half-century ago, the 1967-1968 Nation Advisory Committee on Civil Disorders (more commonly known as the Kerner Commission Report) said: "Our nation is moving toward two societies, one black, one white—separate and unequal." Incomes and wages, improving ever so slightly so as to proceed from 55 to 60% for Blacks, as a percentage of that enjoyed by whites from 1967 through the 1990s has remained stuck at 60% in recent years. Though there is considerably more contact between the races than existed in the '60s, the only relative economic change is in long-term unemployment and that is attributable to an increase for whites.¹⁰

In essence, as Robert Putnam has written, we, in the United States, have taken our "foot off the gas."¹¹ For a failure to address the past means that it will be left unresolved and unremedied and thus embedded in the present system.¹² Since the closing decades of the 20th century, gains in relative life expectancy for Blacks have stagnated; the closing of the Black-white gap in infant mortality rates has plateaued and in recent years has actually increased for Blacks; the Black-white ratios in high school and college degree attainment have shown little or no improvement; progress toward income equality between the races has gone into reverse, with the Black-white income gap widening significantly.¹³

Now too, the events—particularly the brutality displayed in Minneapolis on May 25—of this past pandemic-filled year have produced what has been called the "Reckoning." Government at all levels can contribute to providing answers. San Francisco, an employer of nearly 35,000 workers, can make an important contribution. The Black exodus from San Francisco during this past half-century makes initiatives such as those advocated in this report all the more important,

⁷ Eric Foner, *The Second Founding: How the Civil War and Reconstruction Remade the Constitution*. (2019).

⁸ William B. Gould IV, *Title VII of the Civil Rights Act at Fifty: Ruminations on Past, Present and Future*. 54 Santa Clara L. Rev. 369 (2014)

⁹ *Race in America*, The Economist May 22, 2021 at p. 9.

¹⁰ Joseph E. Stiglitz, *Economic Justice: Fifty Years after the Kerner Report*, in *Healing Our Divided Society: Investing in America, 50 Years after the Kerner Report*, Fred Harris and Alan Curtis, eds. (2018).

¹¹ Robert D. Putnam, *The Upswing*, 240 (2020)

¹² GEORGE SANTYANA, *THE LIFE OF REASON: REASON IN COMMON SENSE* 284 (Scribner's 1905) ("Those who cannot remember the past are condemned to repeat it.")

¹³ Putnam, *supra* note 11.

as the City tries to meet the moment before it¹⁴ and to stimulate a more substantial presence in the City.

The significance of the recommendations outlined in the Independent Reviewer's report is dramatized by their focus upon internal conduct which San Francisco can control directly with workforce partners. Litigation before administrative agencies and the courts is inherently costly, time consuming, and divisive—let alone demoralizing by virtue of their Dickens-like pace. Thus, California rightly promotes internal investigative procedures, providing cities like San Francisco with an opportunity to resolve what would otherwise culminate in litigation through both alternative dispute procedure mechanisms as well as investigations. The thrust of this report's recommendations are designed to strengthen these procedures, promoting efficiency as well as equality and thus realize the goals of equal employment opportunity to which San Francisco is committed. San Francisco, through proceeding down such avenues is well suited to engage in reforms advocated by this review which was prompted by Mayor London Breed's leadership.

On October 23, 2020, Mayor Breed asked William B. Gould IV to accept her appointment as the Independent Reviewer and to lead a comprehensive and independent investigation into the equal employment opportunity (EEO) practices, policies, and procedures of the City and County of San Francisco (the City). As noted above, this is the first big-city municipal initiative of its kind, designed, as it is, to engage the "Reckoning" of '21. This investigation accompanies efforts by the City to address employee dissatisfaction with hiring, discipline, and retention practices and the Equal Employment Opportunity (EEO) complaint process.¹⁵ On November 2, 2020, Mayor Breed commissioned the review.

The Independent Reviewer and staff¹⁶ have held dozens of meetings with Department of Human Resources (DHR) officials and investigators, with the leadership of the City's largest departments, with labor unions, and with employee affinity groups. Additionally, the Independent Reviewer established a website, through which the Reviewer and staff have

¹⁴ *The Unfinished Agenda. The Economic Status of African Americans in San Francisco 1964-1990*. The Committee on African American Parity of the Human Rights Commission of San Francisco, Feb. 1993.

¹⁵ Although the recommendations in this report promote the goal of ensuring an equitable workplace for all City employees, this review was especially concerned with the experience of Black employees as they "overall hold lower-paying positions, are disciplined more frequently, and file more claims of harassment or discrimination than their colleagues of other ethnicities file." Press Release, Office of the Mayor, San Francisco to Launch Independent Review of City's Equal Employment Opportunity Practices to Prevent Workplace Discrimination (Nov. 02, 2020) (available at <https://sfmayor.org/article/san-francisco-launch-independent-review-citys-equal-employment-opportunity-practices-prevent>). Moreover, Black employees have, for years, publicly communicated their concerns about the City's EEO policies and complaint process, including in hearings before the Board of Supervisors. *See* City and County of San Francisco, *Government Audit and Oversight Committee: Regular Meeting*, SFGov TV (Sept. 19, 2018), http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=10&clip_id=31377; City and County of San Francisco, *Board of Supervisors: Regular Meeting*, SFGov TV (Nov. 27, 2018), http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=10&clip_id=31875.

¹⁶ The Independent Reviewer appointed Cody Kahoe and Colin O'Brien, both Stanford Law School '21, to assist in this process.

communicated with over one hundred City employees, who shared their own experiences and perceptions of frustration, inefficiency, and delay with the City’s EEO machinery.

We have received cooperation and engaged in dialogue with City and union representatives and many employees as well as affinity groups, and we are grateful to all who so generously gave of their time. My hope is that these proposals will be received in the same spirit of open-mindedness and self-initiative displayed by all of the relevant parties with whom I and my team met during these past six months.

The findings and recommendations of the Independent Reviewer are set forth in greater detail below, but the central points are as follows:

The City’s EEO complaint and investigation process needs improvement. DHR’s EEO investigators are dedicated and deeply committed to conducting thorough investigations, but they are seriously understaffed. Moreover, the methods for processing complaints are overcomplicated and inefficient. At the outset, employees must choose to either bring a complaint to DHR’s EEO team or file a grievance through their union. When employees invoke the EEO complaint process, the investigations can take months or years to complete, during which time employees frequently report being left uninformed about the progress of their complaint and the timeline for its resolution. In addition to these procedural inefficiencies, aspects of the EEO complaint process are not conducive to an independent and neutral investigation of claims. And, the end of the process frequently leaves serious workplace disputes and animosities unresolved. As a result, the vast majority of employees who met with the independent review team—many of whom have also shared their experiences with the Board of Supervisors in public hearings—have lost faith in the City’s EEO complaint process.

Barriers also exist within the City when it comes to the recruitment, hiring, and advancement of Black workers. The City should invest additional resources in its incumbent workforce and expand and scrutinize more carefully apprenticeship through bargaining with the relevant unions and continuing education programs that are needed to enable Black employees to secure high-paying jobs and progress in their careers.

With regard to the City’s hiring and promotion practices, the discretion given to hiring managers and supervisors in selecting interview panelists, subsequent to initial screening of applicants, has the capacity to skew the independence of the interview panels. And racial disparities exist in employee discipline, terminations, and releases. Finally, lacking clearer pathways for advancement and disciplined disproportionately, many Black employees find themselves congregated in lower-paying positions without an opportunity to grow their careers.

At the same time, the City has pointed to the fact that approximately 16% of department heads (many appointed by the Mayor)—as well as 9.38% of the 34 more senior Manager V-VII management categories¹⁷—are occupied by Black Americans. Though the numbers in the former

¹⁷ At the highest Manager VIII level, only 2 of 21 individuals are Black. For evidence of general underrepresentation for Black workers, see note 57. For instance, in its Racial Equity Action Plan, the Department of Human Resources (DHR) states: “...while Black and Latinx employees are overrepresented in entry level positions in proportion to the

category are only 37, the City is to be commended for this as well as the number of more senior management appointees. Some positive steps forward have been taken. But, the difficulty is that these statistics, however laudatory, contrast with the plight of most Black workers who have been fighting against workplace inequality in San Francisco for decades, whether in their unions or in hearings before the Board of Supervisors over the last several years. Their frustration and disappointment (sometimes rooted in meritorious complaints as well as those which are non-meritorious) speaks to the scope of the problem and the scale of investment needed to remedy it.

Accordingly, to address these findings¹⁸ and help chart a path forward, the Independent Reviewer recommends, among other things:

- That the City and the unions bargain to remove the provision in the City's Memoranda of Understanding that forces employees to choose between filing an EEO complaint with DHR and filing a grievance with their union regarding discrimination;
- That the City negotiate with unions contract provisions which expressly empower arbitrators hearing grievances concerning discrimination to award compensatory damages such as damages emotional distress, pain and suffering, and the like, in appropriate cases, as provided for by federal and state nondiscrimination law;
- That the City allow employees to appeal EEO investigation findings of the more consequential cases to independent and diverse hearing officers who are expert in employment discrimination law and supportive of fair employment principles who write opinions, if necessary, a feature which is lacking in the Civil Service Commission process;
- That the City overhaul its investigation processes, including by investing in modern case management software, creating an online complaint portal that will give employees greater transparency in the complaint process, centralizing DHR's authority over EEO investigations, updating EEO investigation manuals and policies, mandating the completion of all EEO investigations in 120 days or less, and hiring additional EEO investigation staff to meet those deadlines;
- That the City embrace and promote third-party mediation as well as the pilot Peer Mediation Program as an alternative and additional forum for employees to resolve grievances, particularly those that may not rise to the level of an EEO violation;
- That the City reinvigorate its efforts to create apprenticeship programs and other upskilling programs that will enable workers to join skilled trades and other sought-after jobs;
- That the City reform its hiring and promotion procedures to reduce hiring manager discretion and ensure the independence of interview panels; and

total number of entry level employees, they are underrepresented in supervisory and mid-level managerial positions in proportion to the total number of supervisory and mid-managerial positions.”

¹⁸ Of course, there has been extensive and considerable litigation about racial discrimination in the San Francisco police and fire departments. See, for instance, *Officers for Justice et al. v. Civil Service Comm. of the City and County of San Francisco* 473 F.Supp. 801 (N.D. Cal. 1979); *Davis v. City and County of San Francisco* 890 F.2d 1438 (9th Cir. 1989); Diana Walsh, Court lifts order on Fire Department. SFGate, Feb. 6, 2012. But, though we conducted interviews in both departments, we viewed additional findings about police to be duplicative of the Consent Decree initiated by the U.S. Department of Justice. See *Collaborative Reform Initiative: An Assessment of the San Francisco Police Department*. Oct. 2016. Aspects of Recommendation 14 (as well as others addressing hiring, promotions and recruitment) have applicability to both departments.

- That the City track the frequency with which managers and supervisors discipline their workers and intervene with training for managers who are responsible for disproportionate discipline or corrective actions, where warranted.

To be clear, the findings and recommendations in this report do not address the legal issue of whether individual instances of discrimination, harassment, or retaliation have occurred in City employment or whether any City policy constitutes a discriminatory practice. Such legal issues are best left to the courts, where strict evidentiary and proof standards apply.¹⁹

Rather, the intent of this report is to chart a path forward. All City employees deserve a workplace that treats them with dignity and affords them equal opportunities for advancement. This report endeavors to aid the City, in cooperation with its labor partners, in making that ideal a reality as all move forward to address a municipal response to the “Reckoning” and the employment patterns which must be remedied.

¹⁹ The Independent Reviewer and staff’s research and fact-finding may not be subpoenaed in subsequent employment discrimination litigation. See *N.L.R.B. v. Macaluso, Inc.*, 618 F.2d 51 (9th Cir. 1980); 29 C.F.R. § 1401.2(a); cf. *T. McGann Plumbing, Inc. v. Chicago Journeymen Plumbers*, 522 F.Supp.2d 1009 (N.D. Ill. 2007); *Blitznik v. Int’l Harvester Co.*, 87 F.R.D. 490 (N.D. Ill. 1980); Cf. William B. Gould IV, “Using an Independent Monitor to Resolve Union-Organizing Disputes Outside the NLRB: The FirstGroup Experiences,” *Dispute Resol. J.*, May/July 2011, at 46.

I. The Complaint Process

Finding 1

At the outset of the complaint process, employees must choose between the remedies offered by the City’s internal EEO complaint process and the grievance-arbitration process, and employees are often confused about the remedies available to them in each process.

For a number of years, San Francisco has negotiated with all unions a so-called election of remedies—a collective bargaining agreement provision which requires employees or unions to choose between either the invocation of the grievance-arbitration machinery or EEO procedures. The employee or union must choose one or the other, the City contends, to avoid inefficient duplication of procedures and remedies and inconsistent procedures generally. Frequently, as noted above, employees do not have a full understanding of the available options and do not make the election choice with the presence of a union representative or other advisor.

The election of remedies approach, once so dominant in the private sector,²⁰ has virtually disappeared since the U.S. Supreme Court’s decision in *Alexander v. Gardner-Denver*,²¹ which suggested the appropriateness of both avenues (grievance arbitration and the EEO complaint process) to resolve employment discrimination disputes, though holding that judicial procedures were supreme.²² And although the U.S. Supreme Court and the Supreme Court of California have yet to address the question of whether the grievance-arbitration process can be waived or held in abeyance while other complaint procedures are utilized or whether the EEO process may be held in abeyance, the weight of judicial authority supports the view that requiring a waiver or abeyance constitutes either unlawful retaliation or the deprivation of a benefit on a discriminatory basis, where the source of the benefit is to be found in the statutory scheme addressing job discrimination complaints.²³ It seems more than arguably inconsistent with precedent, as well as bad policy, to require the employee to invoke one or another procedure when the uncertainties of the process are many—making it difficult for the employee to make a truly informed choice, prospectively or in advance of the exhaustion of either process. Even if the recommendations below are accepted and implemented, there could be a difference between

²⁰ The decision of the Court of Appeals for the Sixth Circuit in *Dewey v. Reynolds Metals Co.*, 429 F.2d 324 (6th Cir. 1970), represented the apogee of this approach which soon disappeared in the wake of *Alexander v. Gardner-Denver*, 415 U.S. 36, (1974).

²¹ *Gardner-Denver*, 415 U.S. at 60 n.21.

²² Though the Court propounded some approaches which are different or at variance from *Gardner-Denver* in *14 Penn Plaza LLC v. Pyett*, 556 U.S. 247 (2009), no aspect of the discussion of *Gardner-Denver* is affected by the more recent ruling.

²³ The Supreme Court of Oregon has so held. See *Portland State Univ. Chapter of Am. Ass’n of Univ. Professors v. Portland State Univ.*, 291 P.3d 658, 670-73 (Or. 2012). So have most of the federal courts. *E.E.O.C. v. Board of Governors of State Colleges and Universities*, 957 F.2d 424 (7th Cir. 1992); *Watford v. Jefferson County Public Schools*, 870 F.3d 448, 453 (6th Cir. 2017). *Contra Richardson v. Commission on Human Rights & Opportunities*, 532 F.3d 114 (2d Cir. 2008).

EEO procedures leading to a full panoply of remedies or, alternatively, expeditious resolution of a robust grievance-arbitration machinery, which will both mimic the remedies available in an employment discrimination judicial proceeding as well as contain a procedure different from EEO.

The primary problem from the City’s perspective relates to the potential duplication of remedies. This concern is not without merit. However, it is noteworthy that the City previously operated without the election-of-remedies provision, and courts have largely concluded that “[i]t is immaterial that an employee might have overlapping contractual and legal remedies.”²⁴ In any event, to the extent that a decision under either the contractual or statutory route constitutes duplication in the forum before which the matter is placed, compensation which is rooted in the same facts and theory must be deducted from any award or remedy previously rendered.²⁵

Second, employees have expressed confusion about the remedial options available to them when they have claims of discrimination or harassment. Presently, employees seeking a remedy for workplace discrimination have two internal avenues for redress within the City: They can file an EEO complaint with DHR, or they can invoke the antidiscrimination clause in their union’s Memorandum of Understanding (MOU) with the City and file a grievance. Yet some employees, and even some union representatives, have been unaware that the grievance process can be used to remedy harm from discriminatory treatment. And employees are frequently unaware that they are entitled to union representation when filing an EEO complaint and pursuing an investigation. Given the fact that any representative is unlikely to be clairvoyant in assessing either avenue and the centrality of anti-discrimination policy in the workplace, the burden of more than one possible proceeding is outweighed by protection against possible discrimination.

When employees do choose to pursue their complaints through the EEO complaint process rather than through arbitration, it is still not clear what remedies are available to them. Existing City guidance informs employees at the outset of the EEO complaint process that they are entitled to “make-whole” remedy only and that damages for pain and suffering, emotional distress, and the like are not available. Yet, the Independent Reviewer has been informed that a “make-whole” remedy is all that is within the DHR director’s power to offer, but EEO investigations that find violations of employment law are referred to the City Attorney’s Office for settlement. And those settlements have awarded to employees damages such as emotional distress in addition to back-pay and reinstatement.

Recommendation 1.1

The parties should bargain a revision of the election of remedies provision contained in the collective bargaining agreements and allow all to make an informed decision what statutory or contractual avenues to pursue, if any. The decision should be made by employees with the advice and representation of a union representative or another employee of the employee’s own choosing.

²⁴ *Board of Governors*, 957 F.2d at 428.

²⁵ *See Gardner-Denver*, 415 U.S. at 51 n.14 (noting that “relief can be structured to avoid windfall gains”).

Recommendation 1.2

The City and unions, whether the recommendation relating to election of remedies is negotiated or not, employees should be apprised of all their procedural rights pursuant to City policy and the relevant MOU at the outset of all intake interviews for EEO complaints. So long as the election-of-remedies policy remains intact, they should be made aware that filing an EEO complaint forecloses the possibility that they can pursue their complaint through the grievance process. They should receive complete information about this through publicity promoted by the City and relevant unions. They should also be made aware that they are entitled to a union representative to aid them in navigating the EEO complaint process. And they should be given clear information and expectations about the timeline of the complaint process and what steps the investigator will take at each stage of the process.

Recommendation 1.3

*DHR should clarify its current guidance regarding what EEO issues employees may bring through grievance arbitration. DHR's current information sheet explaining how to file an EEO complaint states: "Issues: Actions complained of may include the following: Denial of Employment, Denial of Training, Denial of Promotion, Denial of Reasonable Accommodation (for disability or religion), Termination, Lay-Off, Constructive Discharge, Disciplinary Action, Harassment, Work Assignment, Sexual Harassment and Compensation. **Other issues, such as a disagreement regarding Department rules or regulations affecting working conditions, may be subject to review through the Employee Grievance procedure.**" This could be misleading because it suggests that the grievance process does not permit employees to bring EEO-related claims over denial of training, denial of promotion, termination, and the like. DHR should make clear that employees can bring these issues in arbitration as well as through the EEO process. The information regarding the scope of the nondiscrimination clause, its provision for remedies, and the procedures available when the union is confronted with competing, irreconcilable employee positions should all be publicized.*

Recommendation 1.4

Until the City has made explicit the availability of a broader array of remedies under its MOU no-discrimination provisions, as recommended below, DHR should clarify what varieties of remedies are available through the EEO process. Existing guidance to City departments from DHR states that employees are entitled only to a make-whole remedy and that this remedy does not include damages for emotional distress, pain and suffering, or the like. But other documents examined in this review suggest that employees may be able to obtain such damages, where appropriate, through the EEO process, via settlements with the City. DHR must clarify what forms of relief may actually be awarded at the end of each process so as not to mislead employees about the scope of remedies available to them.

Finding 2

The antidiscrimination provisions in the City's current Memoranda of Understanding do not expressly incorporate the remedies

provided for in federal antidiscrimination law, such as compensatory damages for emotional distress and the like, under appropriate circumstances. Additionally, the City’s MOUs could be improved by providing for third-party representation in cases where unions face a potential conflict of interest between a grievant and another bargaining unit member in arbitration proceedings.

First, the City’s Memoranda of Understanding (MOUs) with its labor unions do not expressly empower arbitrators to award the full scope of compensatory damages available under antidiscrimination law.

City workers are currently represented by 37 different labor unions. The collective bargaining agreements all contain no-discrimination clauses, but none of these contractual provisions purport to adopt employment discrimination rights, obligations, or procedures contained in either Title VII of the Civil Rights Act of 1964 or related legislation such as California’s Fair Employment and Housing Act. This pattern exists notwithstanding the United States Supreme Court’s admonition in *Alexander v. Gardner-Denver* that courts should give weight to arbitral proceedings as evidence in Title VII cases only if the provisions of the collective bargaining agreement “conform substantially with Title VII.”²⁶ The Independent Reviewer has acted as an arbitrator where parties negotiated such procedures.²⁷

SEIU Local 1021 has pointed out that procedures allowing for the awarding of full compensatory damages—as permitted by the Civil Rights Act of 1991 amendments—are not now expressly available to arbitrators under any of the MOUs between the City and various unions. Arbitrators are somewhat divided on the availability of such remedies where the collective bargaining agreement is silent about the arbitrator’s remedial authority.²⁸ Where the parties have not restricted the arbitrator’s remedial authority, the Court of Appeals for the Ninth Circuit, like others, has concluded that the arbitrator’s exercise of broad remedial authority is appropriate.²⁹ But, notwithstanding the view that arbitrators can award back pay even when the collective bargaining agreement does not provide for such, many arbitrators are of the view that they will not award compensatory damages as that determination is better left to the courts rather

²⁶ *Gardner-Denver*, at 60 n.21 (listing a collective bargaining agreements’ conformity with Title VII, the fairness of the procedures adopted by the arbitral forum, the strength of the arbitral record, and the arbitrator’s competence as relevant factors when courts determine whether arbitral decisions deserve weight); see also William B. Gould IV, *Labor Arbitration of Grievances Involving Racial Discrimination*, 118 U. PA. L. REV. 40 (1969).

²⁷ *Weyerhaeuser Co.*, 78 Lab. Arb. Reports 1109 (1982); *Basic Vegetable Products, Inc.*, 64 Lab. Arb. Reports 620 (1975). The Independent Reviewer’s arbitral experience in these cases and most of his writings on this subject preceded the Civil Rights Act of 1991 amendments, which explicitly provided for compensatory damages. See William B. Gould IV, *The Supreme Court and Employment Discrimination Law in 1989: Judicial Retreat and Congressional Response*, 64 TUL. L. REV. 1485 (1990); William B. Gould IV, *Title VII of the Civil Rights Act at Fifty: Ruminations on Past, Present, and Future*, 54 SANTA CLARA L. REV. 369 (2014).

²⁸ KRISTINA E. MUSIC BIRO ET AL., 19 STANDARD PENNSYLVANIA PRACTICE 2D 103:150 (2021); see also FRANCIS M. DOUGHERTY ET AL., 22A FEDERAL PROCEDURE, LAWYERS EDITION 52 103:1929 (2021) (“Arbitrators must have flexibility to determine remedies in labor disputes, and the authority to interpret and find a breach of a collective bargaining agreement implies the authority to prescribe a remedy to cure the breach.”).

²⁹ *Ass’n of W. Pulp & Paper Workers, Loc. 78 v. Rexam Graphic, Inc.*, 221 F.3d 1085, 1090 (9th Cir. 2000).

than to labor arbitrators.³⁰ The Independent Reviewer has long subscribed to the view of the Ninth Circuit and others and believes that the arbitrator has considerable scope and flexibility in fashioning remedies.³¹

Inasmuch as the current collective bargaining agreement's no-discrimination clauses do not explicitly incorporate the remedies (or, in some circumstances, standards for establishing discrimination) contained in employment discrimination law, the Independent Reviewer is of the view that those clauses could be regarded as inferior to federal and state requirements by an arbitrator and thus inappropriate for the parties. This is particularly troublesome in a major city in the largest state in the Union. Accordingly, the parties should bargain a robust no-discrimination clause which replicates the availability of all remedies contained in employment discrimination law. Not only should the agreement comport with Title VII, but such disputes should be submitted to "particular arbitrators" who possess "special competence."³² Such arbitrators should be not only competent but diverse, so as to reflect the views and knowledge obtained from the entire San Francisco area community.³³

To be sure, grievance arbitration is neither perfect nor designed to require *all* the same procedural formality as full-fledged litigation. Nor does this report assert that it should. But as it stands, employees and unions report that the present absence of some forms of compensatory relief typically awarded in discrimination cases makes grievance arbitration an unappealing and rarely invoked alternative to internal EEO investigations, which many employees do not trust. Permitting arbitrators to award such relief would make grievance arbitration a more meaningful alternative to both the EEO investigation process and to litigation³⁴.

Second, SEIU has expressed concern about cases involving racial or sexual harassment in which both the complainant and the alleged harasser are represented by the union in the same bargaining unit. Under such circumstances, particularly where there is a dispute in testimony between the two different employees, employees fear they may not be able to obtain a fair hearing in arbitration. The Independent Reviewer is of the view that this scenario places the union in a position of irreconcilable conflict.

That conflict can be remedied if the City and its unions bargain to include in their MOUs a provision for some form of third-party representation. This can take many forms. For instance, the MOU could provide that the unions provide separate union representatives for grievants who have conflicting testimony or interests.³⁵ Or the MOU could permit representation for the complainant by an outside counsel, social justice organizations, or some other form of representation in circumstances where the union itself has conflicting interests.³⁶ The decision to

³⁰ MARTIN HILL, JR & ANTONY SINICROPI, REMEDIES IN ARBITRATION 490 (BNS Books 2d ed. 1991); In re *Kaiser Permanente Medical Care Program*, 89 BNA LA 841, 842 (Alleyne, Arb. 1987).

³¹ *Safeway Stores, Inc.*, 64 Lab. Arb. Reports 563 (Gould, 1974).

³² *Gardner-Denver*, 415 U.S. at 60 n. 21.

³³ See Gould, *Labor Arbitration of Grievances Involving Racial Discrimination*, *supra* at 64-65.

³⁴ Of course, the parties are always free to request the arbitrator or hearing officers (in Civil Service Commission cases) to propose a settlement of the matter which, if agreed to by both or all parties, would constitute a knowing and voluntary binding waiver and resolution of the matter in dispute.

³⁵ See, e.g., *Hellums v. Quaker Oats Co.*, 760 F.2d 202, 203-05 (8th Cir. 1985).

³⁶ See, e.g., Marion Crain & Ken Matheny, *Labor's Identity Crisis*, 89 CAL. L. REV. 1767, 1845 (2001) (arguing that "role conflict for unions . . . could be alleviated by permitting other interested social justice organizations to

provide for this kind of third-party representation “depends entirely on the terms of the collective bargaining agreement negotiated by the union,”³⁷ and the Independent Reviewer has long held that this kind of remedy is appropriate.³⁸ In any event, given the large number of racial and sexual harassment cases in the City of San Francisco workforce, the appropriate response is to provide for third-party intervention so that employees will not be discouraged from using the important arbitral process.

Recommendation 2.1

The City and unions should bargain amendments to their existing no-discrimination contractual provisions so that they permit arbitrators to award compensatory damages for emotional distress, pain and suffering, and the like, as provided by federal law. The new agreements should also provide for the selection of competent and diverse arbitrators with special expertise in the employment discrimination arena.

Recommendation 2.2

The City and unions should bargain amendments to their existing no-discrimination contractual provisions so that they provide for the possibility of third-party representation, as described above, under appropriate circumstances, particularly cases involving harassment where two employees have contradictory versions of the facts or different testimony.

Finding 3

Many employees have lost faith in DHR’s EEO investigation process, and it is critical that the City restore trust in the independence and neutrality of the investigative process.

Over the course of this review, the Independent Reviewer and his support staff have met or communicated with, among others, members of DHR’s EEO team, labor unions, large department heads and HR officials, employee affinity organizations, and over one hundred individual employees. In those meetings, a clear majority of those interviewed—including both employees who have interacted with the EEO investigation process and with employees who help administer that process—have expressed serious frustration and even a loss of faith in

represent a worker or group of workers in arbitration or mediation”); Eileen Silverstein, *Union Decisions on Collective Bargaining Goals: A Proposal for Interest Group Participation*, 77 MICH. L. REV. 1485, 1515-16 & n.125 (1979) (“Both employers and unions have permitted representatives of protected minority groups to bargain over new contract terms and to appear in arbitration hearings.”).

³⁷ Elizabeth M. Iglesias, *Structures of Subordination: Women of Color at the Intersection of Title VII and the NLRA. Not!*, 28 HARV. C.R.-C.L. REV. 395, 498 n.338 (1993).

³⁸ Gould, *Labor Arbitration of Grievances Involving Racial Discrimination*, *supra* at 60-64; *cf. Crenshaw v. Allied Chem. Corp.*, 387 F. Supp. 594, 600 (E.D. Va. 1975); Gould, *Black Workers in White Unions: Job Discrimination in the United States*, 207-242 (1977).

DHR's EEO investigations. This likely comes as no surprise, as employees have raised complaints about this process directly to DHR and to the City's Board of Supervisors at least since September of 2018, and likely long before then.

To illustrate the depth of this mistrust, some employees have suggested that the entire EEO investigation process should be transplanted from DHR to another body, such as the Office of Racial Equity or the Human Rights Commission. These concerns are rooted primarily in the current limitations of the EEO investigation process and the perception that EEO's location within DHR results in bias against complainants.

Additionally, a few structural aspects of the EEO complaint process likely contribute to employee mistrust of the independence of EEO investigations. For instance, EEO investigators and personnel are supposed to serve as neutral third-party fact-finders, representing neither the complainant nor the respondent. However, this neutrality may be compromised when EEO personnel (both at DHR and at the department level) respond to outside complaints from state and federal agencies. When City employees file complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH), the City's EEO investigators are tasked with responding to the EEOC and DFEH on behalf of the City, even when the City's internal EEO investigation is still ongoing. Under such circumstances, the City's EEO investigators appear to be expected to serve simultaneously as neutral fact-finders, vis-à-vis the internal investigation, and as City advocates, vis-à-vis the outside agencies' investigations.³⁹ Once a complainant has gone to an outside agency, the City's EEO investigators are instructed in training materials to employ legal defenses to defend against the complaint's charges.⁴⁰ If investigators do find that an EEOC or DFEH complaint has merit, they are explicitly told not to report those findings to the EEOC or DFEH and instead bring them to the City Attorney.⁴¹ That EEO personnel are engaged, under certain circumstances, in this kind of advocacy for the City creates a meaningful risk of role confusion on the part of EEO investigators and could erode trust in the integrity of the complaint process.

Relatedly, EEO investigators also play an advocacy role when complainants appeal DHR's EEO determinations to the Civil Service Commission (CSC). During those appeals, the EEO investigator who handled a given complaint drafts a report and presentation to persuade the CSC to uphold DHR's determination in the case.⁴² Technically, the EEO investigator is not advocating for the City, but rather persuading the CSC to uphold the findings of a neutral investigation. Yet, this may be a distinction without a difference—the determination ultimately

³⁹ S.F. DEP'T HUM. RES., EEO INVESTIGATION PROCEDURES 104 (2020) ("Unlike our internal investigations where we EEO investigators remain neutral, responses to external changes allow you, the HR representative, to persuasively advocate on behalf of your department and the City.") It should be noted, there was some confusion on the part of the Independent Reviewer and staff whether these EEO Investigator Training slides applied to departmental human resources personnel only. If so, this would ostensibly leave EEO investigator independence intact, as EEO is separate from everyday HR processes. However, DHR EEO clarified that these slides are used to train DHR and departmental EEO investigators, that EEO investigators handle administrative complaints from DFEH and EEOC, and that it is possible for an EEO investigator handling an internal City complaint to also be responsible for handling external administrative complaints (when the complainant files simultaneously with the City EEO and DFEH or EEOC).

⁴⁰ Id. at 104-08.

⁴¹ Id. at 107 ("**Do not respond if we have a finding. Consult with your City Attorney. Likely need to engage in mediation.**") (emphasis in original).

⁴² Id. at 93.

emanates from the DHR Director, based on the Director's interpretation of the investigation. Defending that determination places the investigator on the side of the City and in opposition to the complainant, who now might reasonably question whether the investigator was ever truly neutral to begin with.

Independence and neutrality are paramount to the EEO process. Data provided by the CSC indicates that the CSC handles an average of approximately 23 EEO appeals annually and orders some further process (*e.g.*, re-opening an investigation or requesting some further department action) in 14% of those appeals.⁴³ And to its credit, a review of the CSC's hearings creates the impression that the CSC takes its review of DHR's EEO determinations seriously, notwithstanding what may be limitations in its remedies.

It may be that there are circumstances in which the CSC adequately addresses EEO matters. However, this does not change the existing breakdown of trust between many employees and the EEO process or that employment specialists might well enhance the process. If the City wishes to restore the public's trust in the EEO process, it should strongly consider reforms in the EEO appeals process that would inspire greater confidence in the minds of City employees. Among other things, these reforms might include providing employees with more information about the CSC and the appeals process at the outset and requiring that the newly appointed hearing officers provide written opinions explaining their reasoning for affirming or reversing DHR's EEO determinations.

Structurally, the City should consider the use of a diverse group of hearing officers with a specialty and demonstrated expertise in antidiscrimination law in EEO appeals and dispute resolution. The City has explained to the Independent Reviewer that hearing officers have been employed in special cases by the CSC in the past and that the CSC has the authority to appoint hearing officers for the purpose of conducting a full evidentiary hearing. Allowing an appellant to choose to appeal DHR's determination in cases, except where the application of law and fact is clear and the amount in controversy is inconsequential, to a specialized, independent hearing officer may demonstrate the City's commitment to truly independent oversight of DHR's determinations. (The Civil Service Commission, subsequent to public input from all interested parties, could devise more precise standards for such cases.)

Finally, the City has stated that the standard of review for the Commission is *de novo*, proceeding in an informal manner, and that DHR has generally presented its position at the hearings' commencement. We see no reason why the same standard of review and procedure should not continue with the advent of new hearing officers to resolve employment discrimination appeals to the Commission.

Recommendation 3.1

The City should revise its policies and trainings so that EEO investigators maintain neutrality at all times. EEO investigators should not be responsible for answering administrative complaints from the EEOC and DFEH, nor should they be charged with defending the DHR director's determinations before the Civil Service Commission. Instead, the City should

⁴³ Data drawn from Civil Service Commission Appeals Logs (2017-2020).

consider alternative arrangements that avoid the potential for role confusion and ensure the true neutrality of EEO investigators, such as maintaining a separate unit of EEO staff responsible for appeals and outside investigations.

Recommendation 3.2

At the outset of EEO investigations, the City should do more to articulate to employees the Civil Service Commission's role as an independent body that may hear appeals of DHR's EEO determinations. In particular, it should be made clear to employees that the Civil Service Commission is independent from DHR and that Commissioners are appointed directly by the Mayor.

Recommendation 3.3

The Civil Service Commission, on its own initiative, should establish and publicize a procedure by which employees appealing DHR's EEO determinations may request that a hearing officer with special expertise and demonstrated commitment to antidiscrimination law conduct the employee's appeal. The Commission could devise standards for cases which the Commission could handle itself, in accordance with the discussion in Finding 3, subsequent to public input from all relevant parties for the content of such standards. The appellant should be able to select from a slate of employment discrimination law experts with a background and demonstrated support for the principles of fair employment, as manifested by involvement in the field, writings, testimony, litigation, arbitration awards, or the like. These hearing officers should be empowered to conduct de novo review of DHR's conclusions, to take evidence and witness testimony, and to order relief, including departmental action. Additionally, these hearing officers should be required to provide written opinions setting forth the reasoning underlying their decisions. The standard of review is de novo.

Finding 4

DHR EEO has not resolved complaints in a timely and efficient fashion because of both the decentralized structure of the City's Human Resources system and an inefficient investigation process.

Current DHR policy mandates that EEO investigations take no longer than 180 days, which itself constitutes a considerable period of time for the resolution of critical employment conditions. In any event, according both to complainants and to employees responsible for handling EEO complaints, that deadline is often not adhered to, and it is not uncommon for complainants to wait a year or more for their cases to be resolved. This is borne out by the data DHR keeps on EEO complaints. For instance, with respect to EEO complaints of harassment on the basis of race (including ethnicity, color, ancestry, and national origin) since 2014, roughly one quarter of complaints were not closed within the 180 day period, and over two dozen remained open for over a year. Out of the approximately 130 of these complaints that were still

open as of December 2020⁴⁴, when the Independent Reviewer received this data, roughly 78% had been open longer than 180 days. This included complaints that, at least according to DHR's data, were initiated as long ago as 2015. By way of further illustration, 59 of the 160 racial harassment EEO complaints filed in calendar year 2019 remained open as of December 2020. Similar patterns exist for complaints alleging denial of promotion and denial of employment based on race.⁴⁵ This state of affairs creates a host of problems for complainants.

The investigatory delays prevent timely corrective action, which can leave workplace resentments unresolved and the offending conduct or atmosphere unchanged. Further, EEO investigators cannot guarantee complete confidentiality for the complainant, and investigating claims requires notifying the department in question and interviewing immediate supervisors and colleagues. Consequently, excessively prolonged investigations increase the possibility that the complainant could be subject to continued harassment, discrimination, or retaliation from the respondent, supervisors, or colleagues. Some employees reported that they believed they experienced and reported retaliation during the pendency of their EEO investigations but that the City took no interim remedial action (for instance, separating the complainant from an alleged harasser).

Additionally, DHR's reputation for long delays has eroded trust in the process. Labor leadership, employee infinity groups, and even City employees intimately familiar with the City's EEO processes have advised complainants to abandon the City's EEO process in favor of filing complaints with state and federal agencies.⁴⁶ Additionally, employees who have filed EEO complaints express frustration and exhaustion at having to face, in addition to the demands of their job, a seemingly interminable bureaucratic process that they feel seldom yields a satisfactory remedy for the alleged mistreatment they face at work.⁴⁷ Ultimately, the inefficiencies of the EEO complaint process has left many employees feeling that it is an ineffective tool for identifying discriminatory conduct, leaving some employees feeling they should turn elsewhere for relief, abandon claims, or simply remain silent.

Several issues contribute to DHR's inability to investigate complaints in a timely fashion. First, DHR does not have the technological capabilities to effectively track complaint investigation. Despite the availability of EEO case management software in the market, DHR does not have any sophisticated or automated method of tracking the number, status, progress, and outcomes of complaints.

⁴⁴ The 2020 record was weakened by virtue of the COVID-19 crisis and additional burdens for DHR addressing analytics and training matters.

⁴⁵ It may be that, in some of these cases, delays are caused by factors outside of DHR's control, such as employee leaves of absence or the like. The data provided to the Independent Reviewer does not specify the reasons for delays, however. And in any event, interviews with employees who conduct investigations confirm that EEO investigations drag on for reasons unrelated to such external factors.

⁴⁶ The prevalent perception among those interviewed that the City cannot efficiently resolve EEO complaints is itself a significant problem. How this perception translates to the actual filing of complaints is unclear. DHR reported to the Independent Reviewer that, from 2017-2020, there were 1,541 complaints filed through the City EEO process only, 111 complaints filed with both the City and an external state or federal agency, and 60 complaints filed exclusively with an outside agency.

⁴⁷ DHR reported to the Independent Reviewer that for FY 2020, the EEO unit closed 43.3% of complaints within 180 days.

Second, DHR lacks enforceable internal deadlines for the processing of complaints, which contributes to a lack of accountability and allows investigations to last for months or years. Although DHR does have informal internal benchmarks for completing various steps of the investigatory process, those benchmarks are often not adhered to, and there do not appear to be any consequences for delays. Moreover, employees are not made aware of the deadlines, whatever they may be.

Third, the investigation process itself overemphasizes formality in internal investigatory materials, which results in excessively long reports. For instance, EEO investigators are expected to memorialize their interviews with complainants, respondents, and witnesses in a meticulous and time-consuming manner, transcribing interview notes into polished prose often more than ten pages long. Additionally, much of the investigatory paperwork is redundant, repeating information that is evident from other materials. The end product of these investigations is often a document containing lengthy and repetitive factual exposition with hundreds of pages of appended exhibits. It requires a great deal of time to present and package this information, and it is not apparent why such a meticulously developed record is necessary for all complaints, given the wide range of cases in scope and complexity.

Fourth, there are instances where the bureaucratic aspects of investigations are delegated from the EEO investigator responsible for a case to temporary employees, leading to further delays. In particular, delegating the writing of closure letters to temporary employees lessens the workload for investigators but leads to delays because those temporary employees must acquaint themselves with a detailed investigatory record before they draft the closure letter.

Fifth, HR, EEO, and employee-labor relations functions are decentralized throughout the City, often split between DHR and departments or even split within departments. The confusion and delays which have emerged from these separate layers of responsibility in the departments, in their exercise of EEO responsibility, and the authority of DHR, have contributed enormously to the inefficiencies and frustrations with the EEO machinery. Presently, an employee may initiate EEO complaints by contacting DHR or reporting the discriminatory conduct to departmental human resources representatives. Departmental representatives must immediately refer complaints which allege or appear to allege EEO violations to DHR and generally refrain from conducting any internal investigation. In departments that have their own EEO units, the departmental EEO representative conducts an intake interview and forwards the notes to a DHR EEO manager who determines whether the complaint falls within EEO jurisdiction.

This interplay between departmental HR offices and DHR leads to inefficiencies in complaint processing. At the outset, the initial reports or intake interviews alerting DHR EEO to complaints potentially warranting investigation vary in quality depending on the training of the departmental HR staff on the ground. Departments do not always employ consistent standards when evaluating whether or not a claim presents an inference of an EEO violation. And even when departmental staff are properly trained, this process often results in duplicative work, as department-level HR performs an initial intake, and DHR EEO investigators then follow up with a separate intake. Further delays ensue because DHR investigators must await responses to their Requests for Information (RFIs) to ascertain key information from departmental HR—namely contact information for potential witnesses, relevant departmental records, and personnel records. While departments gather this information, the investigatory process stalls at DHR.

Recommendation 4.1

DHR should create a policy whereby investigations must be concluded in 120 days or a lesser period of time. Employees must be made aware of these policies through e-mail communications, notice posting, and other appropriate means.

Recommendation 4.2

DHR should establish clear complaint processing benchmarks that facilitate completing investigations within the 120-day (or less) period. Those benchmarks should be made public, and the affected department and complainant should have visibility of the progress of the investigation. In other words, DHR should make the complaint process, timeline, and steps more transparent. DHR should provide an explanation to the department and complainant when benchmarks are not met. Extensions should be permitted only in rare and narrow circumstances.

Recommendation 4.3

DHR should reform its investigatory process to root out the inefficiencies and redundancies identified above. In particular, the standards for internal investigatory materials should aim to promote accuracy and efficiency, rather than undue formality and exhaustive detail. DHR should seriously reconsider the practice of transcribing interview notes into polished prose and instead should consider using raw transcripts cleaned up to the extent necessary to communicate content.

Recommendation 4.4

DHR should establish a process for providing preventive action and other interventions earlier in the process when it is clear that such a recommendation will be made at the end of the process. Oftentimes, an EEO complaint will undergo an extensive investigation only to conclude that the claim does not rise to the level of an EEO violation. But nevertheless, EEO will still find a violation of some other City policy, such as the respect policy. In such situations, it may be clear from the outset (or at least before the investigation's conclusion) that there has been a policy violation, and EEO should take immediate action when that is clear rather than waiting until the conclusion of the complaint process. And to the extent possible, cases like these should be routed to mediation before DHR commences a full-blown investigation, as recommended below.

Recommendation 4.5

DHR should establish a clearer and faster screening process for complaints that warrant some immediate action (e.g., serious harassment allegations or allegations involving risk of retaliation). Many employees report experiencing ongoing harassment or retaliation while their complaints are pending or have yet to be reviewed by DHR. It is insufficient and ineffective merely to inform the respondent or manager that retaliation is not permitted. DHR should formulate and implement a triage process to catch these complaints at the beginning and to take action to protect the complainant.

Recommendation 4.6

DHR should establish clear policies and guidance for investigators and HR representative to determine the urgency of the complaint and the degree of attention a complaint requires. This should include determining earlier on which complaints present simple facts that can be put on an expedited investigation track (e.g., a complaint regarding a single incident) and which complaints might be better resolved without a full-fledged investigation (e.g., by mandating training or by recommending mediation of the complaint before engaging in a full EEO investigation).

Recommendation 4.7

The City should invest in the technological infrastructure and software needed to create a system that provides for the centralized tracking of complaints, helping EEO managers maintain visibility on and accountability for the timely investigations. If possible, such a system should include a public portal that permits complainants to track the status of their complaints. And such software should minimize the duplication of data/information entry. For instance, to the extent possible, investigators should be able to input investigation information and notes directly into a complaint-management software system, rather than entering such information into a Word document or local file and then later copying that information into a database.

Recommendation 4.8

DHR should reconsider how best to utilize temporary support personnel to both support EEO investigators and ensure the timely resolution of complaints.

Recommendation 4.9

DHR should eliminate the separate layer of EEO intake at the departmental level, or what might be characterized as the preliminary investigative machinery, and all delegations of EEO personnel and functions performed by DHR should be rescinded so that DHR has complete and full authority in the EEO arena. Rather, DHR should house EEO investigators within all of the City's larger departments in order to facilitate greater familiarity with the departments' workings. These investigators should operate outside of the department chain of command, answering to DHR. But their presence in the departments would give EEO investigators better firsthand knowledge of the work environment on the ground and avoid the problem of EEO investigators relying primarily on departmental personnel gathering and compiling investigation information.

Recommendation 4.10

To streamline the EEO complaint process, DHR investigators should have direct access to departmental information—such as witness contact information and personnel records—so that submitting RFIs to departments is unnecessary.

Recommendation 4.11

DHR should continue to track, maintain, and publish in a timely manner data regarding EEO complaints, including rates of complaint by race and other demographics, rates of findings of discrimination by demographic, rates of complaint dismissal for lack of EEO jurisdiction by demographic, and rates of complaint dismissal on the merits by demographic. Additionally, DHR should continue track, maintain, and publish in a timely manner data regarding the

reason EEO complaints are ultimately dismissed, including expanding the reasons for dismissal to include reasons such as the conclusion that the complainant lacked credibility. Last, to the extent DHR does not already do so, DHR should track, maintain, and publish in a timely manner the length of time it takes to close its complaints and investigations in order to ensure accountability for delays.

Recommendation 4.12

In the course of implementing and responding to the findings and recommendations in this report, DHR should make its responses and plan of action public. Additionally, DHR should meet regularly with employee stakeholder groups, such as major unions and affinity groups, in order to provide status reports on the implementation of these recommendations.

Finding 5

Staffing levels of DHR EEO personnel are insufficient to handle the current volume of complaints.

From 2014-2020, the EEO division processed an average of 518.5 complaints a year.⁴⁸ Yet, to handle that number of complaints, there are currently 15 EEO investigators (although there are authorizations for a total of 18 investigator positions). For a city that employs approximately 35,000 workers, this amounts to well over 2,000 employees per EEO investigator, assuming a contingent of 18 investigators. Even with more streamlined procedures, such a ratio will likely contribute to a backlog of complaints. It was the resounding consensus of employees and department leadership alike that EEO requires more staff to properly handle the current number of complaints.

Recommendation 5.1

The City must expand the EEO staff to effectively and expeditiously process the current volume of complaints.

Finding 6

The Department of Human Resources should review and update its procedures for investigating EEO complaints.

The touchstone manual for the EEO investigator is DHR's *Investigator Handbook*, which summarizes the City's EEO policies and describes the procedures by which EEO complaints are

⁴⁸ Based on data provided the Independent Reviewer by DHR.

investigated. However, the *Investigator Handbook* is now between 10 and 20 years old and has been described by EEO investigators as “dated.” More importantly, the age of the *Investigator Handbook* means that it does not reflect existing DHR policy or guidance to investigators on the process for handling and resolving EEO complaints. The result is that changes to internal complaint-handling practices and policies is communicated in an *ad hoc* manner, for example, by emails from DHR leadership (sometimes not even to all EEO investigators) or in large DHR meetings. EEO investigators and personnel voiced frustration that this method of announcing internal changes can create confusion and ambiguity about the limits of EEO jurisdiction, leading to a lack of uniformity when determining which EEO complaints warrant investigation or fall within EEO jurisdiction.

For instance, sometime last year, DHR changed its policy for investigating EEO harassment claims; in a break from past practice, DHR decided that harassment claims that allege violations of the City’s EEO policy should be investigated even in cases that might not meet the legal “severe and pervasive” standard. However, to the Independent Reviewer’s knowledge, this change to EEO investigation jurisdiction was not incorporated into investigator training or reference materials, and employees expressed confusion about how to carry out this policy change without more guidance materials.⁴⁹ The existing manual also contains instruction about programs that no longer exist, for instance, an alternative dispute resolution that DHR discontinued some years ago. One purpose of maintaining and *Investigator Handbook* is to have a centralized, authoritative place where employees can look for up-to-date guidance, policy, and instruction. The absence of an up-to-date and central repository for investigatory practices creates a risk of inconsistency, confusion, and delay in investigations.

Recommendation 6.1

DHR should immediately update the Investigator Handbook to provide investigators and other HR personnel clear, current guidance about relevant EEO policies and the processes and standards used to investigate EEO complaints.

Recommendation 6.2

In the future, when changes to investigation policy, EEO jurisdiction, or complaint processes are announced, those changes should be immediately incorporated into an updated investigation manual and circulated to all DHR investigators. To the extent complaint process

⁴⁹ Amongst the important decisions to have emerged since the Handbook are *Bostock v. Clayton County*, 140 S.Ct. 1731 (2020) (holding that discrimination against a homosexual or transgender individual is sex-based discrimination in violation of Title VII); *EEOC v. Abercrombie*, 575 U.S. 768 (2015) (wearing of headscarf deemed religious practice requiring accommodation under Title VII); *Crawford v. Nashville*, 555 U.S. 271 (2009) (employee speaking about sexual harassment in response to questions asked protected against retaliation for such speech); *Gross v. FBL Financial Services, Inc.*, 557 U.S. 167 (2009) (articulating standard of proof in age discrimination cases); *Burlington Northern & Santa Fe Railway Co. v. White*, 548 U.S. 53 (2006) (protection against retaliation outside the workplace); *Jackson v. Birmingham Board of Education*, 544 U.S. 167 (2005) (retaliation prohibited even though unaddressed by the statute); *Desert Palace, Inc. v. Costa*, 539 U.S. 90 (2003) (mixed motive liability may be established through circumstantial evidence); *Thompson v. North American Stainless, LP*, 567 F.3d 804 (6th Cir. 2010) (anti-retaliation protections applicable to third-party reprisals); *Harris v. City of Santa Monica*, 56 Cal. 4th 203 (Cal. 2013) (where the same action would have taken place in the absence of the impermissible motivating factor).

and policy changes will also mean changes to departmental activities, DHR should involve departmental HR in the policy-making process or at least keep departmental HR informed of proposed changes.

Recommendation 6.3

Once DHR has updated its Investigation Handbook and clarified substantive standards for EEO jurisdiction, DHR should also communicate to employees what criteria must be met to qualify for EEO jurisdiction. Employees do not have a clear understanding of how DHR EEO decides which complaints present an inference of discrimination and which do not. Its standards for making these decisions should be transparent.

Finding 7

A wide variety of employment issues which fall outside of EEO jurisdiction could be properly addressed to the new Peer Mediation Program or other alternative dispute resolution procedures. In order to address problems that do not rise to the level of an EEO violation, the City should closely study and publicize the new pilot mediation process. If the program appears successful, the City should adopt and expand it permanently. Mediation will likely be the most effective forum for a wide variety of complaints which have arisen involving “microaggressions” such as bullying, lack of civility, and unpleasantness in the workplace, which the City should be committed to rooting out, alongside of EEO.

In the past, the City employed Alternative Dispute Resolution (ADR) programs to mediate workplace conflicts, allowing for parties to mutually resolve disagreements and remedy low-level misconduct. For a time, those programs were discontinued, but pilot programs have recently emerged that offer employees an avenue to proactively confront workplace problems ill-suited for the EEO complaint or grievance-arbitration machinery. In particular, DHR’s Diversity, Equity, and Inclusion office has begun piloting a mediation program for DPH, MTA, SFO, and Sheriff’s Office employees. The program is voluntary and does not replace or deprive employees of their rights to pursue an EEO complaint or file a grievance. That said, the program does provide employees with an alternative path that can potentially resolve workplace conduct in a constructive and efficient manner.

The ADR program also allows for employees to address workplace misconduct that the EEO complaint and grievance-arbitration processes leave unresolved. By allowing for mediation even after the parties have engaged in the other processes, ADR programs can provide prospective measures that restore harmony in the workplace, regardless of the outcome of the EEO complaint or grievance.

An effective mediation program will help address serious problems that are currently not resolved by the EEO process or even the arbitration process which has within its ambit a full landscape of grievances both meritorious and non-meritorious.⁵⁰ Many employees bring EEO complaints to address workplace behaviors that do not meet the legal standards characterizing EEO jurisdiction and antidiscrimination law in general. Yet, the allegations in these complaints reveal conduct that contributes to animosity in the workplace, violates important City workplace policies, and may in subtler ways harm employees of color. To the frustration of these complainants, many EEO complaints are administratively closed for lack of jurisdiction, leaving employees without a means to address and resolve unwanted conduct by their colleagues or supervisors.

Additionally, the City's inability to address workplace conflict adequately allows resentments to fester, ultimately leading to a greater number of complaints. Without a mechanism that allows for disrespected or mistreated employees to be heard, employees often feel they have no other option but to endure the time-consuming EEO process or take their complaints straight to the EEOC or DFEH, which also involves a long, often unsuccessful investigation. The absence of alternative dispute resolution mechanisms results in a backlog of EEO cases, most of which are administratively closed without rectifying the problems that the employees raise.

Many of these issues directly affect Black employees. Allegations of implicit bias, microaggressions, bullying, and a lack of cultural competency on the part of management or colleagues may not meet the legal standard required for a prima facie case of discrimination, but left unresolved, these issues contribute to a work environment that harms Black employees and others in the work force.

Recommendation 7.1

The City should make available to all employees ADR programs that facilitate the resolution of workplace conflict and provide an opportunity to constructively remedy violations of City policies that do not rise to the level of an EEO violation. ADR programs should also be made available to employees who have already concluded the EEO complaint or grievance process so that issues left unresolved by those processes can be addressed at that point if necessary.

Recommendation 7.2

The election to use an ADR program should not prevent employees from availing themselves of the EEO complaint or grievance-arbitration processes. To that end, engaging in an ADR program should also toll the City's limitations period for filing an EEO complaint or grievance. Along the same lines, employees should be allowed to file a grievance or EEO complaint and then pause those processes if they wish to engage in an ADR program.

Recommendation 7.3

⁵⁰ *United Steelworkers of Am. v. Am. Mfg. Co.*, 363 U.S. 564, 568 n.6 (1960) ("The objection that equity will not order a party to do a useless act is outweighed by the cathartic value of arbitrating even a frivolous grievance")

The City should publicize the new ADR programs and encourage their use. Additionally, employees should be permitted to bring a union representative or other chosen representative with them to any mediations.

Recommendation 7.4

In order to address the rising tide of EEO complaints at its source, the City must invest in more training and supervision of managers and supervisors. Many EEO complaints are the result of failures by front-line supervisors and managers to address harmful workplace dynamics early on and to mediate potential conflicts between employees. To that end, DHR should implement more frequent, regular training for managers and supervisors aimed at addressing workplace conflict, rather than asking managers simply to offload employee disputes on the EEO process. Additionally, like the police early intervention system⁵¹, managers must be held accountable when a high number of EEO complaints flow from their direct reports, and DHR should track the sources of EEO complaints in order to identify managers and supervisors who should undergo more coaching on team management.

Finding 8

Departments are presently under no obligation to enforce the corrective action recommended by DHR against respondent employees, and there is no transparent method of tracking whether departments adequately discipline or retrain respondent employees.

At the conclusion of an EEO investigation, the Director of Human Resources may recommend corrective action for a department to implement against the respondent employee. However, the departments are not bound by DHR's recommendations and may choose to disregard it. For instance, one department has a practice of disregarding DHR recommended actions in response to policy violations. This can result in respondent employees continuing to engage in discriminatory or unprofessional conduct without ever being subject to meaningful corrective action.

Even when departments are amenable to implementing the corrective action recommended by DHR, those actions are not publicly tracked. DHR investigators follow up with departments, but there does not appear to be a way to hold departments accountable for failing to discipline employees that violate city policy.

Additionally, the recommended corrective action in some cases does not meaningfully rectify the inappropriate conduct. In cases that reveal unprofessional or disrespectful conduct that does not rise to the level of an EEO violation, the only remedy DHR recommends is for departments to issue the applicable policy to the offending employee and to require the employee's review and signature. This form of corrective action is of limited utility, as offending

⁵¹ DGO 3.19 Early Intervention System. <https://www.sanfranciscopolice.org/your-sfpd/policies/general-orders>

employees neither face consequences for their actions nor undergo additional training to prevent future offenses.

Recommendation 8.1

The corrective action recommendations of the Director of Human Resources should be specific and binding, and departments should be required to implement them. DHR should track and record departments' corrective actions in response to EEO investigations and should consider publicly posting departments' rates of compliance with EEO recommendations in order to provide greater accountability.

Recommendation 8.2

DHR should develop more forms of corrective action that permit a greater intervention than the issuance of city policy for offending employees' signatures. This should include both a greater emphasis on mandatory training for employees, managers, and supervisors who have violated city policies and also an openness to discipline, including removal, of the offending supervisor or management person, particularly when the respondent presents an ongoing threat to the complainant.

Recommendation 8.3

DHR and City departments should ensure greater accountability of managers and supervisors, for instance, by tracking the rate of EEO complaints arising from particular supervisors' cohorts and direct reports, where warranted.

Finding 9

The outcomes of EEO investigations are frequently determined by investigators' conclusions about the credibility of complainants and respondents, but the City's criteria for making these credibility determinations are not consistently or objectively administered. The complaint process is also made unnecessarily adversarial by virtue of DHR's requests that departments preemptively respond to the complainant's allegations.

First, DHR EEO must formulate standards for making germane credibility determinations.

EEO investigations, by their nature, frequently require investigators to make judgments about the credibility of the parties and the witnesses in a case. The parties' stories often conflict, and investigators must, to some extent, rely on conclusions about the credibility of each side's telling of the facts.

However, based on employee interviews and investigation records provided to the Independent Review team, which the Reviewer presumes to be representative, a large number of employees believe that these credibility determinations are not being made in an evenhanded manner. DHR's investigator handbook devotes about a half a page to factors relevant to determining credibility, including corroboration or lack thereof, demeanor, motive to lie, and logic/consistency of the story. And DHR's investigator training slide presentation provides one slide covering credibility determinations, listing substantially similar factors. However, DHR does not appear to apply its standards for determining credibility in a consistent or objective manner. This pattern has contributed to the belief among many employees that, when it comes to EEO investigations, it is always their word against employer interests, and the employer always wins.

For example, one complainant who alleged a discriminatory termination was determined not to be credible after investigators concluded he had a "motive to lie" in order to regain employment following his termination. Another complainant was not deemed credible because she had a motive to lie to avoid discipline. To be sure, motive to lie is itself a valid and commonly used factor for determining credibility. But the facts relied on in these examples—termination and discipline—are often part and parcel of the adverse actions that form the basis of discrimination claims. That is, almost any complainant could be deemed to have a "motive to lie" if they complained after an adverse action (as they frequently do) because they would be "motivated" to avoid that adverse action, even though the adverse action was allegedly discriminatory. This method of determining credibility could be used to discount the credibility of every complainant who believes he or she has faced a wrongful adverse action. At the same time, investigation records show that DHR has not found a motive to lie in other circumstances that could support that conclusion (for instance, when a respondent's supporting witnesses were alleged to be longtime friends with the respondent). In other words, though a "motive to lie" is a proper factor for determining credibility, DHR's investigation records suggest that that factor may not be applied consistently or evenhandedly in all cases.

DHR investigators also frequently determine that parties are not credible because of "inconsistencies" in their stories. But this criterion for credibility does not seem to be consistently applied. Sometimes investigators rule out testimony because of relatively minor inconsistencies, which may or may not have a real bearing on the important facts. At other times, investigators credit testimony despite inconsistencies by concluding that the inconsistencies were not "contradictory." None of the materials addressing the factors for making credibility determinations address the line between "inconsistent" and "contradictory" statements.

DHR's EEO investigators are clearly thoughtful about their credibility determinations. But without more guidance and training regarding best practices for making credibility determinations, the existing system leaves room for unconscious bias and inconsistency.

Second, investigation documents provided to the Independent Review team show that, in addition to requesting documents and witness information, DHR frequently asks departments to provide substantive "responses" to complainants' allegations. This can result in departmental HR providing adversarial "answers" that may skew DHR's subsequent review of factual materials and witness testimony in a manner inconsistent with DHR's independent and neutral investigation of complaints. The risks that these responses may skew investigations would no doubt be diminished by the presence of DHR investigators in the various departments, as the

DHR investigator in the department would be empowered simply to seek the facts rather than the department's official gloss on those facts.

Recommendation 9.1

DHR should reconsider the dispositive role that credibility determinations presently appear to play in the outcome of some cases. In some cases, it may be difficult or impossible to rule testimony in or out solely or primarily based on the credibility of witnesses. Either both parties may be equally credible, for instance, or neither party may be credible.

Recommendation 9.2

DHR should establish objective and consistent criteria for determining the credibility of parties and witnesses and should provide investigators with more guidance and training on how to properly make credibility determinations. There are circumstances where credibility determinations are vital. Credibility determinations frequently are required where there is a conflict in statements. But attributing a motive to lie to a complainant because the complainant has been terminated would automatically undermine the credibility of any employee who believes his or her termination was due to discrimination. Similarly, some employees believe that EEO investigators are inconsistent when they conclude that parties are not credible due to "inconsistencies" in their stories. DHR's training materials and handbook should be supplemented to provide greater guidance on the application of these standards.

Recommendation 9.3

DHR should cease the practice of asking departments for "responses" to complainants' allegations when transmitting requests for information to the departments, as these departmental responses create an unnecessarily adversarial atmosphere for the independent investigation and risk skewing the investigation at an early stage.

Finding 10

DHR's close-out letters to complainants are sometimes written in a way that sometimes has the effect of devaluing the complainants by blaming them for adverse actions.

Many close-out letters to complainants inform employees that EEO found that they were not credible or that they were not as credible as the respondent.⁵² Relatedly, close-out letters sometimes justify DHR's findings by citing and recounting the complainant's own shortcomings or poor work performance. These letters can have the effect of unnecessarily frustrating employees who have waited many months for the resolution of a complaint.

Recommendation 10.1

If possible, DHR should revise its determination letters in order to avoid dwelling on employees' purported shortcomings. To the extent that DHR viewpoints are rooted in employee shortcomings, the preference should be counseling rather than a detailed discussion in the report itself.

⁵² The Independent Reviewer notes that, as an arbitrator and public official, he has frequently made credibility determinations without directly articulating a conclusion about who is telling the truth and who is not.

II. Recruitment, Hiring, and Advancement

Finding 11

The City has room to expand its efforts to recruit under-represented employees through community organizations such as the NAACP, Urban League, and others.

In October 2018, the Civil Service Commission amended its rules to allow for the de-identification of applicant information during the “post-referral selection process”—the point of the hiring process where applicants on the eligible list are invited to interview for the final position. These amendments were part of an effort to eliminate the possibility of implicit bias preventing meritorious applicants from moving forward in the hiring process.

The effectiveness of these measures has been unclear. In January 2020, DHR concluded that de-identification had contributed to “an increase in diverse representation as well as more candidates being included in the interview process.”⁵³ However, several stakeholders have voiced skepticism, saying that the evidence is ambiguous on whether de-identification has improved diversity in hiring and that it hinders efforts by hiring managers who would like to emphasize diversity. We have no evidence that de-identification has furthered diversity.

The academic research in this area is also inconclusive. Where employers have implemented diversity and affirmative action initiatives, it appears that de-identification can have a detrimental effect on minority candidates by negating those initiatives.⁵⁴ When affirmative action is lacking, though, de-identification has been correlated with an increase in call-back rates for minority candidates.⁵⁵ Whether securing a more diverse interview pool results in greater diversity in hiring is also unclear.⁵⁶

Setting aside de-identification, however, this independent investigation showed that San Francisco has room for improvement in its recruitment of Black employees. Whatever the rates

⁵³ Anna Biesbas, *Report on the Status of De-Identification for Classification-Based Testing Recruitments*, DHR, Jan. 22, 2020.

⁵⁴ See, e.g., Luc Behagel et al., *Unintended Effects of Anonymous Resumes*, 7(3) AMERICAN ECONOMIC JOURNAL: APPLIED ECONOMICS, 1, 3 (2015), <https://www.aeaweb.org/articles?id=10.1257/app.20140185>.

⁵⁵ See Krause et al., *Anonymous Job Applications in Europe*, (Inst. for the Study of Labor (IZA), Discussion Paper No. 7096) (Dec. 2012), <http://ftp.iza.org/dp7096.pdf>; Martin Bøg and Erik Kranendonk, *Labor Market Discrimination of Minorities? Yes, But not in Job Offers*. MPRA Paper, (2011), <https://ideas.repec.org/p/pramprapa/33332.html>; cf. Government of Canada, *Name Blind Recruitment Project—Final Report*, Ottawa: Government of Canada (2018), https://www.canada.ca/en/public-service-commission/services/publications/name-blind-recruitment-pilot-project.html#toc_6 (showing that name-blind recruitment had no statistically significant effect on rate at which minority candidates were “screened in” to the next stage of hiring process but did significantly decrease the rate for majority candidates).

⁵⁶ Olof Åslund and Oskar Skans, *Do Anonymous Application Procedures Level the Playing Field*, 65(1) INDUSTRIAL AND LABOR RELATIONS REVIEW Sweden 82, 93 (2012) (finding that anonymizing applications led to better hiring outcomes for women but not for non-Western immigrants).

of demographic representation citywide, under-representation is particularly acute at higher-ranking managerial levels.⁵⁷ The Independent Reviewer was advised in March by representatives of the City dealing with community organizations that the list of community organization “will expand so that now we’re asking organizations . . . NAACP, Urban League . . . fraternities, sororities will be added . . . at this point NAACP and those organizations that cater to Black and Brown jobseekers, we’re currently adding those because we don’t have them yet.” (emphasis supplied).

The Independent Reviewer has no information at present indicating that these organizations have been added.

Recommendation 11.1

The City should promptly engage civil rights and community organizations representing under-representative communities who can both publicize and promote the availability of job opportunities.

Recommendation 11.2

DHR should continue to monitor and report on an annual basis the effects of de-identification on the hiring process and reevaluate it so as to determine its efficacy, if any.

Finding 12

The City’s could amend Administrative Code Chapter 12X to allow travel to restricted states for purposes of recruiting for City employment candidates from Historically Black Colleges and Universities.

As the February 22, 2021 memorandum from City administrator Carmen Chu outlines, San Francisco has enacted through its Board of Supervisors a ban on travel to states with anti-LGBT and abortion-restrictive laws. This has resulted in the ban of travel for the purpose of recruitment to Historically Black Colleges in much of the Deep South. There is no provision for waivers under the travel ban,⁵⁸ and some City departments reported to the Independent Reviewer that this travel ban has hindered efforts to recruit from Historically Black Colleges. Essentially,

⁵⁷ For instance, the Department of Public Health’s Racial Equity Action Plan notes “the predominance of BIPOC employees in lower paid job classes” and explains that “Black/African American[] employees are concentrated in either lower paid clerical and service jobs or higher paid management jobs with less distribution in between, dragging median salaries below other major ethnic/racial groups at SFDPH.” S.F. DEPARTMENT OF PUBLIC HEALTH RACIAL EQUITY ACTION PLAN 12 (2020), <https://bit.ly/3tMwQWX>; see also S.F. PUB. UTIL. COMM’N RACIAL EQUITY ACTION PLAN 12 (2020), <https://bit.ly/3gU9Kev> (“Black and Latinx employees are underrepresented in the higher-paying Professional and Managerial classes.”).

⁵⁸ See S.F. ADMIN. CODE § 12A.5 (2021).

this puts the City at a disadvantage in recruiting talented Black American students to be employed in San Francisco, particularly at a time when the Black population in San Francisco has declined considerably and the need to recruit beyond City borders is more pressing. The City has the authority to amend the relevant ordinance and to waive the ban for such purposes.

Recommendation 12.1

The City should amend Chapter 12X which prohibits the City from funding travel to states which have anti-LGBT and abortion laws, to create an exemption to the ban on travel for the purpose of recruiting Black students from Historically Black Colleges and Universities. This amendment is important to the establishment of a more diverse workforce in San Francisco.

Finding 13

City investments in the continuing education and career progression of its incumbent workforce have room for improvement, especially with respect to well-paying jobs in the skilled trades.

Through a wide variety of programs and initiatives, the City has undertaken to train and employ people who have been marginalized, unemployed, and previously incarcerated, both in San Francisco itself as well as in adjacent counties such as San Mateo and Marin. *See* Sadie Gribbon, *City Celebrates Expansion of Job Training Program*, S.F. EXAM’R (Feb. 28, 2018, 12:00 AM), <https://www.sfexaminer.com/news/city-celebrates-expansion-of-job-training-program/>. This kind of training, designed to improve income and occupational opportunities, is aimed at unskilled, “at risk” workers. The San Francisco Office of Economic and Workplace Development has similarly promoted programs such as City EMT, devised to provide job training for youth between 18-24 with the object of obtaining job placement in the City’s Fire Department or contracted ambulance services. City Drive, again aimed at marginalized individuals, has promoted contacts and opportunities in trucking. Joe Rodriguez, *First Class of Laid-Off Chariot Drivers Graduate Muni Operator Training*, S.F. EXAM’R (May 31, 2019, 10:00 PM), <https://www.sfexaminer.com/the-city/first-class-of-laid-off-chariot-drivers-graduate-muni-operator-training/>.

These programs all appear to be aimed at those who are not presently employed on the City work force or adequately elsewhere in the private sector. Thus, they are important and praiseworthy initiatives. But the same attention has not been provided by the City to its own City workforce. As the City’s 2020 Annual Workforce Report notes, the percentage of Black workers in the permanent civil service (PCS) is approximately half that of white workers.⁵⁹ Moreover, amongst permanent exempt jobs (PEX) which pay approximately more than one-and-one-half

⁵⁹ It is true that the available labor market in San Francisco would be relevant to employment discrimination litigation. But that is not what this report is about. Rather, it seeks to promote more inclusion and retard or reverse the Black exodus from San Francisco. *See The Unfinished Agenda, supra.*

times the rate paid to permanent civil service and include many department leadership and other high-level positions, the same pattern of exclusion persists. The Report noted: “Black employees have lower-paying jobs, are less likely to be promoted, and are disciplined, and fired more frequently. Until we address these disparities in the experience of our Black employees, we cannot achieve our vision of an inclusive and welcoming workforce for everyone.” S.F. DEP’T HUM. RES., 2020 ANNUAL WORKFORCE REPORT 1 (2020), <https://sfdhr.org/sites/default/files/documents/Reports/annual-workforce-report-2020.pdf>.

One of a number of important first steps is to provide a pathway from lower-paying, relatively unskilled jobs into the skilled trades and managerial positions. The City advises the Independent Reviewer that it has negotiated more diversity in apprenticeship and training⁶⁰. This demonstrates that the City is well positioned to take the initiative in pressing relevant labor union partners to agree to reforms. The idea that only the unions can change patterns is outdated.

Another such program has already been undertaken for machinists in conjunction with Local 1414 of the International Association of Machinists, vis-à-vis job opportunities in the Bayview area. See San Francisco Joint Apprenticeship Committee: Policies & Expectations, Automotive & Maintenance Machinist Apprenticeship Program, Apprenticeship SF. But aside from this, the fact is that Black workers are substantially excluded from a number of the high-paying skilled trades jobs. The City and relevant unions must bargain alternative or supplemental paths leading to journeyman status for incumbent workers, perhaps providing for longer periods of training.

The need is vital. For instance, only 2.5% of electricians employed by the City are Black. The same pattern exists for sheetmetal workers, where, of 23 workers in this classification, only one is Black. Of 20 arborist technicians, only one is Black. Even amongst plumbers where Black employees constitute 8% of the total workforce, the Independent Reviewer and staff encountered complaints and frustration voiced by Black workers in the Department of Public Works, where laborers work near to plumbers, frequently assist them, as well as perform some of their functions, are denied mobility into this vital craft. This phenomenon is true throughout the United States, in both the private as well as public sectors. See, e.g., San Francisco Public Utilities Commission Water System Improvement Program Jurisdictional Accord: Laborers Local Union 261 and United Association Local Union 38 (Mar. 7, 2008). These patterns contrast with some of the lower level, relatively unskilled jobs, such as general laborers or transit car cleaners, where Black employees constitute generally ten or more times the percentage of those in the more skilled, well-paying positions.

Recommendation 13.1

The City must invest both in the incumbent workforce, provide tuition assistance at institutions such as community colleges so that such workers, if interested, can improve their work capabilities and prepare to enter apprentice programs, and it must offer other forms of assistance to workers who seek to obtain better job mobility leading where appropriate to journeyman status. The City must also explicitly state a public policy favoring preference into the skilled trades and other comparable work for the relatively unskilled and semiskilled

⁶⁰ See Crafts MOU, section I.M., paragraphs 81-84. <https://sfdhr.org/memoranda-understanding>

workforce, provide such workers with credit for exposure to skilled jobs already obtained, and involve itself in and promote (previously promised) scrutiny of the relevant craft union apprenticeship programs, their practices and policies.

Finding 14

Current Civil Service Rules and departmental policies provide wide latitude to hiring managers in selecting interview panelists, potentially allowing implicit bias and favoritism to undermine the fairness of the hiring process.

In addition to exams (for Permanent Civil Service positions), minimum qualifications, and eligible lists, almost all departments reported that interviews are a standard part of the hiring process, subject only to rare exceptions. Regardless whether the vacant position is categorized as a Permanent Civil Service (PCS) or Exempt position, hiring managers use interviews to make a final choice from a field of qualified candidates. Consequently, an impartial interview process is critical to ensuring that hiring decisions are fair and equitable.

However, some employees report a belief that hiring managers may unduly sway the interview process through their choice of interview panelists, frequently to the detriment under-represented applicants. In essence, the charge is that hiring managers may still select friends, close colleagues, subordinates, repeat-panelists, or other employees whose decisions are foreseeable to the hiring manager for the panels. Because of these relationships, the interview panel effects the wishes of the hiring manager by proxy, issuing positive evaluations for candidates likely to be highly esteemed by the hiring manager, or for the kinds of candidates with whom the hiring manager is comfortable working.

Empirically evaluating the truth of this perception is perhaps impossible due to a lack of data regarding the demographic information of applicants and panelists, and the City should gather data on these points in order to better track interview panel trends. But, notwithstanding existing implicit bias training, no rigorous statistical analysis is necessary to see that hiring managers possess a substantial amount of discretion in shaping the interview process, and because “[w]e naturally gravitate toward like-minded individuals,”⁶¹ it is also clear that hiring manager discretion in shaping interview panels can have a powerful impact on the panel’s decisions. Hiring managers formulate interview questions, choose panelists, and even serve on interview panels. In some circumstances, including exempt appointments that may be highly sought after, they also have the authority to hire the candidate of their choice, notwithstanding the opinion of the panel.

To be sure, this discretion is not unlimited. The City’s Civil Service Rules require that the City “make every effort to ensure representation of women and minorities” on panels. S.F. Civ.

⁶¹ Marilyn Cavicchia, *Is There Bias in Your Hiring Process? Removing It Takes Diligence, Self-Awareness*, 40 ABA BAR LEADER, no. 6, July-August 2016, https://www.americanbar.org/groups/bar_services/publications/bar_leader/2015-16/july-august/is-there-bias-in-your-hiring-process/; cf. *Rowe v. General Motors*, 457 F.2d 348 (5th Cir. 1972).

SERV. R. 111.1.2 (2021); *see also* R. 113.1.2 (requiring, *inter alia*, a diverse interview panel and non-discriminatory selection procedures). The Rules also require uniform standards for civil service examinations and prohibit panelists from rating candidates with whom they have a strong personal association. *Id.* R. 111.14.1. HR personnel screen interview questions for job-relatedness and potential bias, and they evaluate the diversity of the panel. In some departments, these Human Resources personnel directly consult with hiring managers, advising them on how to formulate fair questions and select diverse panelists. There are also measures taken to vet the panelists themselves. City policy dictates that panelists must complete “Fairness in Hiring” and “Implicit Bias” training. Panelists are also asked to self-report any conflicts of interest—namely, personal relationships they might have with interview candidates. Additionally, departments restrict the pool of interview panelists to employees who hold a job classification level equal to, or higher than, the position being applied for. In some departments, further restrictions might apply to panelists serving in Exempt classifications. On the back end, candidates may also request that the Civil Service Commission inspect the hiring process for consistency with applicable rules.

In practice, however, the effectiveness of these checks on potential bias is unclear, even if they appear meaningful in theory. For instance, there are allegations that panel diversity is merely nominal because hiring managers repeatedly choose the same minority and non-minority colleagues, with whom the managers are friendly and whose hiring tendencies the managers know, to serve as panelists. It is unclear whether the human resources specialists who screen interview questions for bias are always trained EEO personnel, beyond a narrow inquiry into job relatedness as opposed to broader expertise into job bias. Many employees also believe that human resources specialists are essentially there to assist the hiring managers rather than act as a check on favoritism or unconscious bias. And there does not appear to be a uniform policy about when hiring managers draft interview questions, leaving open the possibility that hiring managers might wait until they know the identities of the interview candidates and then engineer the questions to maximize the chances for their preferred candidate.

The core problem is (1) lack of transparency about the process; (2) the lack of some important structural limits on the hiring manager’s influence over the interview process. Some of the “best practices” employed by various departments do advocate for structural changes to the panel—such as requiring panelists from outside of the hiring manager’s division or department where practicable. These policies should be encouraged.

Recommendation 14.1

The hiring manager should abide by the hiring recommendation of the interview panel barring compelling reasons not to do so. At the interview stage, all candidates possess the required qualifications for the position. Input from the hiring manager at this stage does not always discern which candidate is best, and a hiring panel staffed by disinterested parties can best ensure that bias or favoritism doesn’t play a role in the final hiring decision.

Recommendation 14.2

Best practices, such as using panelists from outside of the division, department, or City, where possible, should be used to the extent practicable. While the hiring manager may still serve on

the interview panel, employees who are direct subordinates to the hiring manager, whatever their classification as a PEX/TEX/PCS employee, should be excluded where necessary and possible and other measures should be initiated to balance between the need for specialized knowledge and independence of the panel.

Recommendation 14.3

Where practicable, there should be a limit on how often individuals can serve on hiring panels each year. This rotation policy will help foster a diversity of viewpoints on hiring panels and will reduce the likelihood that hiring managers will repeatedly select the same panelists after learning their hiring preferences. In the case of specialized positions for which a limited pool of employees are qualified to evaluate, exceptions to this policy may be appropriate.

Recommendation 14.4

Properly trained Human Resources personnel must use relevant EEOC standards relating to subjective criteria to certify proposed interview questions prior to the hiring manager knowing the identities of the interview candidates.

Recommendation 14.5

The present practice through which departments track the demographics of interview candidates to identify whether the hiring process has a disparate impact on any demographic groups should continue.

Recommendation 14.6

DHR and the City departments should begin tracking data regarding the make-up of interview panels. That should include, for instance, tracking the demographics of panelists, the frequency with which individuals serve on panels, the classification (PEX/TEX/PCS) of panelists, and the like. DHR should examine this data in light of hiring decisions to determine what panel structures lead to disparate impacts in hiring and/or promotions.

Finding 15

The City lacks a uniform policy on acting assignments.

Many employees report confusion and a systemic lack of guidance when it comes to City career paths, career pipelines, and plans for advancement. In interviews with the Independent Review team, employees report that managers and supervisors do not take a proactive interest in employee advancement. Employees who seek to transition from a temporary exempt position or a permanent exempt position into a permanent civil service role feel that they are not given adequate information about the civil service exam process. And employees who are in permanent civil service roles often find themselves at functionally the same step in the career ladder for years, if not decades. Employees struggle to navigate the City's complicated system of classifications and receive insufficient guidance from supervisors and department leadership on how to advance to more senior classifications.

One effective way to help move more employees into leadership positions or to advance in their careers is to use acting assignments to help position employees to progress in their careers. Acting assignments both give employees experience in more senior positions and also set employees up to be competitive applicants for the permanent position. However, the City does not have a consistent policy respecting the selection of employees for acting assignments. Each department crafts its own acting assignment policy or practice, sometimes under constraints set by MOUs, and to the extent the department has written the policy down, these policies vary widely. For example, some departments give most of the discretion for selecting acting managers to some upper-level manager, perhaps with nominal HR supervision. Others rotate acting duties among qualified employees. Still others engage in a competitive process. As the City's Human Resources authority, DHR should determine which of these methods of selecting employees for acting assignments is most equitable and should ensure that the City has a uniform policy for choosing employees for acting assignments.

Recommendation 15.1

DHR must do more to acquaint prospective employees or exempt employees with the civil service examination process. These efforts should include, but should not be limited to, the administration of practice tests where feasible, preparation guides and manuals (these are available for some departments or positions, but not many), information sessions to provide information, dates, and advice to prospective applicants, and the like.

Recommendation 15.2

In addition to upskilling more employees into trade jobs, as discussed elsewhere, DHR and the City departments should craft and communicate clear pathways for employee advancement so that employees do not find themselves stuck for years at the same rung of the career ladder. This should include, for instance, ensuring regular meetings with managers/supervisors to help employees plan their careers, expanding mentorship opportunities, making available organizational charts that clearly spell out pathways for advancement within various sub-departments, teams, and work areas, and the like.

Recommendation 15.3

DHR should encourage and, to the extent it has power, require all departments to adopt a uniform system for handling acting managerial and supervisory assignments. Optimally, such a policy will involve a competitive process and/or will permit rotation that exposes more employees to acting duties. Such a policy should avoid excessive managerial discretion that currently dictates the process for filling acting roles in many departments. Managerial discretion in this area results in increased risks of implicit bias or nepotism.

Finding 16

The City lacks a uniform policy regarding how non-civil-service jobs are posted and filled.

A substantial chunk of the City's workforce includes exempt employees, and some of these positions include leadership roles and other highly valued jobs. However, City departments report various methods of filling these roles. Some, but not all, employ the same process that they use for hiring civil service jobs, including extensive panel interviews and scoring. Others have more simplified processes for exempt positions. Likewise, not all departments consistently post exempt positions publicly for competitive process. There may be some instances in which competitive process is unnecessary, infeasible, or unwanted (for instance, high-level policymaking employees), but this is not always the case.

Recommendation 16.1

DHR and the City departments should implement a uniform written policy for the process that governs filling exempt positions. This should include posting and a structured interview process unless there are compelling reasons not to have such a process, and the policy should clearly delineate when it is appropriate not to have a structured interview process for filling exempt positions.

Recommendation 16.2

In the event Recommendation 16.1 is not adopted, then at the very least DHR should track and publicize which departments conform to the Civil Service Commission's best practices for structuring the exempt hiring process.

III. Discipline and Corrective Action

Finding 17

Black employees, as well as other employees of color, are disciplined at disproportionately high rates.

Thanks to DHR’s efforts in recent years to collect and track departmental level disciplinary data,⁶² the City is well aware of the disproportional rates of discipline for Black employees and other employees of color. The data provided to the Independent Review team by DHR was controlled by the City for variations across departments, income level, level of discipline, and union membership, yet racial disparities in discipline persisted. For instance, DHR’s 2020 Annual Workforce Report found that “Black and Hispanic workers often receive a higher level of scrutiny in the workplace, leading to more corrective action and discipline, and eventually a higher rate of terminations as compared to their White and Asian counterparts.”⁶³

Part of this discrepancy is due to the types of positions that Black workers currently occupy. For instance, in MTA, Black workers are disproportionately employed at the transit operator level. These roles are subject to greater regulation and objective metrics and rules. This makes discipline for minor infractions more likely among these job classes compared to other kinds of work (for instance, administrative or professional roles) in which the need for corrective action is more subjective.

But the problem may go beyond simply job classifications. Black employees face disproportionate punishment even in the job clusters within which they are employed.⁶⁴ This indicates that the problem is not simply one of job classifications alone. Although DHR has formulated best practices and checklists for departments’ use of discipline, performance improvement plans, and probationary extensions, DHR presently has no means of tracking departments’ compliance with or adoption of these best practices.

<i>Recommendation 17.1</i>

⁶² See S.F. DEP’T HUM. RES., CORRECTIVE ACTION AND DISCIPLINE BY RACE/ETHNICITY AND GENDER (2019), <https://sfdhr.org/sites/default/files/documents/Resources/Corrective-Action-and-Discipline-by-Race-Ethnicity-and-Gender.pdf>. DHR also noted that its efforts to collect and analyze corrective action data have been hampered by inconsistent compliance by departments with DHR’s data requests.

⁶³ S.F. DEP’T HUM. RES., 2020 ANNUAL WORKFORCE REPORT 11-13 (2020), <https://sfdhr.org/sites/default/files/documents/Reports/annual-workforce-report-2020.pdf>.

⁶⁴ See, e.g., SFMTA RACIAL EQUITY ACTION PLAN 40 (2020), <https://bit.ly/2S5uLIG> (noting that in Fiscal Year 2020 “African American and Black people comprise[d] 32 percent of the Transit Division, [yet] they represent more than 50 percent of discipline cases charged” in that division).

DHR should track and report on its Citywide Workforce Demographics page the rates of discipline and types of discipline by race.

Recommendation 17.2

All City departments should track and regularly report to DHR corrective action and discipline data. To the extent that DHR cannot require compliance with disciplinary data requests, DHR should publish a list of which City departments fail to comply.

Recommendation 17.3

DHR and the City departments should track the frequency with which managers and supervisors discipline their workers, including tracking demographics of corrective actions implemented by each manager or supervisor. DHR and City departments should intervene with training for managers who are responsible for disproportionate discipline or corrective actions, as well as employees and unions for the purpose of both training and discussion about the responsible factors.

Recommendation 17.4

DHR should take a lead in establishing standardized disciplinary procedures and standards that apply to all miscellaneous employees and should ensure their equitable enforcement. For instance, DHR reported in its 2020 Annual Workforce Report that departments such as MTA and HSA were developing such standards, including, for instance, checklists to ensure all procedures are followed equitably. DHR should require such procedures city-wide. Relatedly, City departments should follow DHR's best practices and checklists regarding discipline, performance improvement plans, and probationary extensions, balancing considerations idiosyncratic or unique to the department. DHR should track departments' compliance with these best practices and should publish a list of which departments have not adopted those best practices or practices substantially similar to them.

Finding 18

Black employees are disproportionately subjected to probationary and medical releases.

Many employees, managers, and department leaders reported that Black employees are disproportionately released from employment due to medical separation and probationary release. The statistics from departmental racial equity action plans provide proof that this is the case.⁶⁵

⁶⁵ See, e.g., SFMTA RACIAL EQUITY ACTION PLAN 40-42 (2020), <https://bit.ly/2S5uLIG>; S.F. PUB. UTIL. COMM'N RACIAL EQUITY ACTION PLAN 82-83 (2020), <https://bit.ly/3gU9Kev>; CITY OF S.F. DEP'T OF HUM. RES., CORRECTIVE ACTION AND DISCIPLINE BY RACE/ETHNICITY AND GENDER 4 (2019); see also SEIU 1021, ADDRESSING SYSTEMIC RACISM AT THE CITY & COUNTY OF SAN FRANCISCO 11 (2018), <https://bit.ly/3uNu5WQ>.

One factor contributing to probationary releases is a lack of proper training, mentorship, and investment from departments, managers, and supervisors for probationary employees. Many employees and department leaders reported that expectations for employees on probation are not clearly communicated. Additionally, employees working in probationary periods are not given the mentorship or training that they need to succeed. Rather, both employees and department leaders expressed the view that these employees are thrown into their jobs and expected to “sink or swim.” As a result, employees make understandable, easily corrected mistakes that result in their release.

Black employees are also more frequently released for medical reasons. Of the 33 medical releases in 2020, Black employees accounted for 13 of them (39.39%).⁶⁶ This was consistent with historical data.⁶⁷ While it is difficult to definitively explain why Black employees face disproportionate rates of medical separations, it is a trend that warrants further monitoring.

Recommendation 18.1

DHR must review the current trends in probationary and medical releases to identify racial disparities. DHR should release on its Workforce Demographics page data showing the demographic composition of releases by type.

Recommendation 18.2

DHR and the City’s departments must establish firmer standards and expectations for managers and supervisors with respect to training, mentoring, and releasing employees who are in probationary periods. In particular, supervisors and managers must receive more serious and comprehensive training about their responsibility for helping and ensuring the success of their new employees so that employees and department leaders no longer report a “sink or swim” mentality.

Finding 19

The City has recently created a number of new offices and positions to address racial equity and diversity, equity, and inclusion. The City must invest more resources in these bodies.

The City has recently made some positive steps in the direction of racial equity. For instance, the establishment of the Office of Racial Equity should help to keep City departments accountable when it comes to the City’s commitment to racial equity. DHR and City departments have also invested in employees responsible for promoting diversity, equity, and inclusion. Such

⁶⁶ Data provided by DHR.

⁶⁷ SEIU 1021, ADDRESSING SYSTEMIC RACISM AT THE CITY & COUNTY OF SAN FRANCISCO (2018) at 11 (available at <https://sfgov.legistar.com/View.ashx?M=F&ID=6812897&GUID=6651E032-980F-4CD9-A93A-E976D9160770>) (showing that from 2014-2018 Black employees accounted for 38% of medical separations).

initiatives will hopefully help the City to continue identifying areas where improvement is needed and how to make such improvements a reality.

However, many of these departments and roles are currently understaffed. The Office of Racial Equity, for instance, has only two or three full-time employees. For a City with approximately 35,000 employees, it is unrealistic to expect these kinds of efforts to succeed without more investment.

Recommendation 19

The City should continue to identify areas where the Office of Racial Equity and diversity, equity, and inclusion personnel can play a key role and should expand the staff and resources for these initiatives.

IV. Conclusion

The much-needed process of internal examination of equal employment opportunity has begun. Through considerable Black representation at the higher echelons of department heads and managerial staff, the City has clearly demonstrated that it can be done. Moreover, as noted above, the City has already undertaken diversity initiatives with the craft unions. It has shown that it can meet the moment in implementing Recommendation 13.1. This Independent Reviewer report is another step in the process.

The Independent Reviewer proposes to the Mayor and her staff that the Recommendations articulated be considered seriously and implemented. In essence, the proposals here and findings made in support of them lay out a road map for the future, one which will see San Francisco put its foot on the gas to eradicate past and present inequities so that Blacks are (1) drawn, once again, to this City and its opportunities and (2) are well represented throughout its entire workforce.

Now comes the hard part. The Independent Reviewer has proposed much to be done. Though W.E.B. DuBois saw the Twentieth Century as the century containing the “problem of the color line”⁶⁸, an issue hardly unique to the United States, San Francisco is confronted with the same challenge in different forms in the century which unfolds. This is that new “reckoning”.

Respectfully submitted,



William B. Gould IV
Independent Reviewer
June 15, 2021

⁶⁸ W.E.B. Du Bois, *The Souls of Black Folk*. (1903)

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Ethics Commission Complaint
Date: Monday, July 19, 2021 9:45:00 AM

From: Black Employee Alliance <blackemployeealliance@gmail.com>

Sent: Friday, July 16, 2021 5:17 PM

To: Ethics Commission, (ETH) <ethics.commission@sfgov.org>

Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>

Subject: Ethics Commission Complaint

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon San Francisco Ethics Commission, Director Pelham, Mayor Breed, and Members of the Board of Supervisors -

It was recently brought to our attention by several individuals who participated in different meetings with the SFMTA Chief of Staff Viktoriya Wise, that **she openly solicited support from Labor Union representatives**, to support ballot measures that will be produced by the SFMTA in the next elections. There were several SFMTA employees present at these meetings who can verify that she indeed engaged in this behavior. Again, these meetings occurred on agency time, while she was representing her direct manager, Director Jeffrey Tumlin.

These meetings occurred with labor partners the week of July 5th. The BEA and SFMTA employees consider this to be a direct violation of the Ethics Rules, which are located on the Ethics Commissions [website](#):

Restrictions on Political Activities

In addition to the general restriction on the use of public resources for campaign activity, state and local law impose other specific restrictions on political activity.

- Officers and employees may not knowingly, directly or indirectly, solicit political funds from other officers or employees of the City or from persons on the City's employment lists, unless the solicitation is part of a solicitation made to a significant segment of the public that may inadvertently include City officers or employees. (See Cal. Govt. Code § 3205 and SF Campaign & Governmental Conduct, or "SFC&GC" Code § 3.230(a)).
- Officers and employees may not engage in political activity during working hours or on City

premises. For purposes of this prohibition, the term "City premises" does not include property that is made available to the public and can be used for political purposes. (See SFC&GC Code § 3.230(c)).

- Officers and employees may not participate in political activities of any kind while in uniform. (See Cal. Govt. Code § 3206, SFC&GC Code § 3.230(b)).

As a result, the Black Employees Alliance is requesting:

- A full investigation is completed, that involves interviews with each member who attended these meetings
- The City and County of San Francisco Ethics Commission publishes notes about all employees interviewed as part of the investigation
- The City and County of San Francisco takes actions against this employee, that are aligned with past practices they have leveraged against other employees who have been investigated by the Ethics Commission, and found to have violated ethics rules.

If this is a permissible activity for employees within departments at the City and County of San Francisco, please let us know, as we want to make sure that this information is distributed widely to our membership.

Thank you!

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Required COVID-19 Vaccination Mandate - Additional Feedback from Concerned Employees
Date: Wednesday, July 21, 2021 9:11:00 AM
Attachments: [Outlook-1y3qq2c3.png](#)
[210716 SFDSA Demand to Cease and Desist.pdf](#)

From: President <PRESIDENT@sanfranciscodsa.com>

Sent: Tuesday, July 20, 2021 4:31 PM

To: Black Employee Alliance <blackemployeealliance@gmail.com>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Airport Commission Secretary (AIR) <airportcommissionsecretary@flysf.com>; Commission, Fire (FIR) <fire.commission@sfgov.org>; MTABoard@sfmta.com; info@sfwater.org; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>

Cc: John Doherty <jdoherty@ibew6.org>; cityworker@sfcwu.org; Charles Lavery <clavery@oe3.org>; mbrito@oe3.org; tneep@oe3.org; oashworth@ibew6.org; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; Jessica Beard <jbeard@ifpte21.org>; tmathews@ifpte21.org; Vivian Araullo <varaullo@ifpte21.org>; ewart@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; Peter Wilson <pwilson@twusf.org>; Theresa Foglio <laborers261@gmail.com>; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; rudy@sflaborcouncil.org; l200twu@gmail.com; Local Twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org

Subject: Re: Required COVID-19 Vaccination Mandate - Additional Feedback from Concerned Employees

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Black Employee Alliance,

Thank you for taking on this issue.

We have sent a Cease and Desist letter to the Sheriff on the mandatory vaccination.
(see attached)

As you know, the Acting San Francisco Health Officer has updated the COVID-19 Health Order dubbed "Encouraging Covid-19 Vaccine Coverage and Reducing Disease Risk". This means the San Francisco Health Officer will be forcing the most diverse law enforcement agency in San Francisco forced vaccinations. Our African American and Hispanic members are highly upset over this sensitive issue.

Unfortunately, the Health Order goes far beyond "encouraging" vaccination for San Francisco Sheriff Deputies. In fact, it mandates it for those of us working in County Jails and other High-Risk institutions. This mandate is occurring despite the fact that 75% of San Francisco Residents are fully vaccinated and no vaccine has been fully approved by the FDA. In fact, your own Health Officer stated the order was meant to "speed up and advance the timeline." This expedited timeline is neither prudent nor needed. Simply put, there is no data to support such a speedy mandate. The County and City is unable to show that mandating a few government employees will produce any public health benefit. For this, and many other reasons, if the City & County of San Francisco mandates that we take a vaccine, we will seek employment at other agencies that respect data driven decision making.

Our union will be taking further legal action in the coming days against the San Francisco Health Officer and the Mayor's Office.

Best regards,

Ken Lomba
SFDSA President
415-513-8973



From: Black Employee Alliance <blackemployeealliance@gmail.com>

Sent: Tuesday, July 20, 2021 4:00 PM

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DYLAN C. MARQUES
RICKY E. MARTORANA
CLARISSA MEDRANO

July 16, 2021

Via Electronic & U.S. Mail

Sheriff Paul M. Miyamoto
San Francisco County Sheriff's Office
City Hall, Room 456
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102
Email: sheriff@sfgov.org

**Re: San Francisco Deputy Sheriffs' Association Demand to Cease and Desist
from Mandating First Vaccination Completion by August 9, 2021**

Dear Sheriff Miyamoto:

This letter is on behalf of the San Francisco Deputy Sheriffs' Association (DSA) and serves as a demand that the San Francisco Sheriff's Office (SFSO) immediately cease and desist from mandating that all personnel who routinely enter the jails, have their first vaccination completed by August 9, 2021.

No Emergency Exists to Justify Mandatory Vaccines

The expectation that the FDA will fully approve a vaccine by August 9 or September 15, 2021 is political speculation. Health policy must be driven by sound facts and science, not by political grandstanding. Here, it is reasonable and prudent, to wait until the FDA fully approves any vaccine before mandating all vaccines. The City and County of San Francisco (CCSF) is jumping the gun by mandating vaccines before full FDA approval. The vast majority of the country is not doing this. The assumption is that unvaccinated employees cannot safely do their jobs. However, this assumption is not only divisive and disrespectful to employees who have made sacrifices during these trying times, but the assumption is belied by the facts.

Since April 2020, there have been 13,362 bookings, 19,635 tests, and only 159 positive tests in the jails. That is a .008 positive test rate. This extremely low positive test rate is thanks to Jail Health Services and the Sheriff's Office Covid jail protocols, **which did not include mandatory vaccinations.**

There are 1,003 SFSO staff who took 6,274 tests, which only resulted in 80 positive tests. That is a .01 positive test rate. Once again, **this extremely low positive test rate did not include mandatory vaccinations.**

San Francisco County, nearby counties, and California continue to see low Covid case counts and even lower deaths. Within the last 30 days, there have only been 5 deaths associated with Covid in San Francisco County.

DSA members worked throughout the pandemic with masks. In fact, CCSF's Facemask Policy provides that those working in jails are required to wear masks regardless of vaccination status. Low positive test rates can be maintained or even eliminated by continuing with the current Facemask Policy. The pandemic is well under control, so it is unnecessary to mandate vaccinations and even more unnecessary to terminate employees who do not get vaccinated by the deadline.

Disparate Impact for Minority Members

The San Francisco Deputy Sheriffs' are one of the most ethnically diverse law enforcement department in the Country. Our African American and Hispanic members do not want to be forced to take vaccines due to the past history of vaccine abuse against minorities. The SFDSA values and respects the right to choose. They have protective options in place with facemasks and testing already. As SFDSA President Ken Lomba has clearly stated publicly, "forcing vaccines is not a San Francisco value." (See <https://abc7news.com/coronavirus-san-francisco-health-order-vaccine-mandate/10878547/>)

Moreover, the proposed Vaccine Policy will have a disparate impact on minority member discipline and termination. The DSA's minority members have expressed concern over receiving the Covid-19 vaccine. CDC vaccination data has demonstrated that ethnic minorities are not receiving the Covid-19 vaccine at the same rate as white Americans. Understandably, there may be higher rates of concern among ethnic minorities based on historical vaccination experiments and medical treatments. ("S.F. vaccine mandate gets pushback from unions and black employees" San Francisco Chronical, June 25, 2021, <https://www.sfchronicle.com/health/article/Advocates-for-Black-employees-call-S-F-vaccine-16272432.php>.)

It is illegal to maintain a policy that has an adverse, disparate impact on ethnic minorities without a business justification. (Gov. Code, § 12940; 42 U.S.C.A. § 2000e-2(a)(1).) Conflicts over discrimination in employment are negotiable. (*Healdsburg Union School District & Healdsburg Union School District/San Mateo City School District* (1984) PERB Decision No 375.) The Vaccine Policy states the City "must provide a safe and healthy workplace ... to protect its employees and the public ..." However, there is no indication a mandatory Vaccine Policy is required to accomplish CCSF's goal.

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SFSO is Required to Meet and Confer

In addition to the faulty reasoning behind the policy, it is in clear violation of the MMBA. As you know, CCSF and the DSA are in the middle of a meet and confer process regarding the “COVID-19 Vaccination Policy” (Vaccine Policy). The Vaccine Policy provides that personnel must be Fully Vaccinated by September 15, 2021. The SFSO’s attempt to move that date forward by over a month is a violation of the MMBA because you did not meet and confer with the DSA prior to Assistant Sheriff Tanzanika Carter’s July 14, 2021 Inter-Office Correspondence.

Here, the *decision* to discipline employees upon failure to comply with the Vaccine Policy or the August 9, 2021 deadline is within the scope of representation. MMBA section 3505 requires a public agency to meet and confer in good faith with representatives of recognized employee organizations concerning matters within the scope of representation. It is an unfair practice for a public agency to refuse or fail to comply with this obligation. (MMBA, § 3506.5(c).) A unilateral change to a matter within the scope of representation is a per se violation of the duty to meet and confer in good faith. (*County of Merced* (2020) PERB Decision No. 2740-M, pp. 8-9 (*Merced*); *Stockton Unified School District* (1980) PERB Decision No. 143, p. 22.) It is well-settled that matters affecting discipline and disciplinary procedures are within the scope of bargaining. (*Fairfield-Suisun Unified School District* (2012) PERB Decision No. 2262 [discipline criteria and procedures]; *Trustees of the California State University* (2004) PERB Decision No. 1656-H [disciplinary procedures and policies]; *County of Sonoma* (2021) PERB Decision Nos. 1816, 1817 [changes related to employee discipline subject to decision bargaining].)

SFSO cannot unilaterally implement the decision to terminate employees who do not receive their first shot of the vaccine by August 9, 2021. Rather, SFSO is obligated to meet and confer over the decision itself. Thus, the DSA demands that the SFSO rescind the August 9, 2021 deadline and meet and confer over the decision in good faith.

Finally, the Vaccine Policy and August 9, 2021 deadline affects matters within the scope of representation including, but not limited to: safety, workload, confidential medical information, discipline, and wages (*State of California (Department of Corrections)* (2000) PERB Decision No. 1381 [safety]; *Trustees of California State University* (2012) PERB Decision No. 2287 [workload]; *Fairfield-Suisun Unified School District* (2012) PERB Decision No. 2262 [discipline criteria and procedures]; *see Sutter County In-Home Supportive Services Public Authority* (2007) PERB Decision No. 1900 [affects accessing confidential information within scope].) Thus, the DSA demands the SFSO rescind the August 9, 2021 deadline and meet and confer in good faith with the DSA.

Based on the MMBA, Covid statistics, and disparate impact, the DSA demands the SFSO cease and desist from mandating that all personnel who routinely enter the jails, have their first vaccination completed by August 9, 2021.

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MEW to Sheriff Miyamoto

July 16, 2021

Page 4

If you have any questions or concerns, feel free to contact me at (916) 491-4659 or mwilson@mastagni.com.

Sincerely,

MASTAGNI HOLSTEDT, A.P.C.

A handwritten signature in black ink, appearing to read "Mark Wilson", with a stylized flourish at the end.

MARK E. WILSON
DYLAN C. MARQUES
Attorney at Law

MEW/jd

cc: Kenneth Lomba, President of SFDSA
Undersheriff Engler
Assistant Sheriff Carter
Chief Johnson
Chief McConnell
Chief Fisher-Paulson
Chief Fisher
Chief Jue

To: Breed, Mayor London (MYR) <MayorLondonBreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Board of Supervisors, (BOS) <Board.of.Supervisors@sfgov.org>; Haney, Matt (BOS) <Matt.Haney@sfgov.org>; MandelmanStaff, [BOS] <MandelmanStaff@sfgov.org>; Mar, Gordon (BOS) <Gordon.Mar@sfgov.org>; Peskin, Aaron (BOS) <Aaron.Peskin@sfgov.org>; Preston, Dean (BOS) <Dean.Preston@sfgov.org>; Ronen, Hillary <Hillary.Ronen@sfgov.org>; Safai, Ahsha (BOS) <Ahsha.Safai@sfgov.org>; Stefani, Catherine (BOS) <Catherine.Stefani@sfgov.org>; Shamann (BOS) <Shamann.Walton@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; DPH, Health Commission (DPH) <healthcommission.dph@sfdph.org>; SFPD, Commission (POL) <sfpd.commission@sfgov.org>; Airport Commission Secretary (AIR) <AirportCommissionSecretary@flysfso.com>; Commission, Fire (FIR) <Fire.Commission@sfgov.org>; MTABoard@sfmta.com <MTABoard@sfmta.com>; info@sfwater.org <info@sfwater.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>

Cc: John Doherty <jdoherty@ibew6.org>; cityworker@sfcwu.org <cityworker@sfcwu.org>; Charles Lavery <clavery@oe3.org>; mbrito@oe3.org <mbrito@oe3.org>; tneep@oe3.org <tneep@oe3.org>; oashworth@ibew6.org <oashworth@ibew6.org>; debra.grabelle@ifpte21.org <debra.grabelle@ifpte21.org>; kgeneral@ifpte21.org <kgeneral@ifpte21.org>; Jessica Beard <jbeard@ifpte21.org>; tmathews@ifpte21.org <tmathews@ifpte21.org>; Vivian Araullo <varaullo@ifpte21.org>; ewallace@ifpte21.org <ewallace@ifpte21.org>; aflores@ifpte21.org <aflores@ifpte21.org>; smcgarry@nccrc.org <smcgarry@nccrc.org>; larryjr@ualocal38.org <larryjr@ualocal38.org>; jchiarenza@ualocal38.org <jchiarenza@ualocal38.org>; SEichenberger@local39.org <SEichenberger@local39.org>; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org <anthonyu@smw104.org>; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net <twulocal200@sbcglobal.net>; roger marenco <rmarenco@twusf.org>; Peter Wilson <pwilson@twusf.org>; Theresa Foglio <laborers261@gmail.com>; bart@dc16.us <bart@dc16.us>; dharrington@teamster853.org <dharrington@teamster853.org>; MLeach@ibt856.org <MLeach@ibt856.org>; jason.klumb@seiu1021.org <jason.klumb@seiu1021.org>; theresa.rutherford@seiu1021.org <theresa.rutherford@seiu1021.org>; XiuMin.Li@seiu1021.org <XiuMin.Li@seiu1021.org>; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net <pmendeziamaw@comcast.net>; mjayne@iam1414.org <mjayne@iam1414.org>; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com <christina@sfmea.com>; criss@sfmea.com <criss@sfmea.com>; rudys@slaborcouncil.org <rudys@slaborcouncil.org>; l200twu@gmail.com <l200twu@gmail.com>; Local Twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org <lkuhls@teamsters853.org>; staff@sfmea.com <staff@sfmea.com>; President <PRESIDENT@sanfranciscodsa.com>; SFDPOA@icloud.com <SFDPOA@icloud.com>; sfbia14@gmail.com <sfbia14@gmail.com>; ibew6@ibew6.org <ibew6@ibew6.org>

Subject: Required COVID-19 Vaccination Mandate - Additional Feedback from Concerned Employees

Good afternoon Mayor Breed, Members of the Board of Supervisors, Health Commission, SF Boards and Commissions, and All Constituents -

Members of the BEA read recently that the FDA is moving forward with the expectation of giving formal/final approval to the Pfizer vaccine in January. This means the City's time clock of requiring employee vaccination will start to tick, likely in January (10-week timeline).

The BEA remains disturbed by the inconsistency in the City's position re: vaccination.

The City seems to say that their policy of terminating unvaccinated employees is "a decision for the health and safety of our employees" and is necessary to protect "the City as an employer" from "unacceptable risk." - Carol Isen

What is so confusing is how the city is currently managing the "risk". This is confusing and interesting and contradictory: Why? because any risk that exists today is only reasonably higher than it will be 10 weeks after a final approval by the FDA of a vaccine. Why? because today there is a lower overall vaccination rate that we can expect in the future.... 10 weeks after approval. The risk today is higher than it will be with herd immunity rates in January/February 2022. So, since today's risk is higher... it would be some form of justification to fire unvaccinated folks today. But of course, that is not the policy. The policy says termination in the future (with less risk due to higher overall city vaccination rates). This is not only inconsistent but nonsensical.

Next, if the city's policy is to address risk, the city is again inconsistent in addressing risk. Today the city is not even requiring masks indoors for all, even though the vaccines still allow those vaccinated to transmit the virus ... to others. The city should be requiring all employees to wear masks and be physically distant if they are concerned about risks.

Next, the city is currently supposedly concerned about risk, but has no policy requiring the public (we serve) to wear masks in public buildings (without any verification of the public's vaccination status). If the city is concerned about risk of transmission, then require the public to wear a mask and be physically distant in public buildings.

Next, the city's policy is inconsistent with addressing risk, in that it does not require vaccinated people who come in contact with people with COVID or suspected to have COVID to quarantine (be sequestered alone to protect against spreading COVID). Under the city's policy vaccinated people can be in the workplace even after exposure to COVID but unvaccinated people must quarantine/be sequestered. This does not appear to be consistent with concern for risk or managing risk.

Disparate impact discrimination legal rules must be applied in this analysis of the city's policy. Factual analysis and survey data shows that Black people and people of color are not getting vaccinated. Therefore, Under a court's "disparate impact" or "adverse impact" analysis, Black people are correct in arguing that we can establish that the city's policy or practice will affect members of the protected group so disproportionately that the court can infer discrimination from that impact.

If currently unvaccinated people can be accommodated by working remotely, why must the city terminate them rather than accommodating them? The city's policy is not only extreme, but not uniformly justifiable. The city has janitors who work alone (why do they need vaccines?). The city has employees who work in a storage box/room. (why do they have to be vaccinated). the uniform application is unjustifiable and unreasonable.

The city's policy requiring medical services should be scrutinized against a standard that looks at invasive procedures that an employer can require/should require we do not work on a meat packing line such that we need a vaccine in order to perform our job duties. Making termination the penalty means the standard should be that the city can prove that each and every employee cannot perform their job duties without having the vaccine.

Lastly, members of the BEA understand that the City and County of San Francisco, by requiring all of its employees to take the COVID-19 vaccine, assumes liability for all risks concerning employees who experience any adverse symptoms, reactions, and conditions that would require that they take time off

from work. We also understand that in the unfortunate event of death, related to the mandated vaccine and/or its interactions with other known or unknown health conditions, the City and County of San Francisco assumes all legal and civil responsibility. Is this accurate? Please confirm.

Best,

Black Employees Alliance and Coalition Against Anti-Blackness

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Required COVID-19 Vaccination Mandate - Additional Feedback from Concerned Employees
Date: Wednesday, July 21, 2021 9:04:00 AM

From: Black Employee Alliance <blackemployeealliance@gmail.com>

Sent: Tuesday, July 20, 2021 4:00 PM

To: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Airport Commission Secretary (AIR) <airportcommissionsecretary@flysf.com>; Commission, Fire (FIR) <fire.commission@sfgov.org>; MTABoard@sfmta.com; info@sfwater.org; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>

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Subject: Required COVID-19 Vaccination Mandate - Additional Feedback from Concerned Employees

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Best,

Black Employees Alliance and Coalition Against Anti-Blackness

From: [Black Employee Alliance](#)
To: [Breed, Mayor London \(MYR\)](#); [Board of Supervisors. \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff. \(BOS\)](#); [Mar. Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Bruss, Andrea \(MYR\)](#); [Ethics Commission. \(ETH\)](#); [Pierce, Jeffrey \(ETH\)](#); [Pelham, Leeann \(ETH\)](#); [MTABoard@sfmta.com](#); [CivilService, Civil \(CSC\)](#); [Davis, Sheryl \(HRC\)](#); [Chicuata, Brittini \(HRC\)](#); [rudysflaborcouncil.org](#); [kim@sfaborcouncil.org](#); [sflc@sfaborcouncil.org](#); [Info, HRC \(HRC\)](#)
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Subject: Fwd: Detailed Comparisons of Persistent Severe and Pervasive Disparate Treatment Experienced By Black Employees at the SFMTA (See Attached)
Date: Thursday, July 22, 2021 10:01:16 AM
Attachments: [SFMTA Discipline - 2020-2021.pdf](#)
[SFMTA Disciplinary Data.pdf](#)
[SFMTA Disaggregated Disciplinary Actions 2020-2021.xlsx](#)

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Good morning Mayor Breed, MTAB President Borden, Board of Supervisors, MTA Board, Civil Service Commission, Ethics Commission, Human Rights Commission, Labor Partners and Constituents:

Attached, you will find a spreadsheet detailing all SFMTA Disciplinary and Corrective actions for fiscal year 2020-2021. There were 576 actions in total throughout the year. All corrective and disciplinary actions have been organized by race and sex. It is important to note that **Black employees made-up approximately 26% of the SFMTA's total employee population in the 2020-21 fiscal year.** Some highlights of the data include - Black employees at the SFMTA:

- Received **283 out of 576 disciplinary actions (approximately 50%).**
- **Black females received 84% of all disciplinary actions** issued to all females across the agency (117 of 138)
- Received **50% of all suspensions; and 67% of all dismissals.**
- Received approximately **64% of all 2-day suspensions; 46% of all 3-day suspensions; 57% of all 5-day suspensions; 50% of all 6-10-day suspensions; 100% of 16-20-day suspensions; 71% of all 26-30-day suspensions; and 100% of all employees put on Performance Improvement Plans.**
- Represented **67% of employees accused of violence; 50% of employees accused of dishonesty; 100% of employees accused of moral turpitude; 65% of employees disciplined for attendance; 48% of employees accused of alleged "performance issues"; 75% of employees accused of "insubordination"; 46% of employees accused of inattention to duties.**

We have also included the detailed report produced by the SFMTA through public records request P000536-071521. While the BEA appreciates the granularity of this data, we are sickened by it. This report provides a comparison The conditions that Black employees are

subjected to are equivalent to Black codes that began to emerge after enslaved Black people were emancipated, which re-enslaved approximately 800,000 Black Americans through the system of Peonage, also known as convict leasing - between 1874 and 1940 (across all southern states). Under this system laws that were enforced as misdemeanors against White people, were accelerated and enforced as felonies against Black people, and laws were enacted which specifically targeted Black people (such as criminalizing Black people for speaking loudly in the company of White women), as documented in *Slavery by Another Name* (Blackmon, 2008), and can also be seen in the accompanying [documentary](#). The details contained within the pdf., are eerily similar to the system and era of peonage.

These results reflect a culture that is rooted in, and is comfortable functioning in a White supremacist, and anti-Black cultural, and systematic context and mindset. It reflects an obsessive preoccupation, hyper-surveillance, over-scrutinizing, and over-enforcement of rules and policies against Black employees at the SFMTA, While offenses for White employees are addressed with much less severity.

It is clear that the leadership at the SFMTA, both past and present, has normalized a context that has normalized this culture for all managers and supervisors, across race. Therefore, there are even Black, and Hispanic managers who are likely over-enforcing policies onto Black and Hispanic employees, because their predecessors likely did the same with the support of leadership. What is more disturbing is that the employees have been shamed into believing that the new leadership would address these conditions. They have not only not addressed racism at the SFMTA, but they have also exacerbated the issues.

One of the most alarming concerns is that many of these actions, including the dismissals of 16 Black employees, whose families and loved ones most likely suffered during the COVID-19 pandemic, were terminated from the agency. In addition, the SFMTA criminalized Black employees with higher suspensions for infractions that were treated with much less severity for non-Black employees. This means that Black operators, who are one of the lowest paid classifications at the SFMTA, missed significant amounts of their pay. It translates to some of their families having to suffer during a pandemic, when many within the Black (and Hispanic) community saw their family members laid-off due to the volatility that accompanied COVID-19. And still, the SFMTA leadership did nothing to address the disproportional and disparate treatment detailed in these reports.

Lastly, public transportation service levels were reduced to more than half for some months. This also means that even with service levels decreased for approximately 6-8 months, the levels of actions against Black employees increased and accelerated from the prior year, if compared to the number of vehicles in operation and numbers of shifts worked.

The Black Employees Alliance and Coalition Against Anti-Blackness (BEA), in collaboration with the SFMTA's Black and African American Affinity Group (BAAAG), is calling for:

- Director Tumlin, and Human Resources Director Kimberly Ackerman - to appear before the MTA Board, to present on this data. Members of the BEA, BAAAG, and the public (whose salaries pay the SFMTA's leadership's incomes) deserve to understand what the SFMTA plans to do to address rampant anti-Black racism currently being inflicted on its Black employee population.
- Members of the public, and Black employees deserve to know what systems and practices have changed and are being put in place to ensure disciplinary and corrective

action employment practices are applied consistently.

- Leadership to present a detailed 90-day to 6-month plan that will address disparate treatment and racism in this area, to decrease dramatically the number suspensions and terminations faced by Black employees.
- All SFMTA Affinity Groups to provide an update at an upcoming MTA Board meeting - to give updates about their perspectives on the agency's equity work (i.e., effectiveness of the implementation of the Racial Equity Action Plan, whether its impacts are penetrating throughout the agency; what more needs to happen, etc.).
- Presentation from the agency's Race, Equity, and Inclusion Officer about activities from February through July/August (pending the meeting is calendared for September/October), and progress compared to actions and commitments outlined in the Racial Equity Action Plan. We expect to hear about both progress and challenges.
- The Board of Supervisors Government Audit and Oversight Committee or the full Board, to call a special meeting requiring every department with disproportionate and disparate outcomes impacting Black employees, to publicly present plans and solutions to address such issues. We are requesting professor Bill Gould also present findings at this meeting, concerning the Independent Review his team recently completed for the City..

Once this meeting is calendared, please contact the BEA, and let us know when the hearing is scheduled. We have many members across more than 30 departments at the City and County of San Francisco, and many would like to attend to support our SFMTA members.

The BEA is also requesting, as an **official public records request, under the City's Sunshine Ordinance, and the U.S. Freedom of Information Act**, for the following City departments: **Human Services Agency, Public Utilities Commission, Airport, Department of Public Health, City Administrator's Office (including all entities separate from the Department of Public Works), DPW, and Recreation and Parks** to produce a report that mirror the attached report provided by the SFMTA. **Since all departments report to Mayor Breed (and Chief of Staff Elsbernd), we presume that the Mayor's Office will act as the custodian for providing all requested information, and will rely on a directive from the Mayor to be distributed to the respective department heads of the departments named above.** We would like the report to include categories for:

- Sex, ethnicity, report date, recommended discipline along with comments, disciplinary reason, step description, whether a grievance was filed, final resolution. Please DO NOT include any names or DSW information.
- Please also include a summary that aligns with the spreadsheet the BEA created for the attached data provided by the SFMTA.

If you have any questions, please let us know.

Best,

Black Employees Alliance and Coalition Against Anti-Blackness

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

From: **Black Employee Alliance** <blackemployeealliance@gmail.com>

Date: Wed, Jul 21, 2021 at 2:50 PM

Good afternoon Mayor Breed, Board of Supervisors, Civil Service Commission, Ethics Commission, Labor Partners and Constituents,

Please see the attached document. It contains examples of civil abuses, and anti-Black racism Black employees are continuing to experience at the SFMTA. Pursuant to a recent public records request, the SFMTA released approximately 570 records of line items detailing disciplinary actions by race and sex of each employee; types of infractions; and types of recommended discipline, as well as the final disciplinary decision. We will share a copy of the full report widely, once we have completed further analysis.

In the examples contained in the attached document, we have provided a glimpse of "apples to apples" examples in three areas - **attendance, conduct, and safety**. You will see, in several cases, that White employees have committed more serious violations, and yet experienced lesser penalties than their Black counterparts. Please note the examples provided are for Transit Operators, all within the same job classification.

We feel a sense of urgency that is almost paralyzing, due to the fact that the leadership at the SFMTA, both Director Tumlin, and HR Director Ackerman, have allowed rampant racism and disparate treatment of Black employees to continue under their tenure. This is emblematic of both gross negligence and incompetence. Some of our BEA members who are Black SFMTA employees cried while reviewing this report. While we are continuing to guide and work with employees about the best ways to seek recourse, we feel it is your responsibility as leaders to not only remark about how bad you feel about racism or racist acts being committed against employees, but to act.

In the past year, the City and County of San Francisco has been the recipient of a number of [lawsuits](#) which are currently making their way through the courts; some of which involve Black employees at the SFMTA. And, with outcomes such as the ones noted within the attached document, it is not only understandable why employees feel that they need to pursue legal action against the City, but also notably legitimate. One of the problems is that the SFMTA was left with a roadmap (in the form of a list of strategies by former Ombudsperson Dolores Blanding, and a host of internal systems and strategies that were created by her successor Dante King, due to the list she left behind). These solutions were designed to support fair, and consistent employment practices, to address performance management and disproportionate discipline. They consisted of a Performance Management system/website, where all managers and supervisors could complete performance planning and appraisals manually or electronically, as well as full-fledged Disciplinary and Corrective Actions system that required divisional approval before any employee's suspension or termination. These systems were complete with fully developed workflows that included approval processes. There were complete user-guides developed about how to use both systems. These systems were created to respond to a series of [issues Mayor Breed attempted to address under prior and current agency leadership](#), as well as [hearings held by the Board of Supervisors regarding discrimination against African American/Black employees](#), at which former Director Ed Reiskin presented on such issues. The new incoming SFMTA leadership, HR Director Kimberly Ackerman and Transportation Director Jeff Tumlin, decided against implementing them both, and inconsistent and unfair employment practices have persisted at the SFMTA.

Even while [Director Tumlin presented dishonestly, at the follow-up hearing last October](#),

facilitated by Board President Shamann Walton, stating that he was in the process of reforming and addressing issues in disparate treatment of employees subjected to disproportional and harsher treatment in disciplinary and corrective actions these issues persisted.

Again the systematic and programmatic solutions designed and developed at the SFMTA consisted of practical tools, manuals, and resources designed to target and address unfair employment practices and disparate treatment. The SFMTA's Black and African American Affinity group worked vigorously and collaboratively with both Ombudspersons to inform the creation of these tools. In spite of these collaborations the systems were shelved by incoming Human Resources Director Kimberly Ackerman, and Director Tumlim. It is the position of SFMTA's Black and African American Affinity Group, that if these, or similar systems were implemented, the agency would have most definitely experienced a decline in racist actions over the last two years, due to management's involvement.

There appears to be a strong sense of resistance by SFMTA leadership, to stop racist acts from occurring at the agency. Such inaction and incompetence simply means that the SFMTA needs new leadership, or that Black employees simply should not work at the SFMTA. The mistreatment Black employees are experiencing under the direction of Directors Jeff Tumlin, Julie Kirschbaum, and Kimberly Ackerman, with the complicity of Director Carol Isen at DHR, is an atrocity. We sincerely hope that you as leaders who are invested in making the City and County of San Francisco an equitable place for all employees, are not comfortable with Black employees being treated inhumanely, degraded, and demoralized in this embarrassing and shameful manner. Please speak-up, and take action at this moment. Any silence, slowness to, and/or lack of action will display your complicity with anti-Black racism continuing to be experienced by SFMTA employees, and will be viewed as enabling this type of behavior on behalf of the SFMTA leadership. We have also included Director Sheryl Davis at the Human Rights Commission because we wholeheartedly believe that these are human and civil rights violations.

Black employees are tired and deserve much better than this rampant uncontrolled inhumane abuse. What is the meaning of words contained within a document called the City's Racial Equity Action Plan, if leaders responsible for enacting them have no vision, direction, skill, will, or ability to do so? We know that the City has work to do, and yet there is no excuse for the types of negligence, mismanagement, and unethical behavior displayed in these examples, that the City has been aware of for the last 3-4 years based upon quantitative and empirical data. The lack of competence demonstrated by these leaders, coupled with the inability to see or respond to racism in practical, programmatic, and systematic ways - cannot be emphasized enough. They lack direction about knowing what to do to address disparate treatment between Black and non-Black employees, and they are continuing to subject the City and County of San Francisco to enduring scrutiny and potential legal and ethical risks.

We are counting on all of you as leaders to strategize quickly to resolve the dysfunction at this agency. This is a major problem that you have on your hands, and it needs to be solved.

Sincerely,

Black Employees Alliance and Coalition Against Anti-Blackness

Black employees continue to be recommended for higher levels of discipline for the same infractions as White counterparts, which results in higher degrees of discipline for Black employees.

Comparison 1 – Attendance:

- White male is noted as missing work, is recommended for, and receives a Written Warning.
- White male calls in seven minutes prior to his shift, is recommended for, and receives a Written Warning for a Working Miss-Out.
- Black female calls-in 20 minutes before her shift, is recommended for, and receives a 1-day suspension.
- Black female is documented as “overslept” (presumably missed run) and she is recommended for and was given a 2-day suspension.
- Black female is noted as oversleeping – she is recommended for and receives a 2-day suspension.

Note: Some of these incidents occurred within days of each other; all occurred within four months of each other.

M	White	7/21/2020	Written Warning	AWOL - 4.3 - Working Miss Out	ATT	Attendance	WRW	Written Warning
M	White	7/29/2020	Written Warning	AWOL - 4.3.12 - Failure to call in sick timely. Called in seven minutes before shift.	ATT	Attendance	WRW	Written Warning
F	Black	11/20/2020	Suspension 2 days	AWOL - 4.3.3 - Operator called in 20 minutes before her run.	ATT	Attendance	S01	Suspension 1 day
F	Black	10/26/2020	Suspension 2 days	AWOL - 4.3.3 - Operator overslept	ATT	Attendance	S02	Suspension 2 days
F	Black	7/14/2020	Suspension 2 days	AWOL - 4.3.3 - Employee overslept	ATT	Attendance	S02	Suspension 2 days

Comparison 2 – Conduct (Dishonesty):

Please note that both of these infractions pertain to employees who falsified timecards. In one instance, it was “alleged” that the Black employee committed overtime fraud. He was recommended for dismissal, but received a suspension ranging from 6-10 days. A White employee seemingly was confirmed to have falsified time records (overtime fraud/abuse), violated the City’s vehicle use policy, and was noted as having unauthorized employment, violating the City’s Code of Conduct. The White employee was recommended for a 5-day suspension and received a 5-day suspension.

M	Black	7/2/2020	Dismissal	Conduct - 2.7.5 - Alleged overtime fraud,	DHN	Dishonesty	S10	Suspension 6 - 10 days
M	White	12/10/2020	Suspension 5 days	Conduct - - Falsification time records, OT abuse, City's vehicle use policy, Unauthorized secondary employment	CON	Conviction	S05	Suspension 5 days

Comparison 3 – Safety

Listed below, are two examples of White males who had preventable and avoidable accidents (as assessed by the SFMTA safety division). In one instance, one of the buses made contact with another vehicle, noted as a collision. In both cases, **both White males were recommended for, and received Written Warnings**. The 3rd example below highlights a **White male who experienced a Red-light Violation. He was recommended for a 3-day suspension and received a 3-day suspension**.

In several instances where **Black males were noted to have avoidable/preventable collisions, and Red-light violations, they were each recommended for and received 6–10-day suspensions each**.

M	White	10/23/2020	Written Warning	Safety - 2.9.4 - Avoidable accident 8.7.2020 R356, alertness, dk	ITD	Inattention to Duty	WRW	Written Warning
M	White	3/30/2021	Written Warning	Safety - 2.21.16 - Preventable Collision Operator's coach made contact with another vehicle.	ITD	Inattention to Duty	WRW	Written Warning
M	White	2/12/2021	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	7/20/2020	Suspension 6 - 10 days	Conduct - Rule 2.7.2 - Avoidable Collision -	PRF	Performance Issues	\$10	Suspension 6 - 10 days
M	Black	7/27/2020	Suspension 6 - 10 days	Safety - 2.8.1 - 2nd / 3rd avoidable, PED, Rolling stop	ITD	Inattention to Duty	\$10	Suspension 6 - 10 days
M	Black	9/18/2020	Suspension 6 - 10 days	Safety - 2.4.1 - red light violation, dk	ITD	Inattention to Duty	\$10	Suspension 6 - 10 days
M	Black	10/2/2020	Suspension 6 - 10 days	Safety - 2.4.1 - red light violation on 7.14.2020. dk	PRF	Performance Issues	\$10	Suspension 6 - 10 days

In summary:

- White, male employees who incur or experience avoidable and preventable accidents, and red-light violations at the SFMTA, receive leniency compared to Black employees who receive disparate and disproportional treatment for similar and less severe infractions.
- White, male employees committing overtime fraud, falsifying time records, in addition to violating the City's vehicle use policy, and unauthorized secondary employment, is less serious than Black employees who are "suspected" of "allegedly" committing overtime fraud. Put another way, dishonest/fraudulent behavior exhibited through multiple offenses, is seen as less severe and more acceptable at the SFMTA if one is White.
- White males calling-in and/or missing work unexpectedly, is much less severe than Black females calling-in sick and missing work unexpectedly. Put another way, Black females missing work unexpectedly at the SFMTA, is worth being suspended, whereas if one is a White male, it is only worth a Written Warning.

Sex	Ethnicity	Report Dt	Discipline Description	Comments	Disciplinary Reason (Step)	Step Description	Final Resolution	Final Resolution
M	American Indian/Alaskan Native	1/27/2021	Probationary Release	Probationary Release - - Effective EOB 1/27/2021	PRF	Performance Issues	PRE	Probationary Release
M	American Indian/Alaskan Native	11/12/2020	Suspension 2 days	AWOL - 4.3.3 - AWOL Employee called in late to report he was running late. No work was available for the day.	ATT	Attendance	S02	Suspension 2 days
M	American Indian/Alaskan Native	1/26/2021	Written Warning	Safety - 4.19.1 - Operator had a rolling stop on 12/10/2020	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	7/11/2020	Dismissal	EEO - XXX - Sexual Harassment	OTH	Other	DIS	Dismissal
M	Asian	9/1/2020	Dismissal	Signal Violation - 2.14.1 - Rolling stop 5 in one day.	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Asian	11/3/2020	Dismissal	Drugs & Alcohol - 2.11.2 - Positive follow-up drug test; 2nd positive test in less than five years.	SUB	Substance Abuse	DIS	Dismissal
M	Asian	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	Asian	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	Asian	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	Asian	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	Asian	9/22/2020	Probationary Period Extension	Probationary Extension - - Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	Asian	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	Asian	3/16/2021	Probationary Period Extension	Performance - - Extend probation to 4/16/20201	PRF	Performance Issues	PPX	Probationary Period Extension
M	Asian	3/19/2021	Probationary Period Extension	Probationary Extension - - Extend probation end date 5/14/2021	PRF	Performance Issues	PPX	Probationary Period Extension
F	Asian	3/19/2021	Probationary Period Extension	Performance - - Extend probation end date 6.11.2021	PRF	Performance Issues	PPX	Probationary Period Extension
M	Asian	3/5/2021	Probationary Release	Probationary Release - - Effective COB 3.5.21	PRF	Performance Issues	PRE	Probationary Release
M	Asian	7/1/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	7/1/2020	Suspension 1 day	Inattention - 4.19.1 - Stop sign violation	PRF	Performance Issues	S01	Suspension 1 day
M	Asian	7/9/2020	Suspension 1 day	Safety - 2.8.1 - safety violation on 4.11.2020	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	7/27/2020	Suspension 1 day	Signal - 4.19.1 - Rolling Stop	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	8/26/2020	Suspension 1 day	Safety - 2.8.1 - Avoidable Sign Violation -	PRF	Performance Issues	S01	Suspension 1 day
M	Asian	8/26/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam 1st rolling stop	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	9/1/2020	Suspension 1 day	Inattention - 2.13.1 A - Failure to report fall on board.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	9/14/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam failed to come to a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	9/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	9/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam failed to make a complete stop	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	9/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	9/21/2020	Suspension 1 day	Signal Violation - 4.1.1 - Drive Cam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	10/16/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Stop sign violation	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	10/20/2020	Suspension 1 day	Signal Violations - 4.19.1 - DriveCam Failed to make a complete stop	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	11/9/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	11/9/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Red Light Violations	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	11/12/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	12/6/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Stop sign violation #2	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	12/6/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drivecam Stop sign violation #1	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	12/29/2020	Suspension 1 day	Inattention - 2.6.1 - Uniform violation	ITD	Inattention to Duty	S01	Suspension 1 day

M	Asian	2/17/2021	Suspension 1 day	Signal Violation - 4.19.1 - 2nd and 3rd stop sign violation	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	2/23/2021	Suspension 1 day	Safety - 2.4.1 - Red light violation	PRF	Performance Issues	S01	Suspension 1 day
M	Asian	2/25/2021	Suspension 1 day	Conduct - 2.13.1A - CSC Failed to board a waiting ADA passenger. Title 6 violation	PRF	Performance Issues	S01	Suspension 1 day
M	Asian	4/23/2021	Suspension 1 day	AWOL - 4.1; 4.3.3 - AWOL on 3.20.21	ATT	Attendance	S01	Suspension 1 day
M	Asian	5/17/2021	Suspension 1 day	Safety - 4.22.1 - Speeding violation, 4.23.2021 Coach 6647, traveling 40 MPN n a 25 MPH zone	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	6/22/2021	Suspension 1 day	Inattention - RR 2.7.2 - EE failed to dispatch medical support requested by a field , which resulted in approximately an hour delayed response.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	9/15/2020	Suspension 11 - 15 days	Safety - 2.21 - speed higher than normal Avoidable accident April 1, 2019 10 day suspension Avoidable accident March 6, 2019 5 day suspension Pre-Step 2 agreement = 5 day suspension for both accidents There is a delay in discipline because Yee had a long leave of absence.	ITD	Inattention to Duty	S05	Suspension 5 days
M	Asian	7/6/2020	Suspension 2 days	AWOL - 4.1.1 - AWOL #1	ATT	Attendance	S02	Suspension 2 days
M	Asian	7/10/2020	Suspension 2 days	AWOL - 4.1.3 - AWOL #1 Reported to work late.	ATT	Attendance	S02	Suspension 2 days
M	Asian	11/3/2020	Suspension 2 days	Rule 2.8.1 - PSR Discourtesy Reduced to 1 day suspension Nov 8, 2020	PRF	Performance Issues	S01	Suspension 1 day
M	Asian	11/9/2020	Suspension 2 days	AWOL - 4.3.3 - Left work and returned in civilian clothes and was unavailable to work	ATT	Attendance	S02	Suspension 2 days
M	Asian	2/4/2021	Suspension 2 days	AWOL - 4.3.3 - Called out sick 20 minutes after the shift started -	ATT	Attendance	S02	Suspension 2 days
M	Asian	4/8/2021	Suspension 2 days	AWOL - 4.2.3 - AWOL on 3/24/2021	ATT	Attendance	S01	Suspension 1 day
M	Asian	7/1/2020	Suspension 3 days	Signal Violation - 4.19.1 - On May 15, 2020, employee failed to make a complete stop twice.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	7/9/2020	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	7/31/2020	Suspension 3 days	Avoidable Accident -	PRF	Performance Issues	S02	Suspension 2 days
M	Asian	8/12/2020	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S02	Suspension 2 days
M	Asian	9/1/2020	Suspension 3 days	Signal Violation - 4.19.1 - 2nd rolling stop in a 12-month period	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	9/24/2020	Suspension 3 days	Misconduct - - Parking Control Officer did not report collision with their GO-4 enforcement vehicle SFPD#200330625	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	10/15/2020	Suspension 3 days	Safety - 4.19.1 - Stop sign violation	PRF	Performance Issues	S02	Suspension 2 days
M	Asian	10/20/2020	Suspension 3 days	Signal Violation - 4.19.1 - Drive Cam 2nd stop sign violation	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	12/7/2020	Suspension 3 days	Safety - 2.8.1 - Preventable collision 8.7.2020	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	12/16/2020	Suspension 3 days	Performance - 2.14.1 - Operator allegedly ran a stop sign and sped on November 20, 2020.	PRF	Performance Issues	S02	Suspension 2 days
M	Asian	12/16/2020	Suspension 3 days	Safety - 2.14.1 - Red light violation	PRF	Performance Issues	S01	Suspension 1 day
M	Asian	2/3/2021	Suspension 3 days	Signal Violation - 4.19.1 - 2nd stop sign violation in 12-month period	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	3/5/2021	Suspension 3 days	Safety - 2.14.1 - Multiple stop sign violations	PRF	Performance Issues	S03	Suspension 3 days
M	Asian	3/10/2021	Suspension 3 days	Safety - 2.21.15 - Speeding. Employee was speeding over 13 miles over the limit and almost hit a vehicle.	PRF	Performance Issues	WRW	Written Warning
M	Asian	4/6/2021	Suspension 3 days	Signal Violation - 4.19.1 - Failed to stop at red signal. Traffic violation from Superior Court.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	4/9/2021	Suspension 3 days	Safety - 4.19.1 - Red light violation	PRF	Performance Issues	S03	Suspension 3 days
M	Asian	4/22/2021	Suspension 3 days	Inattention - 2.15.5 - Deviated from from run. Ended run almost an hour early. Did not notify TMC.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	4/26/2021	Suspension 3 days	Safety - 2.14 - speeding	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	4/27/2021	Suspension 3 days	Signal Violation - 4.19.1 - Failed to make a complete stop #2	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	5/6/2021	Suspension 3 days	Signal Violations - 4.19.1 - Failed to stop at a read traffic light.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Asian	5/7/2021	Suspension 3 days	Safety - 4.22.1 - DriveCam operating above the speed limit.	ITD	Inattention to Duty	S03	Suspension 3 days
F	Asian	8/24/2020	Suspension 5 days	Conduct - falsification of documents 5 day suspension	DHN	Dishonesty	S05	Suspension 5 days
M	Asian	9/1/2020	Suspension 5 days	PED - - PED violation 2.18.2020	ITD	Inattention to Duty	S05	Suspension 5 days

F	Asian	9/10/2020	Suspension 5 days	Safety - Rule 4.18.3 - Avoidable Accident	PRF	Performance Issues	WRW	Written Warning
M	Asian	11/9/2020	Suspension 5 days	PED - GN.2020.DOC.20 - PED Violation	OTH	Other	S05	Suspension 5 days
M	Asian	1/5/2021	Suspension 5 days	Performance - 2.15.6 - Unauthorized pull-in, route deviation	PRF	Performance Issues	S05	Suspension 5 days
M	Asian	1/19/2021	Suspension 5 days	Conduct - 2.8.3. - Employee placed the coach out of service due to passenger not wearing a mask, using profanity, and involve in physical altercation.	PRF	Performance Issues	S05	Suspension 5 days
M	Asian	2/4/2021	Suspension 5 days	Inattention - 2.15.6 - Pulled the coach in to the yard without orders on two separate occasions.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Asian	2/8/2021	Suspension 5 days	Safety - 2.8 - Avoidable accidents Accidents on 11/8/2020 and 11/30/2020	ITD	Inattention to Duty	S05	Suspension 5 days
M	Asian	2/9/2021	Suspension 5 days	PED - 2020.DOC.20 - Powered on cell phone and utilizing it while on the bus.	OTH	Other	S05	Suspension 5 days
M	Asian	3/17/2021	Suspension 5 days	PED - - PED violation	ITD	Inattention to Duty	S05	Suspension 5 days
M	Asian	3/31/2021	Suspension 5 days	PED - - PED violation	ITD	Inattention to Duty	S05	Suspension 5 days
M	Asian	6/3/2021	Suspension 5 days	PED - 2.13.1, 2.1.3, 2.1.5 - Inattention to Duties DeMarrio McClary - Pending Final Personal Electronic Device - PED Pending final - Skelly Notice issued				
M	Asian	9/9/2020	Suspension 6 - 10 days	PED Improper Stowing of Cell Phone & Unsafe Driving on 8/7/20. Suspension Days: 9/11/20 , 9/18/20, & 9/25/20, 10/2/20, 10/9/20, 10/16/20, & 10/23/20	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Asian	1/26/2021	Suspension 6 - 10 days	Safety - 2.21.15 - Preventable collision	PRF	Performance Issues	S03	Suspension 3 days
M	Asian	2/3/2021	Suspension 6 - 10 days	PED - GN - Discourtesy and PED violation 8 Day suspension for Discourtesy and PED violation	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Asian	2/23/2021	Suspension 6 - 10 days	Signal Violation - 4.19.1 - 7th stop sign violation on 12/15/20. 10 day suspension	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Asian	3/9/2021	Suspension 6 - 10 days	Safety - 2.8 - PED & stop sign violation 8 days suspension: PED & stop sign violation from 9/18/20	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Asian	3/29/2021	Suspension 6 - 10 days	Safety - 2.14.1 - Operator was observed with a PED violation and stop sign violations on February 24, 2021.	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Asian	7/17/2020	Written Warning	Inattention - 6.1.1. - Went to the yard with a passenger on board. Did not notified TMC or Supervisor.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	7/24/2020	Written Warning	Inattention to Duties - Rule 5.2.2 - Incorrect thumb wheel -	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	8/4/2020	Written Warning	Performance - 2.15.1 - Schedule violation	PRF	Performance Issues	WRW	Written Warning
M	Asian	8/6/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn	PRF	Performance Issues	WRW	Written Warning
M	Asian	8/7/2020	Written Warning	Safety - Rule 2.8.2 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
M	Asian	8/18/2020	Written Warning	Safety - 2.9.4 - Alertness Avoidable accident on 7.28.2020	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	8/25/2020	Written Warning	Conduct - 2.13.1 - Discourteous treatment of the public	PRF	Performance Issues	WRW	Written Warning
M	Asian	8/25/2020	Written Warning	Safety - 2.8.1 - Avoidable Sign Violation -	PRF	Performance Issues	WRW	Written Warning
M	Asian	8/27/2020	Written Warning	Inattention to Duty Rule 4 passup on disabled person CSC 158294 & PSR 584598	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	9/23/2020	Written Warning	Conduct - 2.8.1 - Disrespect towards member of public	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	10/8/2020	Written Warning	Safety - 2.14.1 - Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	10/8/2020	Written Warning	Safety - 2.14.1 - Drive Cam Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	10/16/2020	Written Warning	Conduct - 2.13.1A - CSC Failed to board a waiting ADA passenger. Title 6 violation	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	10/22/2020	Written Warning	Safety - 2.13.1 - Unsafe Operations traffic signals were dark and employee enter intersection without stopping.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	11/4/2020	Written Warning	Safety - 2.21.15 - Preventable incident Operator made contact with a parked car.	PRF	Performance Issues	WRW	Written Warning
M	Asian	11/20/2020	Written Warning	Signal Violation - 4.19.1. Failed to make a complete stop #1.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	11/23/2020	Written Warning	Safety - 2.14.1 - Traffic laws, Operator ran stop sign on 10/26/2020	PRF	Performance Issues	WRW	Written Warning

M	Asian	11/28/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. Customer Service Complaint #275839 & 285358	OTH	Other	WRW	Written Warning
M	Asian	12/23/2020	Written Warning	Safety - 2.9.4 - Preventable collision	PRF	Performance Issues	WRW	Written Warning
M	Asian	1/8/2021	Written Warning	Inattention - 2.13.1A - Late, late 8 minutes for run 482 Line 14R	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	1/22/2021	Written Warning	Safety - 2.21.15 - Operator was speeding and when asked by a passenger to slow down the operator responded with inappropriate language.	PRF	Performance Issues	WRW	Written Warning
M	Asian	1/26/2021	Written Warning	Inattention - 2.9.4 - Wheel block not removed	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	1/26/2021	Written Warning	Performance - 2.15.1 - Ahead of schedule	PRF	Performance Issues	WRW	Written Warning
M	Asian	1/26/2021	Written Warning	Conduct - 2.7 - Disciplined staff without conferring with Transit as verbally instructed	PRF	Performance Issues	WRW	Written Warning
M	Asian	1/26/2021	Written Warning	AWOL - 2.1.3 - AWOL following leave expiration	ITD	Inattention to Duty	WRW	Written Warning
F	Asian	1/27/2021	Written Warning	Inattention to Duty - - EE allegedly sat on a bus for approx. 30 minutes without performing patron fare inspection, during a proof-of-payment unit deployment on Nov. 19, 2020.	ITD	Inattention to Duty	RES	
M	Asian	1/27/2021	Written Warning	Safety - 2.21.15 - Driving on the wrong side of an island.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	2/5/2021	Written Warning	Safety - 2.4.1 - Traffic laws; Rolling Stop	PRF	Performance Issues	WRW	Written Warning
M	Asian	2/5/2021	Written Warning	Safety - 2.8 - Rolling Stop	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/2/2021	Written Warning	Safety - 2.13.1A - Run 625 off route and hit light pole signal	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/2/2021	Written Warning	Performance - 2.13; 2.13.1A; 2.15; 2.15.1; 2.15.5; 2.17; 2.17.1 - on Run 475 L14R no show, skipped stop at DC Bart	PRF	Performance Issues	WRW	Written Warning
M	Asian	3/3/2021	Written Warning	Safety - 2.21.15 - Preventable collision	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/4/2021	Written Warning	Safety - 2.8 - Avoidable collision on 3/3/2021	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/8/2021	Written Warning	Attendance - 2.5 - For Tardiness on 12/14/2021 - 2nd violation in 5 months	ATT	Attendance	WRW	Written Warning
M	Asian	3/19/2021	Written Warning	Signal Violations - 4.19.1 - Failed to come to a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/19/2021	Written Warning	Signal Violation - 4.19.1 - Operator failed to come to complete stop.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/25/2021	Written Warning	Safety - 2.8 - Sudden Brake Written warning issued for avoidable incident sudden brake	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/25/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/29/2021	Written Warning	Safety - 2.14.1 - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/29/2021	Written Warning	Safety - 2.14.1 - Red light violation	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	3/30/2021	Written Warning	Conduct - 2.8.1 - Argumentative and discourteous with the fellow employees.	PRF	Performance Issues	WRW	Written Warning
M	Asian	4/7/2021	Written Warning	Safety - 2.13.1A - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	4/11/2021	Written Warning	Safety - - inattention to Duties & Preventable Accident; Body damage \$3,088.40	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	4/13/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	4/13/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	4/13/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	4/14/2021	Written Warning	Safety - 4.22.1 - Employee speeding and passed passenger up.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	4/16/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	4/16/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out to revenue service #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	4/21/2021	Written Warning	Conduct - 2.8 - Pass up Written warning for passenger pass-up on March 23, 2021	PRF	Performance Issues	WRW	Written Warning
M	Asian	4/23/2021	Written Warning	Safety - 2.14.1 - Operator ran stop sign on April 8, 2021.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	5/10/2021	Written Warning	Safety - 2.21.16 - Made contact with a fixed object.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	5/19/2021	Written Warning	Safety - 4.19.1 - Operator had stop sign violation on April 20, 2021.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	5/19/2021	Written Warning	Inattention - 3.4.1 - Operator did not complete pre-trip inspection to confirm a working radio.	ITD	Inattention to Duty	WRW	Written Warning
M	Asian	5/21/2021	Written Warning	Inattention - 2.15.6 - 14 Minutes ahead of schedules.	ITD	Inattention to Duty	WRW	Written Warning

M	Asian	6/1/2021	Written Warning	Attendance - - Excessive absences	ATT	Attendance	WRW	Written Warning
M	Black	7/2/2020	Dismissal	Conduct - 2.7.5 - Alleged overtime fraud,	DHN	Dishonesty	S10	Suspension 6 - 10 days
M	Black	8/7/2020	Dismissal	Drug and Alcohol - 2.11 - 2nd positive drug test within 5 years	SUB	Substance Abuse	DIS	Dismissal
M	Black	8/11/2020	Dismissal	Conduct - Rule 2.7.10 - Discourteous -	PRF	Performance Issues	S30	Suspension 26 - 30 days
F	Black	9/10/2020	Dismissal	Drug & Alcohol - - 2nd positive test within 5 years	SUB	Substance Abuse	DIS	Dismissal
M	Black	9/10/2020	Dismissal	EEO Violations - - Violation of CCSF sexual harassment policy	MOR	Moral Turpitude	DIS	Dismissal
F	Black	10/1/2020	Dismissal	Condition of Employment - 6.1 - Failure to maintain all regulatory requirements	OTH	Other	DIS	Dismissal
M	Black	10/28/2020	Dismissal	2nd positive drug test Step 3 Arbitrator decision: • Reinstated you to your former position, 9163 Transit Operator effective October 28, 2020 • Backpay from August 21, 2020 to September 8, 2020 • Continuity of benefits • Seniority is restored • The July 2020 drug test is considered your 1st drug test and positive start of a new 5-year period	SUB	Substance Abuse	S30	Suspension 26 - 30 days
M	Black	11/20/2020	Dismissal	Conduct - - Dishonesty and signal violation. Employee hit a car, rain guard fell off and never report incident	DHN	Dishonesty	DIS	Dismissal
F	Black	12/18/2020	Dismissal	Conduct - 2.13.1 - CSC Customer Service Complaint Dismissal Step 2- 12-2-20 Reduced to 10 day suspension and Last Chance Agreement which was signed	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
F	Black	1/14/2021	Dismissal	Dismissal - - Insubordination, Misconduct	INS	Insubordination	DIS	Dismissal
M	Black	1/14/2021	Dismissal	Substance -2.11; 2.13.1 - 1st Positive SAP	SUB	Substance Abuse	S30	Suspension 26 - 30 days
M	Black	1/26/2021	Dismissal	Safety - 2.21 - Did not give clearance to bicyclist and the bicyclist was hit. 10-day suspension and LCA	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
F	Black	2/8/2021	Dismissal	Conduct - 2.13.1 - PSR 10-Day suspension for PSRs on 8/20/20 - reduced from dismissal - will be served 2/14 to 2/25/2021	PRF	Performance Issues	S10	Suspension 6 - 10 days
F	Black	2/23/2021	Dismissal	Safety - 2.21.17 - Operator allegedly did not report a fight on-board coach, and separately, collided with a bicyclist.	PRF	Performance Issues	DIS	Dismissal
F	Black	4/19/2021	Dismissal	Conduct - 2.13.1 - CSC Dismissal upheld for violations on 2/8/21, 3/3-3/4/21. Last Chance Agreement violations. - Charges of discourtesy, and ADA, schedule and PED violation - Hearing held 4/12/2021	PRF	Performance Issues	DIS	Dismissal
F	Black	6/1/2021	Dismissal	Substance - - 1st Positive test 12.7.21018, signed waiver for 30 day suspension & SAP	SUB	Substance Abuse	S30	Suspension 26 - 30 days
F	Black	3/22/2021	Performance Improvement Plan	Performance - - Trainee Performance Plan to improve in certain areas within the 9152 classification. Failure to do so in the two week period will lead to release.	PRF	Performance Issues	PIP	Performance Improvement Plan
F	Black	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
F	Black	3/19/2021	Probationary Period Extension	Probationary Extension - - Extend probation end date 5.28.21	OTH	Other	PPX	Probationary Period Extension
F	Black	3/19/2021	Probationary Period Extension	Performance - - Extend probation end date 5.14.2021	PRF	Performance Issues	PPX	Probationary Period Extension
F	Black	3/19/2021	Probationary Period Extension	Performance - - Extend probation date end 6.11.21	PRF	Performance Issues	PPX	Probationary Period Extension
F	Black	6/7/2021	Probationary Period Extension	Performance - Extend Performance Date - end 9/11/2021				

F	Black	7/8/2020	Probationary Release	Effective July 8, 2020	OTH	Other	PRE	Probationary Release
M	Black	2/16/2021	Probationary Release	Probationary Release - - Released from probationary appointment	PRF	Performance Issues	PRE	Probationary Release
M	Black	7/1/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	7/7/2020	Suspension 1 day	Safety - 2.8.1 - Avoidable Sign Violation -	PRF	Performance Issues	S01	Suspension 1 day
M	Black	8/10/2020	Suspension 1 day	Safety - 4.22.1 - Speeding. Operator going 47 mph in 35 mph posted speed limit.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	8/21/2020	Suspension 1 day	Safety - 4.22 - Drive Cam Speeding 14 mph over posted speed limit	ITD	Inattention to Duty	WRW	Written Warning
M	Black	8/25/2020	Suspension 1 day	Attendance - 2.14.1 - Operator did not provide doctor's notes for 26 sick days	ATT	Attendance	S01	Suspension 1 day
F	Black	8/26/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam 1st Rolling Stop	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	10/16/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam - Stop sign violation #1	ITD	Inattention to Duty	S01	Suspension 1 day
F	Black	10/16/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam failed to make a complete stop at the Red Light.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	10/20/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Failed to make a complete stop	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	10/23/2020	Suspension 1 day	Performance - 2.13.1 - Route deviation	PRF	Performance Issues	S01	Suspension 1 day
M	Black	10/27/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	10/27/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	10/29/2020	Suspension 1 day	Safety - 2.4.1 - Red light violation on 12.8.2019	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	11/4/2020	Suspension 1 day	Safety - 2.14.1 - Red light violation	ITD	Inattention to Duty	WRW	Written Warning
M	Black	11/20/2020	Suspension 1 day	Safety - 2.14.1 - DriveCam Speed violation driving 19 miles over the posted speed limit.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	12/6/2020	Suspension 1 day	Signal - 4.19.1 - Failed to make a complete stop #1	ITD	Inattention to Duty	S01	Suspension 1 day
F	Black	12/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	12/18/2020	Suspension 1 day	Signal Violation - 4.22.1 - Fail to stop at right light prior to making a left turn at De Long St.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	1/19/2021	Suspension 1 day	Signal Violation - 4.19.1 - 2nd Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
F	Black	1/27/2021	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop	ITD	Inattention to Duty	WRW	Written Warning
M	Black	2/3/2021	Suspension 1 day	Performance - 6.1.1 - Multiple violations on 9.23.2020	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	2/17/2021	Suspension 1 day	Attendance - - excessive absenteeism	ATT	Attendance	S01	Suspension 1 day
F	Black	4/9/2021	Suspension 1 day	AWOL - 4.1.1; 4.1.2; 4.3.3; 19.12 - AWOL 2.25.2021	ATT	Attendance	S01	Suspension 1 day
M	Black	4/26/2021	Suspension 1 day	Attendance - CSC 420 - Excessive Absenteeism 11th absence within 3 months.	ATT	Attendance	S01	Suspension 1 day
F	Black	12/18/2020	Suspension 11 - 15 days	Attenance - - excessive absenteeism, Final resolution 14 days	ATT	Attendance	S15	Suspension 11 - 15 days
M	Black	7/15/2020	Suspension 16 - 20 days	AWOL - 4.2.3 - AWOL 4 days, dk	ATT	Attendance	S20	Suspension 16 - 20 days
M	Black	8/28/2020	Suspension 16 - 20 days	AWOL - 4.2.3 - AWOL, dk	ATT	Attendance	S20	Suspension 16 - 20 days
M	Black	7/6/2020	Suspension 2 days	AWOL - 4.1.1 - No show no call	ATT	Attendance	S02	Suspension 2 days
F	Black	7/14/2020	Suspension 2 days	AWOL - 4.3.3 - Employee Overslept	ATT	Attendance	S02	Suspension 2 days
M	Black	8/20/2020	Suspension 2 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S02	Suspension 2 days
F	Black	8/22/2020	Suspension 2 days	AWOL - ITD - 2 day suspension Step 2 upheld Step 3 Arbitrator : suspension set aside Written warning is final discipline	ATT	Attendance	WRW	Written Warning
F	Black	8/26/2020	Suspension 2 days	AWOL - 4.3.3 - AWOL 1st	ATT	Attendance	S02	Suspension 2 days
F	Black	9/1/2020	Suspension 2 days	AWOL - 4.3.3 - Operator was AWOL on August 24, 2020	ATT	Attendance	S01	Suspension 1 day
M	Black	9/24/2020	Suspension 2 days	AWOL - 4.1.33 - AWOL #1	ATT	Attendance	S01	Suspension 1 day
F	Black	9/25/2020	Suspension 2 days	Attendance - - excessive abseteeism dk	ATT	Attendance	S02	Suspension 2 days
M	Black	9/29/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 8.8.2020, dk	ATT	Attendance	S02	Suspension 2 days
F	Black	10/21/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 9.28.2020 dk	ATT	Attendance	S01	Suspension 1 day
F	Black	10/26/2020	Suspension 2 days	AWOL - 4.3.3 - Operator overslept	ATT	Attendance	S02	Suspension 2 days
F	Black	10/30/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 9.18.2020	ATT	Attendance	WRW	Written Warning
F	Black	11/12/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL on 7.9.2020	ATT	Attendance	S02	Suspension 2 days
F	Black	11/20/2020	Suspension 2 days	AWOL - 4.3.3 - Operator called in 20 minutes before her run.	ATT	Attendance	S01	Suspension 1 day

M	Black	12/6/2020	Suspension 2 days	AWOL - 4.3.3 - Operator overslept and failed to call in timely.	ATT	Attendance	S02	Suspension 2 days
F	Black	12/8/2020	Suspension 2 days	Signal Violation - 4.19.1 - Two rolling stops in a five month period.	ITD	Inattention to Duty	S02	Suspension 2 days
F	Black	12/9/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 7.11.2020	ATT	Attendance	S02	Suspension 2 days
M	Black	12/17/2020	Suspension 2 days	AWOL - 4.3.3 - AWOL EE call ten minutes after shift started and failed to show.	ATT	Attendance	S02	Suspension 2 days
M	Black	1/25/2021	Suspension 2 days	AWOL - 4.2.3 - AWOL	ATT	Attendance	S01	Suspension 1 day
M	Black	2/2/2021	Suspension 2 days	AWOL - 4.1.1 - AWOL - Operator was reported AWOL by Dispatcher on January 21, 2021.	ATT	Attendance	S02	Suspension 2 days
F	Black	2/8/2021	Suspension 2 days	AWOL - 4.1.1; 4.3.3 - Failed to report for duty, no call no show	ATT	Attendance	S02	Suspension 2 days
M	Black	2/9/2021	Suspension 2 days	AWOL - 4.3.3 - Operator overslept and called in late. Unable to report to work.	ATT	Attendance	S02	Suspension 2 days
M	Black	2/11/2021	Suspension 2 days	AWOL - 4.3.3 - Operator reported to work and after picking their paddle the went home.	ATT	Attendance	S02	Suspension 2 days
F	Black	2/17/2021	Suspension 2 days	AWOL - 4.1.2 - Operator called in 28 minutes before her shift started.	ATT	Attendance	S02	Suspension 2 days
M	Black	2/23/2021	Suspension 2 days	Attendance - 4.1 - AWOL 12.1.2020	ATT	Attendance	S02	Suspension 2 days
M	Black	2/23/2021	Suspension 2 days	AWOL - 4.3.3 - Operator was reported AWOL on February 4, 2021.	ATT	Attendance	S02	Suspension 2 days
M	Black	2/23/2021	Suspension 2 days	Attendance - 4.2.3 - AWOL on 12.1.2020	ATT	Attendance	S02	Suspension 2 days
M	Black	3/4/2021	Suspension 2 days	AWOL - 19.2 - Operator called in late then refused an offer of another run.	ATT	Attendance	S02	Suspension 2 days
M	Black	3/10/2021	Suspension 2 days	AWOL - 4.2.3 - AWOL on 1.23.2021	ATT	Attendance	S01	Suspension 1 day
M	Black	3/16/2021	Suspension 2 days	AWOL - 19.2 MOU - AWOL #1 Employee called over 30 minutes after his shift started.	ITD	Inattention to Duty	S02	Suspension 2 days
M	Black	3/24/2021	Suspension 2 days	Attendance - 4.3.3 - Employee called in less than 45 minutes before their shift was supposed to start.	ATT	Attendance	WRW	Written Warning
M	Black	3/30/2021	Suspension 2 days	AWOL - 4.3.3 - Operator was AWOL on February 25, 2021.	ATT	Attendance	RES	
F	Black	4/7/2021	Suspension 2 days	AWOL - 4.2.1 - Operator was allegedly AWOL on March 5, 2021.	ATT	Attendance	WRW	Written Warning
M	Black	4/13/2021	Suspension 2 days	AWOL - 4.3.3 - Employee called in late and decided not to take another run.	ATT	Attendance	S02	Suspension 2 days
M	Black	5/14/2021	Suspension 2 days	Safety - - Unsafe Operation on 3.23.2021	ITD	Inattention to Duty	S02	Suspension 2 days
M	Black	2/5/2021	Suspension 26 - 30 days	1st Positive Drug Test 30 day suspension and SAP Treatment	SUB	Substance Abuse	S30	Suspension 26 - 30 days
M	Black	2/11/2021	Suspension 26 - 30 days	1st Positive Drug Test	SUB	Substance Abuse	S30	Suspension 26 - 30 days
M	Black	2/25/2021	Suspension 26 - 30 days	Drug & Violation - - Positive random drug test	SUB	Substance Abuse	S30	Suspension 26 - 30 days
M	Black	4/23/2021	Suspension 26 - 30 days	Substance Abuse 30 day suspension 1st offense	SUB	Substance Abuse	S30	Suspension 26 - 30 days
M	Black	5/30/2021	Suspension 26 - 30 days	Drug & Alcohol - - Refusal to test; signed 30-day waiver	SUB	Substance Abuse	S30	Suspension 26 - 30 days
F	Black	7/14/2020	Suspension 3 days	Signal Violation - 4.19.1 - 2nd Rolling stop violation 2/21/2020	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	7/15/2020	Suspension 3 days	Safety - 2.4.1 - red light violation on 6.7.2020, dk	ITD	Inattention to Duty	S02	Suspension 2 days
M	Black	7/17/2020	Suspension 3 days	Signal Violation - 4.19.1 - 2nd stop sign violation. Failed to make a complete stop.	ITD	Inattention to Duty	S03	Suspension 3 days
F	Black	7/22/2020	Suspension 3 days	Safety - 2.8.1 - avoidable accident on 9.11.19	ITD	Inattention to Duty	S01	Suspension 1 day
F	Black	7/29/2020	Suspension 3 days	Safety - 2.4.1 - Flashing red violation 7.22.2019, dk	PRF	Performance Issues	S03	Suspension 3 days
M	Black	8/3/2020	Suspension 3 days	Signal Violation - 4.19.1 - 2nd failure to make a complete stop in a 12-month period.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	8/11/2020	Suspension 3 days	Safety - General Notice 1/2019 - PED Arbitration Decision 03-20-PR	ITD	Inattention to Duty	S03	Suspension 3 days
F	Black	8/26/2020	Suspension 3 days	Signal Violation - 2nd Stop Sign Violation in a 12-month period.	ITD	Inattention to Duty	S03	Suspension 3 days
F	Black	8/26/2020	Suspension 3 days	Signal Violation - 4.19.1 - Drive Cam 2nd rolling stop in 12-month period	ITD	Inattention to Duty	S03	Suspension 3 days
F	Black	9/29/2020	Suspension 3 days	Signal Violations - 4.19.1 - Drive Cam #1 Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	9/29/2020	Suspension 3 days	Safety - 2.9.4 - Preventable collision	PRF	Performance Issues	S02	Suspension 2 days
M	Black	10/7/2020	Suspension 3 days	Safety - 2.14.1 - Stop Sign violations - Operator was observed violating stop signs on September 17, 2020.	PRF	Performance Issues	S02	Suspension 2 days

F	Black	10/8/2020	Suspension 3 days	Attendance - - Excessive Absenteeism	ATT	Attendance	S03	Suspension 3 days
M	Black	10/20/2020	Suspension 3 days	Safety - 2.21.15 - Contact made with vehicle. 3rd Preventable Accident	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	11/5/2020	Suspension 3 days	Safety - 2.4.1 - Speeding	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	11/10/2020	Suspension 3 days	Inattention - 2.9.4 - Operator did not scan intersection before motorist entered it on September 25. 2020.	ITD	Inattention to Duty	S03	Suspension 3 days
F	Black	11/13/2020	Suspension 3 days	Conduct - 2.7.11 - TS violation 6.30.2020	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	11/20/2020	Suspension 3 days	Signal Violation - 4.19.1 - DriveCam 2nd stop sign violation. Failed to make a complete stop.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	2/3/2021	Suspension 3 days	Safety - 2.4.1 - Red light violation on 10.25.2020	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	3/2/2021	Suspension 3 days	Signal Violation - 4.19.1 - 2nd Stop Sign Violation within an 12 month period.	ITD	Inattention to Duty	S03	Suspension 3 days
F	Black	3/3/2021	Suspension 3 days	Signal Violations - 4.19 - DriveCam Failed to completely stop at red light/flashing red light prior to proceeding.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	3/18/2021	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	4/5/2021	Suspension 3 days	Signal Violations - 4.19.1 - Red Light Violation Traffic Violation Ticket.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	4/6/2021	Suspension 3 days	Signal Violation - 4.19.1 - Failed to stop at red signal. Traffic violation from Superior Court.	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	4/20/2021	Suspension 3 days	Safety - 2.8 - Red light Violation 3 day suspension Suspension Days: •Thursday, 5/13/21•Thursday, 5/27/21 •Friday, 5/14/21•Friday, 5/28/21 •Thursday, 5/20/21•Thursday, 6/3/21 •Friday, 5/21/21•Friday, 6/4/21	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	4/23/2021	Suspension 3 days	Inattention - 2.21.2; 2.21.15; 2.22.3 - Unsafe Operations CSC#338713 on 3.11.21 Run 525 driving and hid CAP from passenger	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	5/3/2021	Suspension 3 days	Safety - - accident while off-route without orders	ITD	Inattention to Duty	S03	Suspension 3 days
F	Black	5/24/2021	Suspension 3 days	Performance - 6.24.2 - Schedule violation on 6.24.2020. dk	PRF	Performance Issues	S03	Suspension 3 days
F	Black	7/13/2020	Suspension 5 days	Performance - 2.11.1 - Schedule violation 6.24.2020, dk	PRF	Performance Issues	S03	Suspension 3 days
F	Black	7/21/2020	Suspension 5 days	Safety - 4.22.2 - Operator was driving with one hand and at excessive speed.	PRF	Performance Issues	WRW	Written Warning
M	Black	7/21/2020	Suspension 5 days	PED - Rule 2.22 – Radios Incident 3/20/2020 Suspension Days: 7/22/20, 7/25/20, 7/29/20, 8/1/20, & 8/5/20	ITD	Inattention to Duty	S05	Suspension 5 days
M	Black	8/14/2020	Suspension 5 days	Attendance - 4.2.3 - Working Miss Out	ATT	Attendance	S05	Suspension 5 days
M	Black	9/1/2020	Suspension 5 days	Safety - 2.8.1 - avoidable incident	ITD	Inattention to Duty	S01	Suspension 1 day
F	Black	9/7/2020	Suspension 5 days	PED - 2.2. - General Notices 2020.DOC.020 using cell phone while operating vehicle.	ITD	Inattention to Duty	S05	Suspension 5 days
F	Black	9/8/2020	Suspension 5 days	Safety - 2.14.1 - Failed to make complete stops	ITD	Inattention to Duty	S03	Suspension 3 days
M	Black	9/17/2020	Suspension 5 days	Safety Violation - 2.14.1 - Multiple Speed violation	PRF	Performance Issues	S05	Suspension 5 days
M	Black	9/18/2020	Suspension 5 days	Safety - 2.13.1 - Multiple Violations	PRF	Performance Issues	S05	Suspension 5 days
M	Black	9/19/2020	Suspension 5 days	PED - 2020.DOC.020 - Multiple Personal Electronic Device violation	PRF	Performance Issues	S05	Suspension 5 days
F	Black	9/22/2020	Suspension 5 days	Safety - 2.22.7 - Operator had Personal Electronic Device violation on August 18, 2020	PRF	Performance Issues	S05	Suspension 5 days
F	Black	9/23/2020	Suspension 5 days	Safety - 2.22.7 - Operator was observed using a Personal Electronic Device PED on 9/2/2020	PRF	Performance Issues	S05	Suspension 5 days
F	Black	11/20/2020	Suspension 5 days	Signal Violation - 4.19.20 - Failed to make a complete stop 4 stop sign violations 9.22.20	ITD	Inattention to Duty	S05	Suspension 5 days
M	Black	12/11/2020	Suspension 5 days	PED Please see the attached Suspension Notice for #6289 Hanif Mohamed for a PED Violation on 9/20/20.				
M	Black	1/4/2021	Suspension 5 days	Suspension Days: 12/16/20, 12/17/20, 12/20/20, 12/23/20, & 12/30/20	ITD	Inattention to Duty	S05	Suspension 5 days
M	Black		Suspension 5 days	Attendance - 4.2.3 - WMO	ATT	Attendance	S03	Suspension 3 days

M	Black	1/22/2021	Suspension 5 days	Safety - 2.7.2 - for role in a derailment. Failed to comply with the Signal System Failure.	ITD	Inattention to Duty	S01	Suspension 1 day
F	Black	1/26/2021	Suspension 5 days	Signal Violation - 4.19.1 - Failed to stop at 7 different locations.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Black	1/27/2021	Suspension 5 days	PED - - PED on 12.31.2020	ITD	Inattention to Duty	S05	Suspension 5 days
F	Black	2/2/2021	Suspension 5 days	PED - 2.22 - PED Violation on 4/30/2019	OTH	Other	S05	Suspension 5 days
F	Black	2/8/2021	Suspension 5 days	Conduct - 2.13.1 - CSC P&P does not allow duplicate key value, I cant get S10 to work. reduced from 7-days to 5-days suspension - Charges are from PSRs ranging from 11/2019 to 12/2019 - Suspension to be served from 3/21-3/26/21	PRF	Performance Issues	S05	Suspension 5 days
F	Black	2/19/2021	Suspension 5 days	PED - - PED on 9.14.20	ITD	Inattention to Duty	S05	Suspension 5 days
M	Black	2/19/2021	Suspension 5 days	Five 5 Days Suspension for Discourteous, Insensitive and Inappropriate Conduct CSC #295826, #300113, #301490 and #308083	ITD	Inattention to Duty	S05	Suspension 5 days
M	Black	2/24/2021	Suspension 5 days	Attendance - - Excessive absenteeism and Tardiness, tardy 28/absent 8, out of 36 days	ATT	Attendance	S05	Suspension 5 days
F	Black	3/29/2021	Suspension 5 days	AWOL - 4.1; 4.3 - AWOL	ATT	Attendance	S05	Suspension 5 days
M	Black	4/2/2021	Suspension 5 days	Safety - GN - PED and Discourtesy violation 5 Days suspension on PED and Discourtesy violation. - To be served 4/7/21 to 4/11/21	ITD	Inattention to Duty	S05	Suspension 5 days
F	Black	4/6/2021	Suspension 5 days	2.2 Bulletins - PED This is to inform you that you have been suspended for five 5 days on: • Thursday, April 08, 2021 • Thursday, April 15, 2021 • Thursday, April 22, 2021 • Thursday, April 29, 2021 • Thursday, May 06, 2021 For the following reason s : • PED Violation on 1/31/21 Regards, Paul Li Acting Division Trolley Bus Operations cc: HR,	ITD	Inattention to Duty	S05	Suspension 5 days
F	Black	4/7/2021	Suspension 5 days	AWOL - 4.1; 4.3 - AWOL 3.28.2020 3rd violation in past 5 months	ATT	Attendance	S05	Suspension 5 days
M	Black	4/21/2021	Suspension 5 days	PED - - PED Violation 3/6/2021	ITD	Inattention to Duty	S05	Suspension 5 days
F	Black	5/5/2021	Suspension 5 days	PED - 2021.GN.002 - Using a Personal Electronic Device in the operator's compartment, then improperly stowing it.	ITD	Inattention to Duty	S05	Suspension 5 days
F	Black	5/7/2021	Suspension 5 days	Five 5 Days Suspension for – Unsafe boarding, alighting and PED Violation on 3.22.2021 Suspension Days: •Friday, 6/11/21•Friday, 7/9/21 •Saturday, 6/12/21•Friday, 7/23/21 •Friday, 6/25/21	ITD	Inattention to Duty	S05	Suspension 5 days
M	Black	5/10/2021	Suspension 5 days	PED Violation on 4.13.2021 5 day suspension Suspension Days: •Thursday, 5/13/21•Thursday, 5/27/21 •Friday, 5/14/21•Friday, 5/28/21 •Thursday, 5/20/21•Thursday, 6/3/21 •Friday, 5/21/21•Friday, 6/4/21	ITD	Inattention to Duty	S05	Suspension 5 days
F	Black	5/12/2021	Suspension 5 days	PED - 2021.GN.002 - Using Personal Electronic Device and improper stowing.	ITD	Inattention to Duty	S05	Suspension 5 days

				Safety - 2.2 - PED Violation and unsafe boarding/alighting on 3/22/2021.				
				<ul style="list-style-type: none"> • Saturday, June 12, 2021 • Sunday, June 13, 2021 • Saturday, June 19, 2021 • Sunday, June 20, 2021 • Saturday, June 26, 2021 				
M	Black	6/9/2021	Suspension 5 days		ITD	Inattention to Duty	S05	Suspension 5 days
M	Black	7/1/2020	Suspension 6 - 10 days	Safety - 2.21.1 - Operator had preventable collision with bicyclist on May 21, 2020.	PRF	Performance Issues	S05	Suspension 5 days
M	Black	7/10/2020	Suspension 6 - 10 days	2020-GN-021 - PED; Safety - 2.21.16 - Not Securing Coach Property, leaving coach; Conduct - 2.8.1 - Discourteous, Profanity -	PRF	Performance Issues	S10	Suspension 6 - 10 days
M	Black	7/20/2020	Suspension 6 - 10 days	Conduct - Rule 2.7.2 - Avoidable Collision -	PRF	Performance Issues	S10	Suspension 6 - 10 days
M	Black	7/27/2020	Suspension 6 - 10 days	Safety - 2.8.1 - 2nd / 3rd avoidable, PED, Rolling stop	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Black	9/18/2020	Suspension 6 - 10 days	Safety - 2.4.1 - red light violation, dk	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Black	10/2/2020	Suspension 6 - 10 days	Safety - 2.4.1 - red light violation on 7.14.2020. dk	PRF	Performance Issues	S10	Suspension 6 - 10 days
M	Black	10/21/2020	Suspension 6 - 10 days	Workplace violence - 2.7.10 - Incident on 6.8.2020. dk	VIO	Violence	S10	Suspension 6 - 10 days
				PED Violation 2nd occurrence within 2 month period on 10/13/20.				
M	Black	10/29/2020	Suspension 6 - 10 days	Suspension Days: 12/5/20 – 12/9/20 & 1/16/21 – 1/20/21	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Black	3/5/2021	Suspension 6 - 10 days	AWOL - 4.3.3 - AWOL #1 & #2. AWOL #1 Operator was late and refused another run. AWOL #2 was dismissed.	ATT	Attendance	S02	Suspension 2 days
F	Black	3/10/2021	Suspension 6 - 10 days	AWOL - 4.2.3 - AWOL#2 on 1.27.2021	ATT	Attendance	S10	Suspension 6 - 10 days
F	Black	3/29/2021	Suspension 6 - 10 days	AWOL - 19.12 - Operator called in 5 minutes ahead of start time on March 17, 2021; required to call in at least 45 minutes if unscheduled absence	ATT	Attendance	S10	Suspension 6 - 10 days
M	Black	4/1/2021	Suspension 6 - 10 days	Safety - 2.21.1 - Operator allegedly went off-route, ran multiple stop signs, sped, and used a PED prior to an unauthorized pull-in on March 11, 2021.	PRF	Performance Issues	S10	Suspension 6 - 10 days
F	Black	4/14/2021	Suspension 6 - 10 days	PED/AWOL - - PED & AWOL	ATT	Attendance	S10	Suspension 6 - 10 days
M	Black	5/5/2021	Suspension 6 - 10 days	Attendance - 4.2.3 - Working Miss Out & PED on 3.9.2021; 8 days final resolution	ATT	Attendance	S10	Suspension 6 - 10 days
M	Black	7/13/2020	Written Warning	Attendance - CSC 420 - 42 absence in last 12 months	ATT	Attendance	WRW	Written Warning
M	Black	7/14/2020	Written Warning	Safety - 2.14.1; 2.21.2 - stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
M	Black	7/14/2020	Written Warning	Safety - 2.14.1; 2.21.2 - red light violation	ITD	Inattention to Duty	WRW	Written Warning
M	Black	7/16/2020	Written Warning	Rule 5.3.3 - Signal Violation -	ITD	Inattention to Duty	WRW	Written Warning
M	Black	7/20/2020	Written Warning	Safety - Rule 4.14.1 - Unsafe Operation -	PRF	Performance Issues	WRW	Written Warning
M	Black	7/24/2020	Written Warning	Safety - Rule 4.14.1 - Unsafe Operation -	PRF	Performance Issues	WRW	Written Warning
F	Black	8/4/2020	Written Warning	Safety - 2.21.15 - Operator had preventable incident when passenger had rear doors closed on them.	PRF	Performance Issues	WRW	Written Warning
F	Black	8/4/2020	Written Warning	Safety - 2.21.15 - Preventable Collision	PRF	Performance Issues	WRW	Written Warning
M	Black	8/4/2020	Written Warning	Safety - 2.21.15 - Preventable collision	PRF	Performance Issues	WRW	Written Warning
M	Black	8/5/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation -	PRF	Performance Issues	WRW	Written Warning
F	Black	8/6/2020	Written Warning	Inattention - 4.6 - Operator failed to complete and file Defect Card during pre-trip inspection	PRF	Performance Issues	WRW	Written Warning
F	Black	8/6/2020	Written Warning	Safety - 2.14.1; 2.21.1 - Speeding 32 in 25 on 7.26.2020	ITD	Inattention to Duty	WRW	Written Warning
M	Black	8/6/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
M	Black	8/6/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
F	Black	8/6/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning

F	Black	8/7/2020	Written Warning	Inattention - 4.13.1 - Operator failed to make incident report re contact with stationary median.	PRF	Performance Issues	WRW	Written Warning
M	Black	8/7/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
M	Black	8/10/2020	Written Warning	Safety - 2.14.1 - no stop at stop sign on 8.2.2020	ITD	Inattention to Duty	WRW	Written Warning
F	Black	8/12/2020	Written Warning	Inattention - 2.9.4 - "Operator made contact with a stationary median"	PRF	Performance Issues	WRW	Written Warning
M	Black	8/12/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
M	Black	8/12/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
F	Black	8/18/2020	Written Warning	Inattention - 4.36.1 - Unattended vehicle	PRF	Performance Issues	WRW	Written Warning
M	Black	8/18/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
M	Black	8/19/2020	Written Warning	Routes - Rule 2.13.1 - Route Violation -	PRF	Performance Issues	WRW	Written Warning
F	Black	9/1/2020	Written Warning	Safety - 2.14.1; 2.21.1 - Speeding 46 in 35 on 8.21.2020	ITD	Inattention to Duty	WRW	Written Warning
M	Black	9/4/2020	Written Warning	Safety - 2.9.4 - avoidable collision on 8.17.20	ITD	Inattention to Duty	WRW	Written Warning
M	Black	9/10/2020	Written Warning	Schedule - 4.5.7 - Pulled out 10 minutes later than scheduled	ITD	Inattention to Duty	WRW	Written Warning
M	Black	9/10/2020	Written Warning	Safety - 2.2.1 - 2nd Avoidable within a 12-month period. Made contact with left side barrier.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	9/11/2020	Written Warning	Conduct - 2.8.3 - stopped and got off of the coach to confront a Parking Control Officer who was writing a ticket for another operators vehicle.	OTH	Other	WRW	Written Warning
F	Black	9/11/2020	Written Warning	Routes - Rule 2.13.2 - Route and Unauthorized Pullin -	PRF	Performance Issues	WRW	Written Warning
M	Black	9/15/2020	Written Warning	Safety - Rule 2.8.4 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
M	Black	9/15/2020	Written Warning	Attendance - 19.12.A - Late for work 2nd violation in 12-month period	ATT	Attendance	WRW	Written Warning
M	Black	9/26/2020	Written Warning	Safety - 2.14.1 - Drive Cam Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
M	Black	10/5/2020	Written Warning	Attendance - CSC 420 - Excessive Absenteeism	ATT	Attendance	WRW	Written Warning
F	Black	10/7/2020	Written Warning	Inattention - 4.6.1 - Operator did not perform pre-trip defect card inspection and damage was later discovered on EEs	ITD	Inattention to Duty	WRW	Written Warning
M	Black	10/8/2020	Written Warning	Safety - 2.14.1 - Drive Cam Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
M	Black	10/9/2020	Written Warning	Conduct - 4.9.1 - PSC ADA seats unavailable. Passenger requested assistance and operator refused.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	10/14/2020	Written Warning	Safety - 2.21.15 - Avoidable Accident came in contact with a vehicle to the left of the coach.	ITD	Inattention to Duty	WRW	Written Warning
F	Black	10/15/2020	Written Warning	Attendance - 4.2.3 - Late for Work; WMO -	ATT	Attendance	WRW	Written Warning
F	Black	10/15/2020	Written Warning	Inattention - 2.6.1 - Operator out of uniform & did not notify TMC when going out of service for a restroom break.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	10/18/2020	Written Warning	Conduct - 2.8.2 - Engaged in verbal altercation with Field .	OTH	Other	WRW	Written Warning
F	Black	10/21/2020	Written Warning	Workplace Violence - 2.8.3. - Operator got into escalated verbal conflict with a colleague and Operator threatened violence.	VIO	Violence	WRW	Written Warning
F	Black	10/27/2020	Written Warning	Inattention - 4.36 - Unattended Vehicle on 9/25/2020	ITD	Inattention to Duty	WRW	Written Warning
F	Black	10/28/2020	Written Warning	Conduct - 2.8.1 - Operator was allegedly discourteous towards a colleague on August 28, 2020.	PRF	Performance Issues	WRW	Written Warning
M	Black	10/29/2020	Written Warning	Conduct - 4.17.7 - Kicked a passenger off who smelled. Operator left his seat to engaged in an argument while using profanity with another passenger	OTH	Other	WRW	Written Warning
M	Black	11/12/2020	Written Warning	Attendance - - Excessive & pattern absenteeism	ATT	Attendance	WRW	Written Warning
F	Black	11/20/2020	Written Warning	Inattention - 2.2.1 - Operator received Written Warning for not wearing a face mask on November 20, 2020.	OTH	Other	WRW	Written Warning
M	Black	11/20/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. DriveCam #EUSX23898	OTH	Other	WRW	Written Warning
M	Black	11/20/2020	Written Warning	Signal Violation - 4.19.1 - Running a stop sign DriveCam	ITD	Inattention to Duty	WRW	Written Warning
M	Black	11/20/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. Received a Complaint.	OTH	Other	WRW	Written Warning
M	Black	11/23/2020	Written Warning	Safety - 2.21.15 - Preventable Collision	PRF	Performance Issues	WRW	Written Warning
F	Black	11/23/2020	Written Warning	Safety - 2.21.15 - Avoidable Accident coach made contact with left mirror of a stationary vehicle.	ITD	Inattention to Duty	WRW	Written Warning
F	Black	11/24/2020	Written Warning	Inattention - 4.11.1 - Operator did not complete defect card for four days.	ITD	Inattention to Duty	WRW	Written Warning

F	Black	11/28/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. DriveCam #EUSQ14981	OTH	Other	WRW	Written Warning
M	Black	12/3/2020	Written Warning	Inattention - 2.13.1 - Failed to speak with TMC or Dispatcher after turning in a non serviceable vehicle.	ITD	Inattention to Duty	WRW	Written Warning
F	Black	12/3/2020	Written Warning	AWOL - 4.3.3 - Failed to report. Operator was under the impression that dispatcher would call her to report to work.	ATT	Attendance	WRW	Written Warning
F	Black	12/7/2020	Written Warning	Uniforms - 2.6.1 - Employee was not wearing the uniform. Operator was wearing a grey t-shirt with the muni logo, black stretch pants and black tennis shoes.	OTH	Other	WRW	Written Warning
M	Black	12/7/2020	Written Warning	Signal Violation - 4.19.1 - Rolling stop #1	ITD	Inattention to Duty	WRW	Written Warning
F	Black	12/15/2020	Written Warning	Performance - - Arriving to work late and browsing the internet instead of working.	PRF	Performance Issues	WRW	Written Warning
M	Black	12/18/2020	Written Warning	Safety - 2.6; 2.13; 2.21.. - 11.23.2020 not wearing safety vest upon exiting coach	ITD	Inattention to Duty	WRW	Written Warning
M	Black	12/18/2020	Written Warning	Safety - 2.13; 2.13.1A; 2.6; 2.6.1 - not wearing face mask CSC# 286648	ITD	Inattention to Duty	WRW	Written Warning
M	Black	12/23/2020	Written Warning	Conduct - 2.8.1 - Operator used inappropriate language towards a supervisor on November 23, 2020.	PRF	Performance Issues	WRW	Written Warning
M	Black	1/1/2021	Written Warning	Conduct - 2.7.8 - Refused a direct order to complete missing information in required form. Told supervisor "do what you need to do."	INS	Insubordination	WRW	Written Warning
F	Black	1/13/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	1/15/2021	Written Warning	ITD - 2.13; 2.13.1A; 4.3; 4.3.3 - Late 40 minutes for run 414 L14R on 11.22.2020	ITD	Inattention to Duty	WRW	Written Warning
M	Black	1/15/2021	Written Warning	Attendance - CSC 420 - Excessive Absenteeism	ATT	Attendance	WRW	Written Warning
M	Black	1/22/2021	Written Warning	Signal Violation - 4.19.1 - failed to make a complete stop	ITD	Inattention to Duty	WRW	Written Warning
F	Black	1/26/2021	Written Warning	Inattention - 4.19.1 - Operator had a rolling stop at eight 8 stop signs on 11/20/2020.	PRF	Performance Issues	WRW	Written Warning
F	Black	1/26/2021	Written Warning	Schedules - 2.15.1 - Ahead of schedule	PRF	Performance Issues	WRW	Written Warning
M	Black	1/26/2021	Written Warning	Safety - 2.14.2 - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
F	Black	1/27/2021	Written Warning	Inattention - - EE allegedly sat on a bus for approx. 30 minutes, without inspecting patron fares, during a proof-of-payment unit deployment.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	1/27/2021	Written Warning	Signal Violation - 4.19.1 - Red Light Violation #1	ITD	Inattention to Duty	WRW	Written Warning
M	Black	1/29/2021	Written Warning	Uniform - 2.6.1 - Did not wear required uniform	OTH	Other	WRW	Written Warning
F	Black	2/2/2021	Written Warning	Safety - 4.19.1 - Stop sign violation	PRF	Performance Issues	WRW	Written Warning
M	Black	2/3/2021	Written Warning	Signal Violation - 4.19.1 - failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	2/3/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop. Drivecam	ITD	Inattention to Duty	WRW	Written Warning
M	Black	2/3/2021	Written Warning	Safety - 2.8 - Avoidable Incident	ITD	Inattention to Duty	WRW	Written Warning
F	Black	2/5/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	2/10/2021	Written Warning	Inattention - 2.22.3 - Operator was observed eating in the driver compartment of the coach on January 25, 2021.	ITD	Inattention to Duty	WRW	Written Warning
F	Black	2/16/2021	Written Warning	Attendance - - Excessive absenteeism	ATT	Attendance	WRW	Written Warning
M	Black	2/17/2021	Written Warning	Attendance - - Excessive absences	ATT	Attendance	WRW	Written Warning
M	Black	2/23/2021	Written Warning	Inattention - 2.13; 2.13.1A; 4.3; 4.3.3 - Late 10 min Run 479 Line 49. dk	ITD	Inattention to Duty	WRW	Written Warning
F	Black	2/23/2021	Written Warning	Attendance - 4.3.3 - WMO #2 Operator 40 minutes late to run. They stated they lost track of time.	ATT	Attendance	WRW	Written Warning
F	Black	2/24/2021	Written Warning	Conduct - 2.13; 2.13.1E; - Verbal altercation with dispatch, dk	PRF	Performance Issues	WRW	Written Warning
F	Black	3/5/2021	Written Warning	Performance - 2.15.1 - Ahead of schedule	PRF	Performance Issues	WRW	Written Warning
M	Black	3/8/2021	Written Warning	Safety - 2.8 - Avoidable Incident on12/2/2020 - 2nd incident in 12 months	ITD	Inattention to Duty	WRW	Written Warning
F	Black	3/8/2021	Written Warning	Conduct - 2.8 - CSC Written Warning for Discourtesy - Whistleblower Complaint for incident on 1/22/2020 - First violation in 12 months.	ITD	Inattention to Duty	WRW	Written Warning
F	Black	3/9/2021	Written Warning	Safety - 2.21.16 - Avoidable Collision. Right mirror made contact with a fixed object tree branch .	ITD	Inattention to Duty	WRW	Written Warning
M	Black	3/11/2021	Written Warning	AWOL - 4.3.3 - Operator reported to work late by 14 minutes.	ATT	Attendance	WRW	Written Warning

F	Black	3/12/2021	Written Warning	Conduct - 4.15.3 - Operator closed the door on passenger because of the passengers attitude.	OTH	Other	WRW	Written Warning
M	Black	3/15/2021	Written Warning	Safety - 2.21.16 - Avoidable Collision. Left mirror made contact with the right side of coach 8929.	ITD	Inattention to Duty	WRW	Written Warning
F	Black	3/16/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	3/25/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	3/25/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	3/29/2021	Written Warning	Safety - 2.21.16 - Preventable collision	PRF	Performance Issues	WRW	Written Warning
F	Black	3/29/2021	Written Warning	Attendance - 19.2 - Operator had prior Counselings re attendance and has had 14 unscheduled absences in prior 6 months.	ATT	Attendance	WRW	Written Warning
F	Black	3/31/2021	Written Warning	Signal Violations - 4.19.1 - Failed to come to complete stop. Drive Cam	ITD	Inattention to Duty	WRW	Written Warning
M	Black	4/1/2021	Written Warning	Performance - 2.15.1 - Running ahead of schedule. Arrived 11 minutes early.	PRF	Performance Issues	WRW	Written Warning
F	Black	4/7/2021	Written Warning	Performance - 2.15.2 - Operator allegedly pulled-in coach too early on March 24, 2021.	PRF	Performance Issues	WRW	Written Warning
F	Black	4/7/2021	Written Warning	Conduct - 6.0 - Coordinating with Passengers Case 1 Refusal to open front door on 3/2/21 Case 2 Passenger incident on 3/2/21 Case 3 Pass-Up on 3/8/21	PRF	Performance Issues	WRW	Written Warning
F	Black	4/13/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out to revenue service.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	4/14/2021	Written Warning	Performance - 2.15.1 - Departed terminal service 10 minutes ahead of published headway.	ATT	Attendance	WRW	Written Warning
F	Black	4/15/2021	Written Warning	Inattention - 3.4.1 - Radio/Pre-trip inspection not performed	ITD	Inattention to Duty	WRW	Written Warning
M	Black	4/16/2021	Written Warning	Performance - 4.3; 4.3.3 - Schedule violation	ITD	Inattention to Duty	WRW	Written Warning
M	Black	4/16/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out to revenue service #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	4/19/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
F	Black	4/21/2021	Written Warning	schedule violation - 2.15 - Written warning for on 4/1/2021 - 2nd violation in 12 months	ITD	Inattention to Duty	WRW	Written Warning
F	Black	4/23/2021	Written Warning	Safety - 2.21.15 - Preventable incident #2. Coach made contact with a fixed object tree .	ITD	Inattention to Duty	WRW	Written Warning
M	Black	4/26/2021	Written Warning	Attendance - 4.1.3 - Operator was AWOL on February 15, 2021.	ATT	Attendance	WRW	Written Warning
M	Black	4/27/2021	Written Warning	Performance - 2.15.1 - 20 minutes ahead of schedule.	PRF	Performance Issues	WRW	Written Warning
F	Black	4/30/2021	Written Warning	Attendance - 4.3.3 - WMO #2	ATT	Attendance	WRW	Written Warning
F	Black	5/10/2021	Written Warning	Inattention to Duty - 4.15.1 - Required Stops:Operator allegedly did not service a stop for an ADA passenger on April 2, 2021.	PRF	Performance Issues	WRW	Written Warning
F	Black	5/10/2021	Written Warning	Safety - 2.21.15 - Preventable incident when coach made contact with a bicyclist.	ITD	Inattention to Duty	WRW	Written Warning
F	Black	5/19/2021	Written Warning	Inattention - 2.6.1 - Operator observed by Inspector out of uniform on April 23, 2021.	ITD	Inattention to Duty	WRW	Written Warning
M	Black	5/19/2021	Written Warning	Performance - 2.13; 2.13.1A; 2.17; 2.17.1; 2.17.2; 4.5; 4.5.7 - 3.30.21 Run 472 L14R, left off route and left terminal early	PRF	Performance Issues	WRW	Written Warning
M	Black	5/27/2021	Written Warning	Safety - Rule 2.8.2 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
F	Black	6/1/2021	Written Warning	Attendance - - Excessive absences, dk	ATT	Attendance	WRW	Written Warning
M	Filipino	11/12/2020	Dismissal	Substance Abuse - - 2nd positive test 9.22.2020	SUB	Substance Abuse	RES	
M	Filipino	9/21/2020	Suspension 1 day	Safety - 2.1.2 - stop sign violation	ITD	Inattention to Duty	S01	Suspension 1 day
M	Filipino	10/16/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make complete stop sign violation	PRF	Performance Issues	S01	Suspension 1 day
M	Filipino	10/20/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Filipino	4/16/2021	Suspension 1 day	Rule 2.6 Safety Violation wearing a hoodie	ITD	Inattention to Duty	S01	Suspension 1 day
M	Filipino	2/8/2021	Suspension 2 days	AWOL 12/15/2020	ATT	Attendance	S02	Suspension 2 days

M	Filipino	3/31/2021	Suspension 2 days	Inattention - 4.28 - Left Coach 6703 unattended 2.22.2021, Requested 20% pay cut instead	ITD	Inattention to Duty	S02	Suspension 2 days
F	Filipino	4/13/2021	Suspension 2 days	AWOL - 4.3.3 - Employee called in late and decided not to take another run.	ATT	Attendance	S02	Suspension 2 days
M	Filipino	8/28/2020	Suspension 26 - 30 days	Drug and Alcohol - - 1st offense on 8.12.2020, 30 day suspension, entry to SAP	SUB	Substance Abuse	S30	Suspension 26 - 30 days
M	Filipino	5/3/2021	Suspension 26 - 30 days	Substance Abuse 1st Incident 30 day suspension	SUB	Substance Abuse	S30	Suspension 26 - 30 days
M	Filipino	4/7/2021	Suspension 3 days	Signal Violation - 4.19.1 - Failed to stop at stop sign. Drive Cam.	ITD	Inattention to Duty	S03	Suspension 3 days
				Performance Rolling Stop 6/11/2020				
M	Filipino	7/14/2020	Suspension 5 days	5-day suspension reduced to 3 days.	PRF	Performance Issues	S03	Suspension 3 days
M	Filipino	8/12/2020	Suspension 5 days	Safety - 4.22 - Speeding; Operator was driving 40mph in 30mph zone	PRF	Performance Issues	S05	Suspension 5 days
M	Filipino	9/8/2020	Suspension 6 - 10 days	Safety - 2.21.1 - Operator alleged to have sped 40mph in 30mph zone	PRF	Performance Issues	RES	
				Conduct - 2.28 - Equipment				
M	Filipino	4/2/2021	Suspension 6 - 10 days	Ten Days Suspension for tampering with equipment - To be served April 10 to April 23, 2021.	MPR	Misuse of Public Resources	S10	Suspension 6 - 10 days
M	Filipino	8/12/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
M	Filipino	8/19/2020	Written Warning	Safety - Rule 2.8.2 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
M	Filipino	9/1/2020	Written Warning	Safety - Rule 2.8.2 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
M	Filipino	10/8/2020	Written Warning	Safety - 2.14.1 - Drive Cam Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
M	Filipino	11/23/2020	Written Warning	Safety - 2.14.2 - Traffic Laws - Operator ran a stop sign on October 8, 2020.	PRF	Performance Issues	WRW	Written Warning
M	Filipino	2/3/2021	Written Warning	Safety - 2.8 - Avoidable Incident	ITD	Inattention to Duty	WRW	Written Warning
M	Filipino	3/3/2021	Written Warning	Safety - 2.21.15 - Operator had a preventable collision on January 7, 2021.	ITD	Inattention to Duty	WRW	Written Warning
F	Filipino	3/5/2021	Written Warning	Attendance - CSC 420 - Excessive Absences 13 absence in 4 months.	ATT	Attendance	WRW	Written Warning
F	Filipino	4/1/2021	Written Warning	Performance - 2..15.1 - Ahead of schedule. Operator arrived at terminal 11 minutes early.	PRF	Performance Issues	WRW	Written Warning
F	Filipino	4/8/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Filipino	5/13/2021	Written Warning	Inattention to Duty - EE received Written Warning for damage incurred to a coach when they did not verify the garage door was fully open on April 26, 2021.	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	7/7/2020	Dismissal	Safety - 2.21.2 - Operator had preventable collision with automobile on May 28, 2020.20% pay cut instead of suspension, dk	PRF	Performance Issues	S10	Suspension 6 - 10 days
M	Hispanic	10/1/2020	Dismissal	Condition of Employment - 6.1 - Failure to maintain all regulatory requirements	OTH	Other	DIS	Dismissal
M	Hispanic	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	Hispanic	9/22/2020	Probationary Release	release from probation due to positive drug test with restrictions	SUB	Substance Abuse	PRE	Probationary Release
M	Hispanic	7/16/2020	Suspension 1 day	Safety - Rule 2.8.1 - Red Light; Signal Violation -	PRF	Performance Issues	S01	Suspension 1 day
M	Hispanic	9/1/2020	Suspension 1 day	Safety - 2.8.1 - Avoidable Sign Violation -	PRF	Performance Issues	S01	Suspension 1 day
F	Hispanic	9/21/2020	Suspension 1 day	Inattention - 2.13.1 A - Left an passenger on board, misrepresenting facts	ITD	Inattention to Duty	S01	Suspension 1 day
M	Hispanic	9/22/2020	Suspension 1 day	Safety - 2.8.1 - Stop sign violation	PRF	Performance Issues	S01	Suspension 1 day
F	Hispanic	10/5/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam Stop Sign Violation #1	ITD	Inattention to Duty	S01	Suspension 1 day
M	Hispanic	10/7/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
M	Hispanic	10/14/2020	Suspension 1 day	Safety - 4.22.1 - Operator had posted speed violation on September 29, 2020.	PRF	Performance Issues	S01	Suspension 1 day
M	Hispanic	10/14/2020	Suspension 1 day	Safety - 4.19.1 - Stop sign violation	PRF	Performance Issues	S01	Suspension 1 day
M	Hispanic	11/2/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Hispanic	12/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Stop sign violation failed to complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day

M	Hispanic	1/26/2021	Suspension 1 day	Signal Violation - 4.19.1 - Stop sign violation	ITD	Inattention to Duty	S01	Suspension 1 day
F	Hispanic	2/25/2021	Suspension 1 day	Attendance - CSC 420 - Excessive Absenteeism	ATT	Attendance	S01	Suspension 1 day
M	Hispanic	4/16/2021	Suspension 1 day	2.13 Inattention to Duties - Excessive Absences 1 day suspension	ATT	Attendance	S01	Suspension 1 day
M	Hispanic	7/20/2020	Suspension 2 days	Attendance - CSC 420 - Excessive Absenteeism -	ATT	Attendance	S02	Suspension 2 days
M	Hispanic	8/12/2020	Suspension 2 days	Attendance - Rule 4.3.3 - AWOL Violation -	ATT	Attendance	S02	Suspension 2 days
M	Hispanic	10/20/2020	Suspension 2 days	AWOL - 4.3.3 - AWOL #1 Employee was late and no open runs was available	ATT	Attendance	S02	Suspension 2 days
M	Hispanic	11/4/2020	Suspension 2 days	AWOL - 4.1.1 - Operator was AWOL on October 14, 2020.	ATT	Attendance	S02	Suspension 2 days
M	Hispanic	12/29/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 10.16.2020	ATT	Attendance	S01	Suspension 1 day
M	Hispanic	3/2/2021	Suspension 2 days	AWOL - 2.1.3; 2.1.5; 2.13.1A; 4.1.1; 4.3.3 - AWOL	ATT	Attendance	S02	Suspension 2 days
M	Hispanic	7/22/2020	Suspension 3 days	Safety - 2.4.1 - Red light violation 3/6/20	ITD	Inattention to Duty	S03	Suspension 3 days
M	Hispanic	9/29/2020	Suspension 3 days	Signal Violation - 4.19.1 - Drive Cam 2nd Stop Sign Violation	ITD	Inattention to Duty	S03	Suspension 3 days
M	Hispanic	10/9/2020	Suspension 3 days	Rule 5.3.3 - Signal Violation -	PRF	Performance Issues	S03	Suspension 3 days
M	Hispanic	12/9/2020	Suspension 3 days	Safety - 2.21.15 - Operator had a preventable collision on November 18, 2020.	PRF	Performance Issues	S03	Suspension 3 days
M	Hispanic	1/19/2021	Suspension 3 days	Attendance - CSC 420 - Absence of 46 days	ATT	Attendance	S03	Suspension 3 days
M	Hispanic	3/30/2021	Suspension 3 days	Conduct - 2.8.1 - Operator was discourteous towards a colleague and also failed to complete various pre-trip inspections and was observed not wearing a seatbelt.	PRF	Performance Issues	S03	Suspension 3 days
M	Hispanic	4/9/2021	Suspension 3 days	Safety - 2.22.3 - Operator observed eating in cab and not having hands on wheel on January 27, 2021.	PRF	Performance Issues	S03	Suspension 3 days
M	Hispanic	5/7/2021	Suspension 3 days	stop sign violation	ITD	Inattention to Duty		
M	Hispanic	8/31/2020	Suspension 5 days	Safety - 2.7.1 - Preventable collision	ITD	Inattention to Duty	S05	Suspension 5 days
M	Hispanic	11/9/2020	Suspension 5 days	Conduct - Rule 2.7.10 - Discourteous, Insubordination -	PRF	Performance Issues	S05	Suspension 5 days
F	Hispanic	11/20/2020	Suspension 5 days	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
M	Hispanic	12/16/2020	Suspension 5 days	PED - - PED violation	ITD	Inattention to Duty	S05	Suspension 5 days
M	Hispanic	4/19/2021	Suspension 5 days	PED - 2.22.7 - Operator allegedly used Personal Electronic Device PED on Feb. 21, 2021.	ITD	Inattention to Duty	S05	Suspension 5 days
M	Hispanic	4/23/2021	Suspension 5 days	Personal Electronic Device - 2.22.7 - PED violation 3.28.2021	ITD	Inattention to Duty	S05	Suspension 5 days
M	Hispanic	11/19/2020	Suspension 6 - 10 days	PED Violation 2nd occurrence on 10/21/20. Suspension Days: 11/20, 11/23, 11/24, & 11/30 – 12/4/20	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	Hispanic	2/3/2021	Suspension 6 - 10 days	Attendance - 4.2.3 - Working Miss Out #4 1.10.2021	ATT	Attendance	S05	Suspension 5 days
M	Hispanic	3/16/2021	Suspension 6 - 10 days	AWOL - 4.3.3 - AWOL #1 & AWOL #2 . Failed to report to work on time & called in ten minutes before shift started.	ATT	Attendance	S10	Suspension 6 - 10 days
M	Hispanic	3/19/2021	Suspension 6 - 10 days	AWOL - 4.2.3 - AWOL #2 on 2.18.21	ATT	Attendance	S10	Suspension 6 - 10 days
M	Hispanic	7/14/2020	Written Warning	Conduct - 2.1; 6.5 - Violation of Enforcement policy on prohibition of Body Worn Cameras and uniform	INS	Insubordination	WRW	Written Warning
M	Hispanic	8/7/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
M	Hispanic	8/7/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn	PRF	Performance Issues	WRW	Written Warning
M	Hispanic	8/17/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
M	Hispanic	8/19/2020	Written Warning	Routes - Rule 2.13.1 - Route Violation -	PRF	Performance Issues	WRW	Written Warning
M	Hispanic	9/8/2020	Written Warning	Inattention - 74.5 - Employee had preventable Yard Controller collision	PRF	Performance Issues	WRW	Written Warning
M	Hispanic	9/9/2020	Written Warning	Safety - 6.14.1 - Avoidable accident fall on board Passenger assistance	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	9/11/2020	Written Warning	Attendance - 4.1.1 - Late for duty	ATT	Attendance	WRW	Written Warning
M	Hispanic	9/16/2020	Written Warning	Attendance - 2.14.1 - Operator has had 27 absences in last 12 months.	ATT	Attendance	WRW	Written Warning
F	Hispanic	10/14/2020	Written Warning	Conduct - 2.8.2 - Called bicyclist a "faggot"	OTH	Other	WRW	Written Warning
M	Hispanic	10/29/2020	Written Warning	Inattention - 2.13.1 - Coach seat belts were knotted and wheelchair claps tied off at the ADA seats.	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	11/5/2020	Written Warning	Inattention - 2.15.1 - Operator pulled coach into division twelve 12 minutes prior to scheduled end of run on November 5, 2020.	PRF	Performance Issues	WRW	Written Warning
F	Hispanic	11/23/2020	Written Warning	Safety - 2.14.2 - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning

F	Hispanic	11/28/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. Customer Service Complaint #274654	OTH	Other	WRW	Written Warning
M	Hispanic	11/30/2020	Written Warning	Inattention - 2.2.1 - Operator was observed operating without face mask covering on November 30, 2020.	ITD	Inattention to Duty	WRW	Written Warning
F	Hispanic	12/4/2020	Written Warning	Schedule - 2.15.1 - Left the terminal late by five minutes.	PRF	Performance Issues	WRW	Written Warning
M	Hispanic	1/28/2021	Written Warning	Inattention - 2.13; 2.13.1A; 4.3; 4.3.3 - Late 7 minutes Run 496 L14R	ITD	Inattention to Duty	WRW	Written Warning
F	Hispanic	2/2/2021	Written Warning	Inattention - - Employee allegedly sat for an extended period of time on a revenue vehicle while colleagues performed a fare enforcement / proof-of-payment deployment on transit lines.	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	2/3/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	2/3/2021	Written Warning	Safety -2.8 - Avoidable Incident	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	2/17/2021	Written Warning	Inattention - 4.12.1 - Operator did not notify TMC/OCC when leaving coach unattended for 13 minutes.	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	2/23/2021	Written Warning	Inattention - 4.11.2 - Operator did not perform a pre-operational inspection of coach on February 18, 2021.	PRF	Performance Issues	WRW	Written Warning
M	Hispanic	3/29/2021	Written Warning	Inattention - 2.2.1 - Operator was observed without proper PPE on January 27, 2021.	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	3/30/2021	Written Warning	Performance - 2.15 - Schedule violation Written warning to operate according to established timetables schedule violation - 2nd violation in past 12 months	PRF	Performance Issues	WRW	Written Warning
M	Hispanic	4/5/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	4/8/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
M	Hispanic	4/16/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
F	Multiracial	6/1/2021	Probationary Period Extension	Probationary extension adjustment from WC leave	ATT	Attendance	PPX	Probationary Period Extension
M	Multiracial	9/26/2020	Probationary Release	Probationary - - Poor Performance	PRF	Performance Issues	PRE	Probationary Release
M	Multiracial	1/27/2021	Probationary Release	Probationary Release - - Effective EOB 1/27/2021	PRF	Performance Issues	PRE	Probationary Release
F	Multiracial	12/15/2020	Written Warning	Performance - - Arriving to work late and browsing the internet instead of working.	PRF	Performance Issues	WRW	Written Warning
F	White	10/1/2020	Dismissal	Condition of Employment - 6.1 - Failure to maintain all regulatory requirements	OTH	Other	DIS	Dismissal
F	White	5/4/2021	Dismissal	Excessive Absenteeism Reduced from Dismissal. Last chance agreement Suspension Days: •Thursday, 5/13/21•Thursday, 5/27/21 •Friday, 5/14/21•Friday, 5/28/21 •Thursday, 5/20/21•Thursday, 6/3/21 •Friday, 5/21/21•Friday, 6/4/21	ATT	Attendance	S10	Suspension 6 - 10 days
F	White	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	White	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
M	White	11/9/2020	Probationary Period Extension	Probationary Extension - - Adjust probationary end date to 2/15/2021	PRF	Performance Issues	PPX	Probationary Period Extension
M	White	2/24/2021	Probationary Period Extension	Probationary Extension - - Extend probation end date 5/23/2021	PRF	Performance Issues	PPX	Probationary Period Extension
M	White	3/2/2021	Probationary Period Extension	Probationary Extension - - probation extended due to change in supervision during probationary period.	OTH	Other	PPX	Probationary Period Extension
M	White	2/1/2021	Probationary Release	Probationary Release - - Effective EOB 2/1/2021	PRF	Performance Issues	PRE	Probationary Release

M	White	4/17/2021	Probationary Release	Probationary Release - - Released from probation	PRF	Performance Issues	PRE	Probationary Release
M	White	9/1/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive cam first rolling stop in 12-month period.	ITD	Inattention to Duty	S01	Suspension 1 day
M	White	9/21/2020	Suspension 1 day	Signal Violation - 4.19.1 - Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
M	White	11/2/2020	Suspension 1 day	Safety - 2.21.1 - DriveCam Speeding 13 mph over speed limit	ITD	Inattention to Duty	S01	Suspension 1 day
M	White	11/3/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam failed to make a complete stop	ITD	Inattention to Duty	S01	Suspension 1 day
M	White	12/9/2020	Suspension 1 day	Attendance - - excessive absenteeism, dk	ATT	Attendance	S01	Suspension 1 day
M	White	7/10/2020	Suspension 11 - 15 days	AWOL - 4.3.3 - AWOL #1 = Five Days & 2 = Ten days. Settled both for Five days	ATT	Attendance	S05	Suspension 5 days
M	White	10/7/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL	ATT	Attendance	S01	Suspension 1 day
M	White	2/8/2021	Suspension 2 days	AWOL - 4.3.3 - Employee overslept and called in over three hours after report time.	ATT	Attendance	S02	Suspension 2 days
M	White	2/11/2021	Suspension 2 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S02	Suspension 2 days
M	White	3/5/2021	Suspension 2 days	AWOL - 4.2 - 2/25/2020 - Reduced from 2-day suspension - To be served on 3/6/21	ATT	Attendance	S01	Suspension 1 day
M	White	8/12/2020	Suspension 3 days	Safety - 2.8.1 - Preventable collision	ITD	Inattention to Duty	S03	Suspension 3 days
M	White	2/12/2021	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S03	Suspension 3 days
M	White	2/18/2021	Suspension 3 days	Attendance - - Excessive absenteeism, dk	ATT	Attendance	S03	Suspension 3 days
M	White	9/23/2020	Suspension 5 days	Safety - 4.19.1 - multiple stop sign violations	PRF	Performance Issues	S02	Suspension 2 days
M	White	9/25/2020	Suspension 5 days	Safety - 2.4.1 - Red light violation 8.17.2020	ITD	Inattention to Duty	S05	Suspension 5 days
M	White	12/10/2020	Suspension 5 days	Conduct - - Falsification time records, OT abuse, City's vehicle use policy, Unauthorized secondary employment	CON	Conviction	S05	Suspension 5 days
M	White	4/7/2021	Suspension 5 days	Safety - GN - PED 5 Day Suspension for a PED violation: - To be served 5/8 to 5/12/21	ITD	Inattention to Duty	S05	Suspension 5 days
M	White	6/9/2021	Suspension 5 days	Safety - 2.2 - PED Friday, June 11, 2021 • Friday, June 18, 2021 • Friday, June 25, 2021 • Friday, July 02, 2021 • Friday, July 09, 2021	ITD	Inattention to Duty	S05	Suspension 5 days
M	White	12/18/2020	Suspension 6 - 10 days	Signal Violation - 4.19.1 - Red light violation and Speeding.	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	White	3/16/2021	Suspension 6 - 10 days	Signal Violation - 4.19.1 - Red light violation and Speeding. 10 Day Suspension	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
M	White	7/15/2020	Written Warning	Safety - 2.21.2; 2.21.15 - speeding	ITD	Inattention to Duty	WRW	Written Warning
M	White	7/16/2020	Written Warning	2.21.2 2.21.15 Unsafe operation LL	ITD	Inattention to Duty	WRW	Written Warning
M	White	7/21/2020	Written Warning	AWOL - 4.3 - Working Miss Out 5/25/2020	ATT	Attendance	WRW	Written Warning
M	White	7/29/2020	Written Warning	AWOL - 4.3.12 - Failure to call in sick timely. Called in seven minutes before shift.	ATT	Attendance	WRW	Written Warning
M	White	7/29/2020	Written Warning	Conduct - - Disrespectful outburst	ITD	Inattention to Duty	WRW	Written Warning
M	White	9/23/2020	Written Warning	Conduct - 2.8.1 - Operator disrespectful towards member of public	PRF	Performance Issues	WRW	Written Warning
M	White	9/24/2020	Written Warning	Safety - 2.13; 2.21; 2.8; 4.2 - CSC#243404 on 8.10.2020, did not yield forward seats to ADA passengers, dk	PRF	Performance Issues	WRW	Written Warning
M	White	10/14/2020	Written Warning	Inattention - 2.1.7 - Scheduled, arrived early and didn't secure coach.	ITD	Inattention to Duty	WRW	Written Warning
M	White	10/23/2020	Written Warning	Safety - 2.9.4 - Avoidable accident 8.7.2020 R356, alertness, dk	ITD	Inattention to Duty	WRW	Written Warning
M	White	10/31/2020	Written Warning	Safety - 2.8 - Avoidable Incident	ITD	Inattention to Duty	WRW	Written Warning
F	White	11/2/2020	Written Warning	Oct 23 - verbal altercation with Laura Munter without provocation	VIO	Violence	WRW	Written Warning
M	White	11/3/2020	Written Warning	Attendance - CSC 420 - Excessive Absenteeism	ATT	Attendance	WRW	Written Warning

M	White	12/28/2020	Written Warning	Performance - 2.17.1 - Failed to complete run and failed to open the front door to allow seniors to board.	PRF	Performance Issues	WRW	Written Warning
M	White	1/19/2021	Written Warning	Conduct - - Dishonesty and Safety, colluded with another supervisor to pass students who may not have passed	DHN	Dishonesty	WRW	Written Warning
M	White	1/22/2021	Written Warning	Conduct - - Aggressive behavior yelling inappropriate word	PRF	Performance Issues	WRW	Written Warning
M	White	2/2/2021	Written Warning	Safety - 4.16.1 - Dropped off passengers in an active turning lane.	PRF	Performance Issues	WRW	Written Warning
M	White	2/24/2021	Written Warning	Inattention/Safety - - Employee backed up a trolley coach on Feb. 19, 2021, into a concrete pillar, bending and damaging both poles.	ITD	Inattention to Duty	WRW	Written Warning
M	White	3/30/2021	Written Warning	Safety - 2.21.16 - Preventable Collision Operator's coach made contact with another vehicle.	ITD	Inattention to Duty	WRW	Written Warning
F	White	4/12/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out to revenue service #2.	ITD	Inattention to Duty	WRW	Written Warning
M	White	4/16/2021	Written Warning	Inattention - 3.4.2 - Operator did not respond to Radio directions from Central Control on April 8, 2021.	ITD	Inattention to Duty	WRW	Written Warning
M	White	4/26/2021	Written Warning	Safety - 2.14.1 - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
M	White	5/7/2021	Written Warning	Attendance - 2.13.1 - Operator had a Working Miss Out WMO on April 22, 2021.	ATT	Attendance	WRW	Written Warning

RACE	SEX	REPORT DATE	DISCIPLINE DESCRIPTION	COMMENTS	DISCIPLINARY REASON STEP	STEP DESCRIPTION	FINAL RESOLUTION CODE	FINAL RESOLUTION
BLACK	M	7/2/2020	Dismissal	Conduct - 2.7.5 - Alleged overtime fraud,	DHN	Dishonesty	S10	Suspension 6 - 10 days
BLACK	M	8/7/2020	Dismissal	Drug and Alcohol - 2.11 - 2nd positive drug test within 5 years	SUB	Substance Abuse	DIS	Dismissal
BLACK	M	8/11/2020	Dismissal	Conduct - Rule 2.7.10 - Discourteous -	PRF	Performance Issues	S30	Suspension 26 - 30 days
BLACK	F	9/10/2020	Dismissal	Drug & Alcohol - - 2nd positive test within 5 years	SUB	Substance Abuse	DIS	Dismissal
BLACK	M	9/10/2020	Dismissal	EEO Violations - - Violation of CCSF sexual harassment policy	MOR	Moral Turpitude	DIS	Dismissal
BLACK	F	10/1/2020	Dismissal	Condition of Employment - 6.1 - Failure to maintain all regulatory requirements	OTH	Other	DIS	Dismissal
BLACK	M	10/28/2020	Dismissal	2nd positive drug test Step 3 Arbitrator decision: • Reinstated you to your former position, 9163 Transit Operator effective October 28, 2020 • Backpay from August 21, 2020 to September 8, 2020 • Continuity of benefits • Seniority is restored • The July 2020 drug test is considered your 1st drug test and positive start of a new 5-year period	SUB	Substance Abuse	S30	Suspension 26 - 30 days
BLACK	M	11/20/2020	Dismissal	Conduct - - Dishonesty and signal violation. Employee hit a car, rain guard fell off and never report incident	DHN	Dishonesty	DIS	Dismissal
BLACK	F	12/18/2020	Dismissal	Conduct - 2.13.1 - CSC Customer Service Complaint Dismissal Step 2- 12-2-20 Reduced to 10 day suspension and Last Chance Agreement which was signed	ITD	Inattention to Duty	S10	Suspension 6 - 10 days

BLACK	F	1/14/2021	Dismissal	Dismissal - - Insubordination, Misconduct	INS	Insubordination	DIS	Dismissal
BLACK	M	1/14/2021	Dismissal	Substance - 2.11; 2.13.1 - 1st Positive SAP	SUB	Substance Abuse	S30	Suspension 26 - 30 days
BLACK	M	1/26/2021	Dismissal	Safety - 2.21 - Did not give clearance to bicyclist and the bicyclist was hit. 10- day suspension and LCA	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
BLACK	F	2/8/2021	Dismissal	Conduct - 2.13.1 - PSR 10-Day suspension for PSRs on 8/20/20 - reduced from dismissal - will be served 2/14 to 2/25/2021	PRF	Performance Issues	S10	Suspension 6 - 10 days
BLACK	F	2/23/2021	Dismissal	Safety - 2.21.17 - Operator allegedly did not report a fight on-board coach, and separately, collided with a bicyclist.	PRF	Performance Issues	DIS	Dismissal
BLACK	F	4/19/2021	Dismissal	Conduct - 2.13.1 - CSC Dismissal upheld for violations on 2/8/21, 3/3-3/4/21. Last Chance Agreement violations. - Charges of discourtesy, and ADA, schedule and PED violation - Hearing held 4/12/2021	PRF	Performance Issues	DIS	Dismissal
BLACK	F	6/1/2021	Dismissal	Substance - - 1st Positive test 12.7.21018, signed waiver for 30 day suspension & SAP	SUB	Substance Abuse	S30	Suspension 26 - 30 days
BLACK	F	3/22/2021	Performance Improvement Plan	Performance - - Trainee Performance Plan to improve in certain areas within the 9152 classification. Failure to do so in the two week period will lead to release.	PRF	Performance Issues	PIP	Performance Improvement Plan

BLACK	F	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
BLACK	F	3/19/2021	Probationary Period Extension	Probationary Extension - - Extend probation end date 5.28.21	OTH	Other	PPX	Probationary Period Extension
BLACK	F	3/19/2021	Probationary Period Extension	Performance - - Extend probation end date 5.14.2021	PRF	Performance Issues	PPX	Probationary Period Extension
BLACK	F	3/19/2021	Probationary Period Extension	Performance - - Extend probation date end 6.11.21	PRF	Performance Issues	PPX	Probationary Period Extension
BLACK	F	6/7/2021	Probationary Period Extension	Performance - Extend Performance Date - end 9/11/2021				
BLACK	F	7/8/2020	Probationary Release	Effective July 8, 2020	OTH	Other	PRE	Probationary Release
BLACK	M	2/16/2021	Probationary Release	Probationary Release - - Released from probationary appointment	PRF	Performance Issues	PRE	Probationary Release
BLACK	M	7/1/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	7/7/2020	Suspension 1 day	Safety - 2.8.1 - Avoidable Sign Violation -	PRF	Performance Issues	S01	Suspension 1 day
BLACK	M	8/10/2020	Suspension 1 day	Safety - 4.22.1 - Speeding. Operator going 47 mph in 35 mph posted speed limit.	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	8/21/2020	Suspension 1 day	Safety - 4.22 - Drive Cam Speeding 14 mph over posted speed limit	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	8/25/2020	Suspension 1 day	Attendance - 2.14.1 - Operator did not provide doctor's notes for 26 sick days	ATT	Attendance	S01	Suspension 1 day
BLACK	F	8/26/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam 1st Rolling Stop	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	10/16/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam - Stop sign violation #1	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	F	10/16/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam failed to make a complete stop at the Red Light.	ITD	Inattention to Duty	S01	Suspension 1 day

BLACK	M	10/20/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Failed to make a complete stop	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	10/23/2020	Suspension 1 day	Performance - 2.13.1 - Route deviation	PRF	Performance Issues	S01	Suspension 1 day
BLACK	M	10/27/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	10/27/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	10/29/2020	Suspension 1 day	Safety - 2.4.1 - Red light violation on 12.8.2019	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	11/4/2020	Suspension 1 day	Safety - 2.14.1 - Red light violation	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	11/20/2020	Suspension 1 day	Safety - 2.14.1 - DriveCam Speed violation driving 19 miles over the posted speed limit.	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	12/6/2020	Suspension 1 day	Signal - 4.19.1 - Failed to make a complete stop #1	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	F	12/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	12/18/2020	Suspension 1 day	Signal Violation - 4.22.1 - Fail to stop at right light prior to making a left turn at De Long St.	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	1/19/2021	Suspension 1 day	Signal Violation - 4.19.1 - 2nd Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	F	1/27/2021	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	2/3/2021	Suspension 1 day	Performance - 6.1.1 - Multiple violations on 9.23.2020	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	2/17/2021	Suspension 1 day	Attendance - - excessive absenteeism	ATT	Attendance	S01	Suspension 1 day
BLACK	F	4/9/2021	Suspension 1 day	AWOL - 4.1.1; 4.1.2; 4.3.3; 19.12 - AWOL 2.25.2021	ATT	Attendance	S01	Suspension 1 day
BLACK	M	4/26/2021	Suspension 1 day	Attendance - CSC 420 - Excessive Absenteeism 11th absence within 3 months.	ATT	Attendance	S01	Suspension 1 day
BLACK	F	12/18/2020	Suspension 11 - 15 days	Attendance - - excessive absenteeism, Final resolution 14 days	ATT	Attendance	S15	Suspension 11 - 15 days
BLACK	M	7/15/2020	Suspension 16 - 20 days	AWOL - 4.2.3 - AWOL 4 days, dk	ATT	Attendance	S20	Suspension 16 - 20 days
BLACK	M	8/28/2020	Suspension 16 - 20 days	AWOL - 4.2.3 - AWOL, dk	ATT	Attendance	S20	Suspension 16 - 20 days

BLACK	M	7/6/2020	Suspension 2 days	AWOL - 4.1.1 - No show no call	ATT	Attendance	S02	Suspension 2 days
BLACK	F	7/14/2020	Suspension 2 days	AWOL - 4.3.3 - Employee Overslept	ATT	Attendance	S02	Suspension 2 days
BLACK	M	8/20/2020	Suspension 2 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S02	Suspension 2 days
BLACK	F	8/22/2020	Suspension 2 days	AWOL - ITD - 2 day suspension Step 2 upheld Step 3 Arbitrator : suspension set aside Written warning is final discipline	ATT	Attendance	WRW	Written Warning
BLACK	F	8/26/2020	Suspension 2 days	AWOL - 4.3.3 - AWOL 1st	ATT	Attendance	S02	Suspension 2 days
BLACK	F	9/1/2020	Suspension 2 days	AWOL - 4.3.3 - Operator was AWOL on August 24, 2020	ATT	Attendance	S01	Suspension 1 day
BLACK	M	9/24/2020	Suspension 2 days	AWOL - 4.1.33 - AWOL #1	ATT	Attendance	S01	Suspension 1 day
BLACK	F	9/25/2020	Suspension 2 days	Attendance - - excessive abseteeism dk	ATT	Attendance	S02	Suspension 2 days
BLACK	M	9/29/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 8.8.2020, dk	ATT	Attendance	S02	Suspension 2 days
BLACK	F	10/21/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 9.28.2020 dk	ATT	Attendance	S01	Suspension 1 day
BLACK	F	10/26/2020	Suspension 2 days	AWOL - 4.3.3 - Operator overslept	ATT	Attendance	S02	Suspension 2 days
BLACK	F	10/30/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 9.18.2020	ATT	Attendance	WRW	Written Warning
BLACK	F	11/12/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL on 7.9.2020	ATT	Attendance	S02	Suspension 2 days
BLACK	F	11/20/2020	Suspension 2 days	AWOL - 4.3.3 - Operator called in 20 minutes before her run.	ATT	Attendance	S01	Suspension 1 day
BLACK	M	12/6/2020	Suspension 2 days	AWOL - 4.3.3 - Operator overslept and failed to call in timely.	ATT	Attendance	S02	Suspension 2 days
BLACK	F	12/8/2020	Suspension 2 days	Signal Violation - 4.19.1 - Two rolling stops in a five month period.	ITD	Inattention to Duty	S02	Suspension 2 days
BLACK	F	12/9/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 7.11.2020	ATT	Attendance	S02	Suspension 2 days
BLACK	M	12/17/2020	Suspension 2 days	AWOL - 4.3.3 - AWOL EE call ten minutes after shift started and failed to show.	ATT	Attendance	S02	Suspension 2 days
BLACK	M	1/25/2021	Suspension 2 days	AWOL - 4.2.3 - AWOL	ATT	Attendance	S01	Suspension 1 day
BLACK	M	2/2/2021	Suspension 2 days	AWOL - 4.1.1 - AWOL - Operator was reported AWOL by Dispatcher on January 21, 2021.	ATT	Attendance	S02	Suspension 2 days

BLACK	F	2/8/2021	Suspension 2 days	AWOL - 4.1.1; 4.3.3 - Failed to report for duty, no call no show	ATT	Attendance	S02	Suspension 2 days
BLACK	M	2/9/2021	Suspension 2 days	AWOL - 4.3.3 - Operator overslept and called in late. Unable to report to work.	ATT	Attendance	S02	Suspension 2 days
BLACK	M	2/11/2021	Suspension 2 days	AWOL - 4.3.3 - Operator reported to work and after picking their paddle the went home.	ATT	Attendance	S02	Suspension 2 days
BLACK	F	2/17/2021	Suspension 2 days	AWOL - 4.1.2 - Operator called in 28 minutes before her shift started.	ATT	Attendance	S02	Suspension 2 days
BLACK	M	2/23/2021	Suspension 2 days	Attendance - 4.1 - AWOL 12.1.2020	ATT	Attendance	S02	Suspension 2 days
BLACK	M	2/23/2021	Suspension 2 days	AWOL - 4.3.3 - Operator was reported AWOL on February 4, 2021.	ATT	Attendance	S02	Suspension 2 days
BLACK	M	2/23/2021	Suspension 2 days	Attendance - 4.2.3 - AWOL on 12.1.2020	ATT	Attendance	S02	Suspension 2 days
BLACK	M	3/4/2021	Suspension 2 days	AWOL - 19.2 - Operator called in late then refused an offer of another run.	ATT	Attendance	S02	Suspension 2 days
BLACK	M	3/10/2021	Suspension 2 days	AWOL - 4.2.3 - AWOL on 1.23.2021	ATT	Attendance	S01	Suspension 1 day
BLACK	M	3/16/2021	Suspension 2 days	AWOL - 19.2 MOU - AWOL #1 Employee called over 30 minutes after his shift started.	ITD	Inattention to Duty	S02	Suspension 2 days
BLACK	M	3/24/2021	Suspension 2 days	Attendance - 4.3.3 - Employee called in less than 45 minutes before their shift was supposed to start.	ATT	Attendance	WRW	Written Warning
BLACK	M	3/30/2021	Suspension 2 days	AWOL - 4.3.3 - Operator was AWOL on February 25, 2021.	ATT	Attendance	RES	
BLACK	F	4/7/2021	Suspension 2 days	AWOL - 4.2.1 - Operator was allegedly AWOL on March 5, 2021.	ATT	Attendance	WRW	Written Warning
BLACK	M	4/13/2021	Suspension 2 days	AWOL - 4.3.3 - Employee called in late and decided not to take another run.	ATT	Attendance	S02	Suspension 2 days
BLACK	M	5/14/2021	Suspension 2 days	Safety - - Unsafe Operation on 3.23.2021	ITD	Inattention to Duty	S02	Suspension 2 days

BLACK	M	2/5/2021	Suspension 26 - 30 days	1st Positive Drug Test 30 day suspension and SAP Treatment	SUB	Substance Abuse	S30	Suspension 26 - 30 days
BLACK	M	2/11/2021	Suspension 26 - 30 days	1st Positive Drug Test	SUB	Substance Abuse	S30	Suspension 26 - 30 days
BLACK	M	2/25/2021	Suspension 26 - 30 days	Drug & Violation - Positive random drug test	SUB	Substance Abuse	S30	Suspension 26 - 30 days
BLACK	M	4/23/2021	Suspension 26 - 30 days	Substance Abuse 30 day suspension 1st offense	SUB	Substance Abuse	S30	Suspension 26 - 30 days
BLACK	M	5/30/2021	Suspension 26 - 30 days	Drug & Alcohol - Refusal to test; signed 30-day waiver	SUB	Substance Abuse	S30	Suspension 26 - 30 days
BLACK	F	7/14/2020	Suspension 3 days	Signal Violation - 4.19.1 - 2nd Rolling stop violation 2/21/2020	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	7/15/2020	Suspension 3 days	Safety - 2.4.1 - red light violation on 6.7.2020, dk	ITD	Inattention to Duty	S02	Suspension 2 days
BLACK	M	7/17/2020	Suspension 3 days	Signal Violation - 4.19.1 - 2nd stop sign violation. Failed to make a complete stop.	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	F	7/22/2020	Suspension 3 days	Safety - 2.8.1 - avoidable accident on 9.11.19	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	F	7/29/2020	Suspension 3 days	Safety - 2.4.1 - Flashing red violation 7.22.2019, dk	PRF	Performance Issues	S03	Suspension 3 days
BLACK	M	8/3/2020	Suspension 3 days	Signal Violation - 4.19.1 - 2nd failure to make a complete stop in a 12-month period.	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	8/11/2020	Suspension 3 days	Safety - General Notice 1/2019 - PED Arbitration Decision 03-20-PR	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	F	8/26/2020	Suspension 3 days	Signal Violation - 2nd Stop Sign Violation in a 12-month period.	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	F	8/26/2020	Suspension 3 days	Signal Violation - 4.19.1 - Drive Cam 2nd rolling stop in 12-month period	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	F	9/29/2020	Suspension 3 days	Signal Violations - 4.19.1 - Drive Cam #1 Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	9/29/2020	Suspension 3 days	Safety - 2.9.4 - Preventable collision	PRF	Performance Issues	S02	Suspension 2 days

				Safety - 2.14.1 - Stop Sign violations - Operator was observed violating stop signs on September 17, 2020.				
BLACK	M	10/7/2020	Suspension 3 days		PRF	Performance Issues	S02	Suspension 2 days
BLACK	F	10/8/2020	Suspension 3 days	Attendance - - Excessive Absenteeism	ATT	Attendance	S03	Suspension 3 days
BLACK	M	10/20/2020	Suspension 3 days	Safety - 2.21.15 - Contact made with vehicle. 3rd Preventable Accident	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	11/5/2020	Suspension 3 days	Safety - 2.4.1 - Speeding	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	11/10/2020	Suspension 3 days	Inattention - 2.9.4 - Operator did not scan intersection before motorist entered it on September 25, 2020.	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	F	11/13/2020	Suspension 3 days	Conduct - 2.7.11 - TS violation 6.30.2020	ITD	Inattention to Duty	S01	Suspension 1 day
BLACK	M	11/20/2020	Suspension 3 days	Signal Violation - 4.19.1 - DriveCam 2nd stop sign violation. Failed to make a complete stop.	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	2/3/2021	Suspension 3 days	Safety - 2.4.1 - Red light violation on 10.25.2020	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	3/2/2021	Suspension 3 days	Signal Violation - 4.19.1 - 2nd Stop Sign Violation within an 12 month period.	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	F	3/3/2021	Suspension 3 days	Signal Violations - 4.19 - DriveCam Failed to completely stop at red light/flashing red light prior to proceeding.	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	3/18/2021	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	4/5/2021	Suspension 3 days	Signal Violations - 4.19.1 - Red Light Violation Traffic Violation Ticket.	ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	4/6/2021	Suspension 3 days	Signal Violation - 4.19.1 - Failed to stop at red signal. Traffic violation from Superior Court.	ITD	Inattention to Duty	S03	Suspension 3 days

				Safety - 2.8 - Red light Violation 3 day suspension Suspension Days: •Thursday, 5/13/21•Thursday, 5/27/21 •Friday, 5/14/21•Friday, 5/28/21 •Thursday, 5/20/21•Thursday, 6/3/21 •Friday, 5/21/21•Friday, 6/4/21				
BLACK	M	4/20/2021	Suspension 3 days		ITD	Inattention to Duty	S03	Suspension 3 days
BLACK	M	4/23/2021	Suspension 3 days	Inattention - 2.21.2; 2.21.15; 2.22.3 - Unsafe Operations CSC#338713 on 3.11.21 Run 525 driving and hid CAP from passenger	ITD	Inattention to Duty	S03	Suspension 3 days
	M	5/3/2021	Suspension 3 days	Safety - - accident while off-route without orders	ITD	Inattention to Duty	S03	Suspension 3 days
	F	5/24/2021	Suspension 3 days	Performance - 6.24.2 - Schedule violation on 6.24.2020. dk	PRF	Performance Issues	S03	Suspension 3 days
	F	7/13/2020	Suspension 5 days	Performance - 2.11.1 - Schedule violation 6.24.2020, dk	PRF	Performance Issues	S03	Suspension 3 days
	F	7/21/2020	Suspension 5 days	Safety - 4.22.2 - Operator was driving with one hand and at excessive speed.	PRF	Performance Issues	WRW	Written Warning
	M	7/21/2020	Suspension 5 days	PED - Rule 2.22 – Radios Incident 3/20/2020 Suspension Days: 7/22/20, 7/25/20, 7/29/20, 8/1/20, & 8/5/20	ITD	Inattention to Duty	S05	Suspension 5 days
	M	8/14/2020	Suspension 5 days	Attendance - 4.2.3 - Working Miss Out	ATT	Attendance	S05	Suspension 5 days
	M	9/1/2020	Suspension 5 days	Safety - 2.8.1 - avoidable incident	ITD	Inattention to Duty	S01	Suspension 1 day
	F	9/7/2020	Suspension 5 days	PED - 2.2 - General Notices 2020.DOC.020 using cell phone while operating vehicle.	ITD	Inattention to Duty	S05	Suspension 5 days
	F	9/8/2020	Suspension 5 days	Safety - 2.14.1 - Failed to make complete stops	ITD	Inattention to Duty	S03	Suspension 3 days
	M	9/17/2020	Suspension 5 days	Safety Violation - 2.14.1 - Multiple Speed violation	PRF	Performance Issues	S05	Suspension 5 days
	M	9/18/2020	Suspension 5 days	Safety - 2.13.1 - Multiple Violations	PRF	Performance Issues	S05	Suspension 5 days

	M	9/19/2020	Suspension 5 days	PED - 2020.DOC.020 - Multiple Personal Electronic Device violation	PRF	Performance Issues	S05	Suspension 5 days
	F	9/22/2020	Suspension 5 days	Safety - 2.22.7 - Operator had Personal Electronic Device violation on August 18, 2020	PRF	Performance Issues	S05	Suspension 5 days
	F	9/23/2020	Suspension 5 days	Safety - 2.22.7 - Operator was observed using a Personal Electronic Device PED on 9/2/2020	PRF	Performance Issues	S05	Suspension 5 days
	F	11/20/2020	Suspension 5 days	Signal Violation - 4.19.20 - Failed to make a complete stop 4 stop sign violations 9.22.20	ITD	Inattention to Duty	S05	Suspension 5 days
	M	12/11/2020	Suspension 5 days	PED Please see the attached Suspension Notice for #6289 Hanif Mohamed for a PED Violation on 9/20/20. Suspension Days: 12/16/20, 12/17/20, 12/20/20, 12/23/20, & 12/30/20	ITD	Inattention to Duty	S05	Suspension 5 days
	M	1/4/2021	Suspension 5 days	Attendance - 4.2.3 - WMO	ATT	Attendance	S03	Suspension 3 days
	M	1/22/2021	Suspension 5 days	Safety - 2.7.2 - for role in a derailment. Failed to comply with the Signal System Failure.	ITD	Inattention to Duty	S01	Suspension 1 day
	F	1/26/2021	Suspension 5 days	Signal Violation - 4.19.1 - Failed to stop at 7 different locations.	ITD	Inattention to Duty	S01	Suspension 1 day
	M	1/27/2021	Suspension 5 days	PED - - PED on 12.31.2020	ITD	Inattention to Duty	S05	Suspension 5 days
	F	2/2/2021	Suspension 5 days	PED - 2.22 - PED Violation on 4/30/2019	OTH	Other	S05	Suspension 5 days

				Conduct - 2.13.1 - CSC P&P does not allow duplicate key value, I cant get S10 to work. reduced from 7-days to 5-days suspension - Charges are from PSRs ranging from 11/2019 to 12/2019 - Suspension to be served from 3/21-3/26/21				
	F	2/8/2021	Suspension 5 days	PED - - PED on 9.14.20	PRF	Performance Issues	S05	Suspension 5 days
	F	2/19/2021	Suspension 5 days	Five 5 Days Suspension for Discourteous, Insensitive and Inappropriate Conduct CSC #295826, #300113, #301490 and #308083	ITD	Inattention to Duty	S05	Suspension 5 days
BLACK	M	2/19/2021	Suspension 5 days	Attendance - - Excessive absenteeism and Tardiness, tardy 28/absent 8, out of 36 days	ITD	Inattention to Duty	S05	Suspension 5 days
BLACK	M	2/24/2021	Suspension 5 days	AWOL - 4.1; 4.3 - AWOL	ATT	Attendance	S05	Suspension 5 days
BLACK	F	3/29/2021	Suspension 5 days	Safety - GN - PED and Discourtesy violation 5 Days suspension on PED and Discourtesy violation. - To be served 4/7/21 to 4/11/21	ATT	Attendance	S05	Suspension 5 days
BLACK	M	4/2/2021	Suspension 5 days		ITD	Inattention to Duty	S05	Suspension 5 days

				<p>2.2 Bulletins - PED This is to inform you that you have been suspended for five 5 days on:</p> <ul style="list-style-type: none"> • Thursday, April 08, 2021 • Thursday, April 15, 2021 • Thursday, April 22, 2021 • Thursday, April 29, 2021 • Thursday, May 06, 2021 <p>For the following reason s :</p> <ul style="list-style-type: none"> • PED Violation on 1/31/21 Regards, Paul Li Acting Division Trolley Bus Operations cc: HR, 				
BLACK	F	4/6/2021	Suspension 5 days		ITD	Inattention to Duty	S05	Suspension 5 days
	F	4/7/2021	Suspension 5 days	AWOL - 4.1; 4.3 - AWOL 3.28.2020 3rd violation in past 5 months	ATT	Attendance	S05	Suspension 5 days
	M	4/21/2021	Suspension 5 days	PED - - PED Violation 3/6/2021	ITD	Inattention to Duty	S05	Suspension 5 days
	F	5/5/2021	Suspension 5 days	PED - 2021.GN.002 - Using a Personal Electronic Device in the operator's compartment, then improperly stowing it.	ITD	Inattention to Duty	S05	Suspension 5 days
BLACK	F	5/7/2021	Suspension 5 days	<p>FIVE 5 Days Suspension for – Unsafe boarding, alighting and PED Violation on 3.22.2021</p> <p>Suspension Days:</p> <ul style="list-style-type: none"> •Friday, 6/11/21•Friday, 7/9/21 •Saturday, 6/12/21•Friday, 7/23/21 •Friday, 6/25/21 	ITD	Inattention to Duty	S05	Suspension 5 days
	M	5/10/2021	Suspension 5 days	<p>PED Violation on 4.13.2021</p> <p>5 day suspension</p> <p>Suspension Days:</p> <ul style="list-style-type: none"> •Thursday, 5/13/21•Thursday, 5/27/21 •Friday, 5/14/21•Friday, 5/28/21 •Thursday, 5/20/21•Thursday, 6/3/21 •Friday, 5/21/21•Friday, 6/4/21 	ITD	Inattention to Duty	S05	Suspension 5 days

	F	5/12/2021	Suspension 5 days	PED - 2021.GN.002 - Using Personal Electronic Device and improper stowing.	ITD	Inattention to Duty	\$05	Suspension 5 days
BLACK	M	6/9/2021	Suspension 5 days	Safety - 2.2 - PED Violation and unsafe boarding/alighting on 3/22/2021. • Saturday, June 12, 2021 • Sunday, June 13, 2021 • Saturday, June 19, 2021 • Sunday, June 20, 2021 • Saturday, June 26, 2021	ITD	Inattention to Duty	\$05	Suspension 5 days
BLACK	M	7/1/2020	Suspension 6 - 10 days	Safety - 2.21.1 - Operator had preventable collision with bicyclist on May 21, 2020.	PRF	Performance Issues	\$05	Suspension 5 days
BLACK	M	7/10/2020	Suspension 6 - 10 days	2020-GN-021 - PED; Safety - 2.21.16 - Not Securing Coach Property, leaving coach; Conduct - 2.8.1 - Discourteous, Profanity -	PRF	Performance Issues	\$10	Suspension 6 - 10 days
BLACK	M	7/20/2020	Suspension 6 - 10 days	Conduct - Rule 2.7.2 - Avoidable Collision -	PRF	Performance Issues	\$10	Suspension 6 - 10 days
BLACK	M	7/27/2020	Suspension 6 - 10 days	Safety - 2.8.1 - 2nd / 3rd avoidable, PED, Rolling stop	ITD	Inattention to Duty	\$10	Suspension 6 - 10 days
BLACK	M	9/18/2020	Suspension 6 - 10 days	Safety - 2.4.1 - red light violation, dk	ITD	Inattention to Duty	\$10	Suspension 6 - 10 days
BLACK	M	10/2/2020	Suspension 6 - 10 days	Safety - 2.4.1 - red light violation on 7.14.2020. dk	PRF	Performance Issues	\$10	Suspension 6 - 10 days
BLACK	M	10/21/2020	Suspension 6 - 10 days	Workplace violence - 2.7.10 - Incident on 6.8.2020. dk	VIO	Violence	\$10	Suspension 6 - 10 days
BLACK	M	10/29/2020	Suspension 6 - 10 days	PED Violation 2nd occurrence within 2 month period on 10/13/20. Suspension Days: 12/5/20 – 12/9/20 & 1/16/21 – 1/20/21	ITD	Inattention to Duty	\$10	Suspension 6 - 10 days

BLACK	M	3/5/2021	Suspension 6 - 10 days	AWOL - 4.3.3 - AWOL #1 & #2. AWOL #1 Operator was late and refused another run. AWOL #2 was dismissed.	ATT	Attendance	S02	Suspension 2 days
BLACK	F	3/10/2021	Suspension 6 - 10 days	AWOL - 4.2.3 - AWOL#2 on 1.27.2021	ATT	Attendance	S10	Suspension 6 - 10 days
BLACK	F	3/29/2021	Suspension 6 - 10 days	AWOL - 19.12 - Operator called in 5 minutes ahead of start time on March 17, 2021; required to call in at least 45 minutes if unscheduled absence	ATT	Attendance	S10	Suspension 6 - 10 days
BLACK	M	4/1/2021	Suspension 6 - 10 days	Safety - 2.21.1 - Operator allegedly went off-route, ran multiple stop signs, sped, and used a PED prior to an unauthorized pull-in on March 11, 2021.	PRF	Performance Issues	S10	Suspension 6 - 10 days
BLACK	F	4/14/2021	Suspension 6 - 10 days	PED/AWOL - - PED & AWOL	ATT	Attendance	S10	Suspension 6 - 10 days
BLACK	M	5/5/2021	Suspension 6 - 10 days	Attendance - 4.2.3 - Working Miss Out & PED on 3.9.2021; 8 days final resolution	ATT	Attendance	S10	Suspension 6 - 10 days
BLACK	M	7/13/2020	Written Warning	Attendance - CSC 420 - 42 absence in last 12 months	ATT	Attendance	WRW	Written Warning
BLACK	M	7/14/2020	Written Warning	Safety - 2.14.1; 2.21.2 - stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	7/14/2020	Written Warning	Safety - 2.14.1; 2.21.2 - red light violation	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	7/16/2020	Written Warning	Rule 5.3.3 - Signal Violation -	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	7/20/2020	Written Warning	Safety - Rule 4.14.1 - Unsafe Operation -	PRF	Performance Issues	WRW	Written Warning
BLACK	M	7/24/2020	Written Warning	Safety - Rule 4.14.1 - Unsafe Operation -	PRF	Performance Issues	WRW	Written Warning
BLACK	F	8/4/2020	Written Warning	Safety - 2.21.15 - Operator had preventable incident when passenger had rear doors closed on them.	PRF	Performance Issues	WRW	Written Warning
BLACK	F	8/4/2020	Written Warning	Safety - 2.21.15 - Preventable Collision	PRF	Performance Issues	WRW	Written Warning

BLACK	M	8/4/2020	Written Warning	Safety - 2.21.15 - Preventable collision	PRF	Performance Issues	WRW	Written Warning
BLACK	M	8/5/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation - Inattention - 4.6 - Operator failed to complete and file Defect Card during pre-trip inspection	PRF	Performance Issues	WRW	Written Warning
BLACK	F	8/6/2020	Written Warning	Safety - 2.14.1; 2.21.1 - Speeding 32 in 25 on 7.26.2020	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	8/6/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
BLACK	M	8/6/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
BLACK	F	8/6/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
BLACK	F	8/7/2020	Written Warning	Inattention - 4.13.1 - Operator failed to make incident report re contact with stationary median.	PRF	Performance Issues	WRW	Written Warning
BLACK	M	8/7/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
BLACK	M	8/10/2020	Written Warning	Safety - 2.14.1 - no stop at stop sign on 8.2.2020	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	8/12/2020	Written Warning	Inattention - 2.9.4 - "Operator made contact with a stationary median"	PRF	Performance Issues	WRW	Written Warning
BLACK	M	8/12/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
BLACK	M	8/12/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
BLACK	F	8/18/2020	Written Warning	Inattention - 4.36.1 - Unattended vehicle	PRF	Performance Issues	WRW	Written Warning
BLACK	M	8/18/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning

BLACK	M	8/19/2020	Written Warning	Routes - Rule 2.13.1 - Route Violation -	PRF	Performance Issues	WRW	Written Warning
BLACK	F	9/1/2020	Written Warning	Safety - 2.14.1; 2.21.1 - Speeding 46 in 35 on 8.21.2020	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	9/4/2020	Written Warning	Safety - 2.9.4 - avoidable collision on 8.17.20	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	9/10/2020	Written Warning	Schedule - 4.5.7 - Pulled out 10 minutes later than scheduled	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	9/10/2020	Written Warning	Safety - 2.2.1 - 2nd Avoidable within a 12-month period. Made contact with left side barrier.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	9/11/2020	Written Warning	Conduct - 2.8.3 - stopped and got off of the coach to confront a Parking Control Officer who was writing a ticket for another operators vehicle.	OTH	Other	WRW	Written Warning
BLACK	F	9/11/2020	Written Warning	Routes - Rule 2.13.2 - Route and Unauthorized Pullin -	PRF	Performance Issues	WRW	Written Warning
BLACK	M	9/15/2020	Written Warning	Safety - Rule 2.8.4 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
BLACK	M	9/15/2020	Written Warning	Attendance - 19.12.A - Late for work 2nd violation in 12-month period	ATT	Attendance	WRW	Written Warning
BLACK	M	9/26/2020	Written Warning	Safety - 2.14.1 - Drive Cam Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	10/5/2020	Written Warning	Attendance - CSC 420 - Excessive Absenteeism	ATT	Attendance	WRW	Written Warning
BLACK	F	10/7/2020	Written Warning	Inattention - 4.6.1 - Operator did not perform pre-trip defect card inspection and damage was later discovered on EEs	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	10/8/2020	Written Warning	Safety - 2.14.1 - Drive Cam Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning

BLACK	M	10/9/2020	Written Warning	Conduct - 4.9.1 - PSC ADA seats unavailable. Passenger requested assistance and operator refused.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	10/14/2020	Written Warning	Safety - 2.21.15 - Avoidable Accident came in contact with a vehicle to the left of the coach.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	10/15/2020	Written Warning	Attendance - 4.2.3 - Late for Work; WMO -	ATT	Attendance	WRW	Written Warning
BLACK	F	10/15/2020	Written Warning	Inattention - 2.6.1 - Operator out of uniform & did not notify TMC when going out of service for a restroom break.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	10/18/2020	Written Warning	Conduct - 2.8.2 - Engaged in verbal altercation with Field .	OTH	Other	WRW	Written Warning
BLACK	F	10/21/2020	Written Warning	Workplace Violence - 2.8.3. - Operator got into escalated verbal conflict with a colleague and Operator threatened violence.	VIO	Violence	WRW	Written Warning
BLACK	F	10/27/2020	Written Warning	Inattention - 4.36 - Unattended Vehicle on 9/25/2020	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	10/28/2020	Written Warning	Conduct - 2.8.1 - Operator was allegedly discourteous towards a colleague on August 28, 2020.	PRF	Performance Issues	WRW	Written Warning
BLACK	M	10/29/2020	Written Warning	Conduct - 4.17.7 - Kicked a passenger off who smelled. Operator left his seat to engaged in an argument while using profanity with another passenger	OTH	Other	WRW	Written Warning
BLACK	M	11/12/2020	Written Warning	Attendance - - Excessive & pattern absenteeism	ATT	Attendance	WRW	Written Warning
BLACK	F	11/20/2020	Written Warning	Inattention - 2.2.1 - Operator received Written Warning for not wearing a face mask on November 20, 2020.	OTH	Other	WRW	Written Warning

BLACK	M	11/20/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. DriveCam #EUSX23898	OTH	Other	WRW	Written Warning
BLACK	M	11/20/2020	Written Warning	Signal Violation - 4.19.1 - Running a stop sign DriveCam	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	11/20/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. Received a Complaint.	OTH	Other	WRW	Written Warning
BLACK	M	11/23/2020	Written Warning	Safety - 2.21.15 - Preventable Collision	PRF	Performance Issues	WRW	Written Warning
BLACK	F	11/23/2020	Written Warning	Safety - 2.21.15 - Avoidable Accident coach made contact with left mirror of a stationary vehicle.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	11/24/2020	Written Warning	Inattention - 4.11.1 - Operator did not complete defect card for four days.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	11/28/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. DriveCam #EUSQ14981	OTH	Other	WRW	Written Warning
BLACK	M	12/3/2020	Written Warning	Inattention - 2.13.1 - Failed to speak with TMC or Dispatcher after turning in a non serviceable vehicle.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	12/3/2020	Written Warning	AWOL - 4.3.3 - Failed to report. Operator was under the impression that dispatcher would call her to report to work.	ATT	Attendance	WRW	Written Warning
BLACK	F	12/7/2020	Written Warning	Uniforms - 2.6.1 - Employee was not wearing the uniform. Operator was wearing a grey t-shirt with the muni logo, black stretch pants and black tennis shoes.	OTH	Other	WRW	Written Warning
BLACK	M	12/7/2020	Written Warning	Signal Violation - 4.19.1 - Rolling stop #1	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	12/15/2020	Written Warning	Performance - - Arriving to work late and browsing the internet instead of working.	PRF	Performance Issues	WRW	Written Warning

BLACK	M	12/18/2020	Written Warning	Safety - 2.6; 2.13; 2.21.. - 11.23.2020 not wearing safety vest upon exiting coach	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	12/18/2020	Written Warning	Safety - 2.13; 2.13.1A; 2.6; 2.6.1 - not wearing face mask CSC# 286648	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	12/23/2020	Written Warning	Conduct - 2.8.1 - Operator used inappropriate language towards a supervisor on November 23, 2020.	PRF	Performance Issues	WRW	Written Warning
BLACK	M	1/1/2021	Written Warning	Conduct - 2.7.8 - Refused a direct order to complete missing information in required form. Told supervisor "do what you need to do."	INS	Insubordination	WRW	Written Warning
BLACK	F	1/13/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	1/15/2021	Written Warning	ITD - 2.13; 2.13.1A; 4.3; 4.3.3 - Late 40 minutes for run 414 L14R on 11.22.2020	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	1/15/2021	Written Warning	Attendance - CSC 420 - Excessive Absenteeism	ATT	Attendance	WRW	Written Warning
BLACK	M	1/22/2021	Written Warning	Signal Violation - 4.19.1 - failed to make a complete stop	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	1/26/2021	Written Warning	Inattention - 4.19.1 - Operator had a rolling stop at eight 8 stop signs on 11/20/2020.	PRF	Performance Issues	WRW	Written Warning
BLACK	F	1/26/2021	Written Warning	Schedules - 2.15.1 - Ahead of schedule	PRF	Performance Issues	WRW	Written Warning
BLACK	M	1/26/2021	Written Warning	Safety - 2.14.2 - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	1/27/2021	Written Warning	Inattention - EE allegedly sat on a bus for approx. 30 minutes, without inspecting patron fares, during a proof-of-payment unit deployment.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	1/27/2021	Written Warning	Signal Violation - 4.19.1 - Red Light Violation #1	ITD	Inattention to Duty	WRW	Written Warning

BLACK	M	1/29/2021	Written Warning	Uniform - 2.6.1 - Did not wear required uniform	OTH	Other	WRW	Written Warning
BLACK	F	2/2/2021	Written Warning	Safety - 4.19.1 - Stop sign violation	PRF	Performance Issues	WRW	Written Warning
BLACK	M	2/3/2021	Written Warning	Signal Violation - 4.19.1 - failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	2/3/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop. Drivacam	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	2/3/2021	Written Warning	Safety - 2.8 - Avoidable Incident	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	2/5/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	2/10/2021	Written Warning	Inattention - 2.22.3 - Operator was observed eating in the driver compartment of the coach on January 25, 2021.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	2/16/2021	Written Warning	Attendance - - Excessive absenteeism	ATT	Attendance	WRW	Written Warning
BLACK	M	2/17/2021	Written Warning	Attendance - - Excessive absences	ATT	Attendance	WRW	Written Warning
BLACK	M	2/23/2021	Written Warning	Inattention - 2.13; 2.13.1A; 4.3; 4.3.3 - Late 10 min Run 479 Line 49. dk	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	2/23/2021	Written Warning	Attendance - 4.3.3 - WMO #2 Operator 40 minutes late to run. They stated they lost track of time.	ATT	Attendance	WRW	Written Warning
BLACK	F	2/24/2021	Written Warning	Conduct - 2.13; 2.13.1E; - Verbal altercation with dispatch, dk	PRF	Performance Issues	WRW	Written Warning
BLACK	F	3/5/2021	Written Warning	Performance - 2.15.1 - Ahead of schedule	PRF	Performance Issues	WRW	Written Warning
BLACK	M	3/8/2021	Written Warning	Safety - 2.8 - Avoidable Incident on 12/2/2020 - 2nd incident in 12 months	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	3/8/2021	Written Warning	Conduct - 2.8 - CSC Written Warning for Discourtesy - Whistleblower Complaint for incident on 1/22/2020 - First violation in 12 months.	ITD	Inattention to Duty	WRW	Written Warning

BLACK	F	3/9/2021	Written Warning	Safety - 2.21.16 - Avoidable Collision. Right mirror made contact with a fixed object tree branch .	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	3/11/2021	Written Warning	AWOL - 4.3.3 - Operator reported to work late by 14 minutes.	ATT	Attendance	WRW	Written Warning
BLACK	F	3/12/2021	Written Warning	Conduct - 4.15.3 - Operator closed the door on passenger because of the passengers attitude.	OTH	Other	WRW	Written Warning
BLACK	M	3/15/2021	Written Warning	Safety - 2.21.16 - Avoidable Collision. Left mirror made contact with the right side of coach 8929.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	3/16/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	3/25/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	3/25/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	3/29/2021	Written Warning	Safety - 2.21.16 - Preventable collision	PRF	Performance Issues	WRW	Written Warning
BLACK	F	3/29/2021	Written Warning	Attendance - 19.2 - Operator had prior Counselings re attendance and has had 14 unscheduled absences in prior 6 months.	ATT	Attendance	WRW	Written Warning
BLACK	F	3/31/2021	Written Warning	Signal Violations - 4.19.1 - Failed to come to complete stop. Drive Cam	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	4/1/2021	Written Warning	Performance - 2.15.1 - Running ahead of schedule. Arrived 11 minutes early.	PRF	Performance Issues	WRW	Written Warning

BLACK	F	4/7/2021	Written Warning	Performance - 2.15.2 - Operator allegedly pulled-in coach too early on March 24, 2021.	PRF	Performance Issues	WRW	Written Warning
BLACK	F	4/7/2021	Written Warning	Conduct - 6.0 - Coordinating with Passengers Case 1 Refusal to open front door on 3/2/21 Case 2 Passenger incident on 3/2/21 Case 3 Pass-Up on 3/8/21	PRF	Performance Issues	WRW	Written Warning
BLACK	F	4/13/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out to revenue service.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	4/14/2021	Written Warning	Performance - 2.15.1 - Departed terminal service 10 minutes ahead of published headway.	ATT	Attendance	WRW	Written Warning
BLACK	F	4/15/2021	Written Warning	Inattention - 3.4.1 - Radio/Pre-trip inspection not performed	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	4/16/2021	Written Warning	Performance - 4.3; 4.3.3 - Schedule violation	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	4/16/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out to revenue service #2.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	4/19/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	4/21/2021	Written Warning	schedule violation - 2.15 - Written warning for on 4/1/2021 - 2nd violation in 12 months	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	4/23/2021	Written Warning	Safety - 2.21.15 - Preventable incident #2. Coach made contact with a fixed object tree .	ITD	Inattention to Duty	WRW	Written Warning

BLACK	M	4/26/2021	Written Warning	Attendance - 4.1.3 - Operator was AWOL on February 15, 2021.	ATT	Attendance	WRW	Written Warning
BLACK	M	4/27/2021	Written Warning	Performance - 2.15.1 - 20 minutes ahead of schedule.	PRF	Performance Issues	WRW	Written Warning
BLACK	F	4/30/2021	Written Warning	Attendance - 4.3.3 - WMO #2	ATT	Attendance	WRW	Written Warning
BLACK	F	5/10/2021	Written Warning	Inattention to Duty - 4.15.1 - Required Stops:Operator allegedly did not service a stop for an ADA passenger on April 2, 2021.	PRF	Performance Issues	WRW	Written Warning
BLACK	F	5/10/2021	Written Warning	Safety - 2.21.15 - Preventable incident when coach made contact with a bicyclist.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	F	5/19/2021	Written Warning	Inattention - 2.6.1 - Operator observed by Inspector out of uniform on April 23, 2021.	ITD	Inattention to Duty	WRW	Written Warning
BLACK	M	5/19/2021	Written Warning	Performance - 2.13; 2.13.1A; 2.17; 2.17.1; 2.17.2; 4.5; 4.5.7 - 3.30.21 Run 472 L14R, left off route and left terminal early	PRF	Performance Issues	WRW	Written Warning
BLACK	M	5/27/2021	Written Warning	Safety - Rule 2.8.2 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
BLACK	F	6/1/2021	Written Warning	Attendance - - Excessive absences, dk	ATT	Attendance	WRW	Written Warning

NOTE:	113- FEMALES		16-DISMISSALS (6 FEMALE & 10 MALE)			66- ATTENDANCE		16-DISMISSALS
TOTAL= 283	170- MALES		1- PIP			66- PERFORMANCE ISSUES		1- PIP
			5- PROBATION EXTENSIONS			117- INATTENTION TO DUTIES		5- PROBATION EXTENSIONS
			2- PROBATIONARY RELEASE			1- PROBATION EXTENSION		2- PROBATIONARY RELEASE
			5-26-30 DAY SUSPENSIONS			1- MORALE TURPITUDE		5-26-30 DAY SUSPENSIONS
			2- 16-20 DAY SUSPENSIONS			16- OTHER/FAILURE REGULATION REQ		2- 16-20 DAY SUSPENSIONS
6- DI			1- 11-15 DAY SUSPENSIONS			2- INSUBORDINATION		1- 11-15 DAY SUSPENSIONS
			14- 6-10 DAY SUSPENSIONS			2- DISHONESTY		14- 6-10 DAY SUSPENSIONS
			33- 5 DAY SUSPENSIONS			2- VIOLENCE		33- 5 DAY SUSPENSIONS
			28-3 DAY SUSPENSIONS			10- SUBSTANCE ABUSE		28-3 DAY SUSPENSIONS
			35- 2 DAY SUSPENSIONS					35- 2 DAY SUSPENSIONS
			24- 1 DAY SUSPENSIONS					24- 1 DAY SUSPENSIONS
			117- WRITTEN WARNINGS					117- WRITTEN WARNINGS
			283= TOTAL ACTIONS					283= TOTAL ACTIONS

RACE	SEX	REPORT DATE	DISCIPLINE DESCRIPTION	COMMENTS	DISCIPLINARY REASON STEP	STEP DESCRIPTION	FINAL RESOLUTION CODE	FINAL RESOLUTION
WHITE	F	10/1/2020	Dismissal	Condition of Employment - 6.1 - Failure to maintain all regulatory requirements	OTH	Other	DIS	Dismissal
WHITE	F	5/4/2021	Dismissal	Excessive Absenteeism Reduced from Dismissal. Last chance agreement Suspension Days: •Thursday, 5/13/21•Thursday, 5/27/21 •Friday, 5/14/21•Friday, 5/28/21 •Thursday, 5/20/21•Thursday, 6/3/21 •Friday, 5/21/21•Friday,	ATT	Attendance	S10	Suspension 6 - 10 days
WHITE	F	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
WHITE	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
WHITE	M	11/9/2020	Probationary Period Extension	Probationary Extension - - Adjust probationary end date to 2/15/2021	PRF	Performance Issues	PPX	Probationary Period Extension
WHITE	M	2/24/2021	Probationary Period Extension	Probationary Extension - - Extend probation end date 5/23/2021	PRF	Performance Issues	PPX	Probationary Period Extension
WHITE	M	3/2/2021	Probationary Period Extension	Probationary Extension - - probation extended due to change in supervision during probationary period.	OTH	Other	PPX	Probationary Period Extension
WHITE	M	2/1/2021	Probationary Release	Probationary Release - - Effective EOB 2/1/2021	PRF	Performance Issues	PRE	Probationary Release
WHITE	M	4/17/2021	Probationary Release	Probationary Release - - Released from probation	PRF	Performance Issues	PRE	Probationary Release
WHITE	M	9/1/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive cam first rolling stop in 12-month period.	ITD	Inattention to Duty	S01	Suspension 1 day
WHITE	M	9/21/2020	Suspension 1 day	Signal Violation - 4.19.1 - Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day
WHITE	M	11/2/2020	Suspension 1 day	Safety - 2.21.1 - DriveCam Speeding 13 mph over speed limit	ITD	Inattention to Duty	S01	Suspension 1 day
WHITE	M	11/3/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam failed to make a complete stop	ITD	Inattention to Duty	S01	Suspension 1 day
WHITE	M	12/9/2020	Suspension 1 day	Attendance - - excessive absenteeism.dk	ATT	Attendance	S01	Suspension 1 day
WHITE	M	7/10/2020	Suspension 11 - 15 days	AWOL - 4.3.3 - AWOL #1 = Five Days & 2 = Ten days. Settled both for Five days	ATT	Attendance	S05	Suspension 5 days
WHITE	M	10/7/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL	ATT	Attendance	S01	Suspension 1 day
WHITE	M	2/8/2021	Suspension 2 days	AWOL - 4.3.3 - Employee overslept and called in over three hours after report time.	ATT	Attendance	S02	Suspension 2 days
WHITE	M	2/11/2021	Suspension 2 days	Safety - 2.4.1 - Red light violation AWOL - 4.2 - 2/25/2020 - Reduced from 2-day suspension - To be served on 3/6/21	ITD	Inattention to Duty	S02	Suspension 2 days
WHITE	M	3/5/2021	Suspension 2 days		ATT	Attendance	S01	Suspension 1 day
WHITE	M	8/12/2020	Suspension 3 days	Safety - 2.8.1 - Preventable collision	ITD	Inattention to Duty	S03	Suspension 3 days
WHITE	M	2/12/2021	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S03	Suspension 3 days
WHITE	M	2/18/2021	Suspension 3 days	Attendance - - Excessive absenteeism.dk	ATT	Attendance	S03	Suspension 3 days
WHITE	M	9/23/2020	Suspension 5 days	Safety - 4.19.1 - multiple stop sign violations	PRF	Performance Issues	S02	Suspension 2 days
WHITE	M	9/25/2020	Suspension 5 days	Safety - 2.4.1.1 - Red light violation 8.17.2020	ITD	Inattention to Duty	S05	Suspension 5 days

WHITE	M	12/10/2020	Suspension 5 days	Conduct - - Falsification time records, OT abuse, City's vehicle use policy, Unauthorized secondary employment	CON	Conviction	S05	Suspension 5 days
WHITE	M	4/7/2021	Suspension 5 days	Safety - GN - PED 5 Day Suspension for a PED violation: - To be served 5/8 to 5/12/21	ITD	Inattention to Duty	S05	Suspension 5 days
WHITE	M	6/9/2021	Suspension 5 days	Safety - 2.2 - PED Friday, June 11, 2021 • Friday, June 18, 2021 • Friday, June 25, 2021 • Friday, July 02, 2021 • Friday, July 09, 2021	ITD	Inattention to Duty	S05	Suspension 5 days
WHITE	M	12/18/2020	Suspension 6 - 10 days	Signal Violation - 4.19.1 - Red light violation and Speeding.	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
WHITE	M	3/16/2021	Suspension 6 - 10 days	Signal Violation - 4.19.1 - Red light violation and Speeding. 10 Day Suspension	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
WHITE	M	7/15/2020	Written Warning	Safety - 2.21.2; 2.21.15 - speeding	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	7/16/2020	Written Warning	2.21.2 2.21.15 Unsafe operation LL	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	7/21/2020	Written Warning	AWOL - 4.3 - Working Miss Out 5/25/2020	ATT	Attendance	WRW	Written Warning
WHITE	M	7/29/2020	Written Warning	AWOL - 4.3.12 - Failure to call in sick timely. Called in seven minutes before shift.	ATT	Attendance	WRW	Written Warning
WHITE	M	7/29/2020	Written Warning	Conduct - - Disrespectful subtask	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	9/23/2020	Written Warning	Conduct - 2.8.1 - Operator disrespectful towards member of public	PRF	Performance Issues	WRW	Written Warning
WHITE	M	9/24/2020	Written Warning	Safety - 2.13; 2.21; 2.8; 4.2 - CSC#243404 on 8.10.2020, did not yield forward seats to ADA passengers. dk	PRF	Performance Issues	WRW	Written Warning
WHITE	M	10/14/2020	Written Warning	Inattention - 2.1.7 - Scheduled, arrived early and didn't secure coach.	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	10/23/2020	Written Warning	Safety - 2.9.4 - Avoidable accident 8.7.2020 R356, alertness. dk	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	10/31/2020	Written Warning	Safety - 2.8 - Avoidable Incident	ITD	Inattention to Duty	WRW	Written Warning
WHITE	F	11/2/2020	Written Warning	Oct 23 - verbal altercation with Laura Munter without provocation	VIO	Violence	WRW	Written Warning
WHITE	M	11/3/2020	Written Warning	Attendance - CSC 420 - Excessive Absenteeism	ATT	Attendance	WRW	Written Warning
WHITE	M	12/28/2020	Written Warning	Performance - 2.17.1 - Failed to complete run and failed to open the front door to allow seniors to board.	PRF	Performance Issues	WRW	Written Warning
WHITE	M	1/19/2021	Written Warning	Conduct - - Dishonesty and Safety, colluded with another supervisor to pass students who may not have passed	DHN	Dishonesty	WRW	Written Warning
WHITE	M	1/22/2021	Written Warning	Conduct - - Aggressive behavior yelling inappropriate word	PRF	Performance Issues	WRW	Written Warning
WHITE	M	2/2/2021	Written Warning	Safety - 4.16.1 - Dropped off passengers in an active turning lane.	PRF	Performance Issues	WRW	Written Warning
WHITE	M	2/24/2021	Written Warning	Inattention/Safety - - Employee backed up a trolley coach on Feb. 19, 2021, into a concrete pillar, bending and damaging both poles.	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	3/30/2021	Written Warning	Safety - 2.21.16 - Preventable Collision Operator's coach made contact with another vehicle.	ITD	Inattention to Duty	WRW	Written Warning

WHITE	F	4/12/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out to revenue service #2.	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	4/16/2021	Written Warning	Inattention - 3.4.2 - Operator did not respond to Radio directions from Central Control on April 8, 2021.	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	4/26/2021	Written Warning	Safety - 2.14.1 - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
WHITE	M	5/7/2021	Written Warning	Attendance - 2.13.1 - Operator had a Working Miss Out WMO on April 22, 2021.	ATT	Attendance	WRW	Written Warning
NOTE:	2-FEMALES		22- WRITTEN WARNINGS			23- INATTENTION TO DUTY		22- WRITTEN WARNINGS
TOTAL= 51	49-MALES		2- PROBATIONARY RELEASES			11- ATTENDANCE		2- PROBATIONARY RELEASES
			5- PROBATION EXTENSIONS			10- PERFORMANCE		5- PROBATION EXTENSIONS
			2- DISMISSALS (2 FEMALES)			1- DISHONESTY		2- DISMISSALS
			1- 11-15 DAY SUSPENSIONS			1- VIOLENCE		1- 11-15 DAY SUSPENSIONS
			2- 6-10 DAY SUSPENSIONS			1- CONVICTION		2- 6-10 DAY SUSPENSIONS
			5- 5 DAY SUSPENSIONS			4- OTHER/FAILURE REGULATION REQ		5- 5 DAY SUSPENSIONS
			3- 3 DAY SUSPENSIONS					3- 3 DAY SUSPENSIONS
			4- 2 DAY SUSPENSIONS					4- 2 DAY SUSPENSIONS
			5- 1 DAY SUSPENSIONS					5- 1 DAY SUSPENSIONS
			51= TOTAL ACTIONS					51= TOTAL ACTIONS

RACE	SEX	REPORT DATE	DISCIPLINE DESCRIPTION	COMMENTS	DISCIPLINARY REASON STEP	STEP DESCRIPTION	FINAL RESOLUTION CODE	FINAL RESOLUTION
ASIAN	M	7/11/2020	Dismissal	EEO - XXX - Sexual Harassment	OTH	Other	DIS	Dismissal
ASIAN	M	9/1/2020	Dismissal	Signal Violation - 2.14.1 - Rolling stop 5 in one day.	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
ASIAN	M	11/3/2020	Dismissal	Drugs & Alcohol - 2.11.2 - Positive follow-up drug test; 2nd positive test in less than five years.	SUB	Substance Abuse	DIS	Dismissal
ASIAN	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
ASIAN	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
ASIAN	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
ASIAN	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
ASIAN	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
ASIAN	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
ASIAN	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
ASIAN	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension
ASIAN	M	3/16/2021	Probationary Period Extension	Performance - - Extend probation to 4/16/2020	PRF	Performance Issues	PPX	Probationary Period Extension
ASIAN	M	3/19/2021	Probationary Period Extension	Probationary Extension - - Extend probation end date 5/14/2021	PRF	Performance Issues	PPX	Probationary Period Extension
ASIAN	F	3/19/2021	Probationary Period Extension	Performance - - Extend probation end date 6.11.2021	PRF	Performance Issues	PPX	Probationary Period Extension
ASIAN	M	3/5/2021	Probationary Release	Probationary Release - - Effective COB 3.5.21	PRF	Performance Issues	PRE	Probationary Release
ASIAN	M	7/1/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	7/1/2020	Suspension 1 day	Inattention - 4.19.1 - Stop sign violation	PRF	Performance Issues	S01	Suspension 1 day
ASIAN	M	7/9/2020	Suspension 1 day	Safety - 2.8.1 - safety violation on 4.11.2020	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	7/27/2020	Suspension 1 day	Signal - 4.19.1 - Rolling Stop	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	8/26/2020	Suspension 1 day	Safety - 2.8.1 - Avoidable Sign Violation -	PRF	Performance Issues	S01	Suspension 1 day
ASIAN	M	8/26/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam 1st rolling stop	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	9/1/2020	Suspension 1 day	Inattention - 2.13.1 A - Failure to report fall on board.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	9/14/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam failed to come to a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	9/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	9/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	9/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	9/21/2020	Suspension 1 day	Signal Violation - 4.1.1 - Drive Cam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	10/16/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Stop sign violation	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	10/20/2020	Suspension 1 day	Signal Violations - 4.19.1 - DriveCam Failed to make a complete stop	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	11/9/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	11/9/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Red Light Violations	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	11/12/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	12/6/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Stop sign violation #2	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	12/6/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drivecam Stop sign violation #1	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	12/29/2020	Suspension 1 day	Inattention - 2.6.1 - Uniform violation	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	2/17/2021	Suspension 1 day	Signal Violation - 4.19.1 - 2nd and 3rd stop sign violation	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	2/23/2021	Suspension 1 day	Safety - 2.4.1 - Red light violation	PRF	Performance Issues	S01	Suspension 1 day

				Conduct - 2.13.1A - CSC Failed to board a waiting ADA passenger. Title 6 violation				Suspension 1 day
ASIAN	M	2/25/2021	Suspension 1 day		PRF	Performance Issues	S01	
ASIAN	M	4/23/2021	Suspension 1 day	AWOL - 4.1; 4.3.3 - AWOL on 3.20.21	ATT	Attendance	S01	Suspension 1 day
				Safety - 4.22.1 - Speeding violation, 4.23.2021 Coach 6647, traveling 40 MPN n a 25 MPH zone	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	5/17/2021	Suspension 1 day					
				Inattention - RR 2.7.2 - EE failed to dispatch medical support requested by a field , which resulted in approximately an hour delayed response.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	6/22/2021	Suspension 1 day					
				Safety - 2.21 - speed higher than normal Avoidable accident April 1, 2019 10 day suspension Avoidable accident March 6, 2019 5 day suspension Pre-Step 2 agreement = 5 day suspension for both accidents There is a delay in discipline because Yee had a long leave of absence.	ITD	Inattention to Duty	S05	Suspension 5 days
ASIAN	M	9/15/2020	Suspension 11 - 15 days					
ASIAN	M	7/6/2020	Suspension 2 days	AWOL - 4.1.1 - AWOL #1	ATT	Attendance	S02	Suspension 2 days
ASIAN	M	7/10/2020	Suspension 2 days	AWOL - 4.1.3 - AWOL #1 Reported to work late.	ATT	Attendance	S02	Suspension 2 days
				Rule 2.8.1 - PSR Discourtesy Reduced to 1 day suspension Nov 8, 2020				
ASIAN	M	11/3/2020	Suspension 2 days		PRF	Performance Issues	S01	Suspension 1 day
				AWOL - 4.3.3 - Left work and returned in civilian clothes and was unavailable to work	ATT	Attendance	S02	Suspension 2 days
ASIAN	M	11/9/2020	Suspension 2 days					
ASIAN	M	2/4/2021	Suspension 2 days	AWOL - 4.3.3 - Called out sick 20 minutes after the shift started -	ATT	Attendance	S02	Suspension 2 days
ASIAN	M	4/8/2021	Suspension 2 days	AWOL - 4.2.3 - AWOL on 3/24/2021	ATT	Attendance	S01	Suspension 1 day
				Signal Violation - 4.19.1 - On May 15, 2020, employee failed to make a complete stop twice.	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	7/1/2020	Suspension 3 days					
ASIAN	M	7/9/2020	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	7/31/2020	Suspension 3 days	Avoidable Accident -	PRF	Performance Issues	S02	Suspension 2 days
ASIAN	M	8/12/2020	Suspension 3 days	Safety - 2.4.1 - Red light violation	ITD	Inattention to Duty	S02	Suspension 2 days
				Signal Violation - 4.19.1 - 2nd rolling stop in a 12-month period	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	9/1/2020	Suspension 3 days					
				Misconduct - - Parking Control Officer did not report collision with their GO-4 enforcement vehicle SFPD#200330625	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	9/24/2020	Suspension 3 days					
ASIAN	M	10/15/2020	Suspension 3 days	Safety - 4.19.1 - Stop sign violation	PRF	Performance Issues	S02	Suspension 2 days
				Signal Violation - 4.19.1 - Drive Cam 2nd stop sign violation	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	10/20/2020	Suspension 3 days					
ASIAN	M	12/7/2020	Suspension 3 days	Safety - 2.8.1 - Preventable collision 8.7.2020	ITD	Inattention to Duty	S03	Suspension 3 days
				Performance - 2.14.1 - Operator allegedly ran a stop sign and sped on November 20, 2020.	PRF	Performance Issues	S02	Suspension 2 days
ASIAN	M	12/16/2020	Suspension 3 days					
ASIAN	M	12/16/2020	Suspension 3 days	Safety - 2.14.1 - Red light violation	PRF	Performance Issues	S01	Suspension 1 day
				Signal Violation - 4.19.1 - 2nd stop sign violation in 12-month period	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	2/3/2021	Suspension 3 days					
ASIAN	M	3/5/2021	Suspension 3 days	Safety - 2.14.1 - Multiple stop sign violations	PRF	Performance Issues	S03	Suspension 3 days
				Safety - 2.21.15 - Speeding. Employee was speeding over 13 miles over the limit and almost hit a vehicle.	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	3/10/2021	Suspension 3 days					
				Signal Violation - 4.19.1 - Failed to stop at red signal. Traffic violation from Superior Court.	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	4/6/2021	Suspension 3 days					
ASIAN	M	4/9/2021	Suspension 3 days	Safety - 4.19.1 - Red light violation	PRF	Performance Issues	S03	Suspension 3 days
				Inattention - 2.15.5 - Deviated from from run. Ended run almost an hour early.				
ASIAN	M	4/22/2021	Suspension 3 days	Did not notify TMC.	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	4/26/2021	Suspension 3 days	Safety - 2.14 - speeding	ITD	Inattention to Duty	S01	Suspension 1 day
				Signal Violation - 4.19.1 - Failed to make a complete stop #2	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	4/27/2021	Suspension 3 days					
ASIAN	M	5/6/2021	Suspension 3 days	Signal Violations - 4.19.1 - Failed to stop at a read traffic light.	ITD	Inattention to Duty	S03	Suspension 3 days
				Safety - 4.22.1 - DriveCam operating above the speed limit.	ITD	Inattention to Duty	S03	Suspension 3 days
ASIAN	M	5/7/2021	Suspension 3 days					
				Conduct - falsification of documents 5 day suspension	DHN	Dishonesty	S05	Suspension 5 days
ASIAN	F	8/24/2020	Suspension 5 days					
ASIAN	M	9/1/2020	Suspension 5 days	PED - - PED violation 2.18.2020	ITD	Inattention to Duty	S05	Suspension 5 days

			Suspension 5 days	Safety - Rule 4.18.3 - Avoidable Accident	PRF	Performance Issues	WRW	Written Warning
ASIAN	F	9/10/2020	Suspension 5 days	PED - GN.2020.DOC.20 - PED Violation	OTH	Other	S05	Suspension 5 days
ASIAN	M	11/9/2020	Suspension 5 days	Performance - 2.15.6 - Unauthorized pull-in, route deviation	PRF	Performance Issues	S05	Suspension 5 days
ASIAN	M	1/5/2021	Suspension 5 days	Conduct - 2.8.3 - Employee placed the coach out of service due to passenger not wearing a mask, using profanity, and involve in physical altercation.	PRF	Performance Issues	S05	Suspension 5 days
ASIAN	M	1/19/2021	Suspension 5 days	Inattention - 2.15.6 - Pulled the coach in to the yard without orders on two separate occasions.	ITD	Inattention to Duty	S01	Suspension 1 day
ASIAN	M	2/4/2021	Suspension 5 days	Safety - 2.8 - Avoidable accidents	ITD	Inattention to Duty	S05	Suspension 5 days
ASIAN	M	2/8/2021	Suspension 5 days	Accidents on 11/8/2020 and 11/30/2020	ITD	Inattention to Duty	S05	Suspension 5 days
ASIAN	M	2/9/2021	Suspension 5 days	PED - 2020.DOC.20 - Powered on cell phone and utilizing it while on the bus.	OTH	Other	S05	Suspension 5 days
ASIAN	M	3/17/2021	Suspension 5 days	PED - PED violation	ITD	Inattention to Duty	S05	Suspension 5 days
ASIAN	M	3/31/2021	Suspension 5 days	PED - PED violation	ITD	Inattention to Duty	S05	Suspension 5 days
ASIAN	M	6/3/2021	Suspension 5 days	PED - 2.13.1, 2.1.3, 2.1.5 - Inattention to Duties DeMarrio McClary - Pending Final Personal Electronic Device - PED Pending final - Skelly Notice issued				
ASIAN	M	9/9/2020	Suspension 6 - 10 days	PED Improper Stowing of Cell Phone & Unsafe Driving on 8/7/20. Suspension Days: 9/11/20, 9/18/20, & 9/25/20, 10/2/20, 10/9/20, 10/16/20, & 10/23/20	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
ASIAN	M	1/26/2021	Suspension 6 - 10 days	Safety - 2.21.15 - Preventable collision	PRF	Performance Issues	S03	Suspension 3 days
ASIAN	M	2/3/2021	Suspension 6 - 10 days	PED - GN - Discourtesy and PED violation 8 Day suspension for Discourtesy and PED violation	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
ASIAN	M	2/23/2021	Suspension 6 - 10 days	Signal Violation - 4.19.1 - 7th stop sign violation on 12/15/20. 10 day suspension	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
ASIAN	M	3/9/2021	Suspension 6 - 10 days	Safety - 2.8 - PED & stop sign violation 8 days suspension: PED & stop sign violation from 9/18/20	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
ASIAN	M	3/29/2021	Suspension 6 - 10 days	Safety - 2.14.1 - Operator was observed with a PED violation and stop sign violations on February 24, 2021.	ITD	Inattention to Duty	S10	Suspension 6 - 10 days
ASIAN	M	7/17/2020	Written Warning	Inattention - 6.1.1. - Went to the yard with a passenger on board. Did not notified TMC or Supervisor.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	7/24/2020	Written Warning	Inattention to Duties - Rule 5.2.2 - Incorrect thumb wheel -	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	8/4/2020	Written Warning	Performance - 2.15.1 - Schedule violation	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	8/6/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	8/7/2020	Written Warning	Safety - Rule 2.8.2 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	8/18/2020	Written Warning	Safety - 2.9.4 - Alertness Avoidable accident on 7.28.2020	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	8/25/2020	Written Warning	Conduct - 2.13.1 - Discourteous treatment of the public	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	8/25/2020	Written Warning	Safety - 2.8.1 - Avoidable Sign Violation -	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	8/27/2020	Written Warning	Inattention to Duty Rule 4 passup on disabled person CSC 158294 & PSR S84598	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	9/23/2020	Written Warning	Conduct - 2.8.1 - Disrespect towards member of public	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	10/8/2020	Written Warning	Safety - 2.14.1 - Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	10/8/2020	Written Warning	Safety - 2.14.1 - Drive Cam Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	10/16/2020	Written Warning	Conduct - 2.13.1A - CSC Failed to board a waiting ADA passenger. Title 6 violation	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	10/22/2020	Written Warning	Safety - 2.13.1 - Unsafe Operations traffic signals were dark and employee enter intersection without stopping.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	11/4/2020	Written Warning	Safety - 2.21.15 - Preventable incident Operator made contact with a parked car.	PRF	Performance Issues	WRW	Written Warning

ASIAN	M	11/20/2020	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop #1.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	11/23/2020	Written Warning	Safety - 2.14.1 - Traffic laws, Operator ran stop sign on 10/26/2020	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	11/28/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. Customer Service Complaint #275839 & 285358	OTH	Other	WRW	Written Warning
ASIAN	M	12/23/2020	Written Warning	Safety - 2.9.4 - Preventable collision	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	1/8/2021	Written Warning	Inattention - 2.13.1A - Late, late 8 minutes for run 482 Line 14R	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	1/22/2021	Written Warning	Safety - 2.21.15 - Operator was speeding and when asked by a passenger to slow down the operator responded with inappropriate language.	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	1/26/2021	Written Warning	Inattention - 2.9.4 - Wheel block not removed	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	1/26/2021	Written Warning	Performance - 2.15.1 - Ahead of schedule	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	1/26/2021	Written Warning	Conduct - 2.7 - Disciplined staff without conferring with Transit as verbally instructed	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	1/26/2021	Written Warning	AWOL - 2.1.3 - AWOL following leave expiration	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	F	1/27/2021	Written Warning	Inattention to Duty - EE allegedly sat on a bus for approx. 30 minutes without performing patron fare inspection, during a proof-of-payment unit deployment on Nov. 19, 2020.	ITD	Inattention to Duty	RES	Written Warning
ASIAN	M	1/27/2021	Written Warning	Safety - 2.21.15 - Driving on the wrong side of an island.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	2/5/2021	Written Warning	Safety - 2.4.1 - Traffic laws; Rolling Stop	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	2/5/2021	Written Warning	Safety - 2.8 - Rolling Stop	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/2/2021	Written Warning	Safety - 2.13.1A - Run 625 off route and hit light pole signal	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/2/2021	Written Warning	Performance - 2.13; 2.13.1A; 2.15; 2.15.1; 2.15.5; 2.17; 2.17.1 - on Run 475 L14R no show, skipped stop at OC Burt	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	3/3/2021	Written Warning	Safety - 2.11.15 - Preventable collision	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/4/2021	Written Warning	Safety - 2.8 - Avoidable collision on 3/3/2021	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/8/2021	Written Warning	Attendance - 2.5 - For Tardiness on 12/14/2021 - 2nd violation in 5 months	ATT	Attendance	WRW	Written Warning
ASIAN	M	3/19/2021	Written Warning	Signal Violations - 4.19.1 - Failed to come to a complete stop.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/19/2021	Written Warning	Signal Violation - 4.19.1 - Operator failed to come to complete stop.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/25/2021	Written Warning	Safety - 2.8 - Sudden Brake Written warning issued for avoidable incident sudden brake	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/25/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/29/2021	Written Warning	Safety - 2.14.1 - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/29/2021	Written Warning	Safety - 2.14.1 - Red light violation	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	3/30/2021	Written Warning	Conduct - 2.8.1 - Argumentative and discourteous with the fellow employees.	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	4/7/2021	Written Warning	Safety - 2.13.1A - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	4/11/2021	Written Warning	Safety - - inattention to Duties & Preventable Accident; Body damage \$3,088.40	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	4/13/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	4/13/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	4/13/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	4/14/2021	Written Warning	Safety - 4.22.1 - Employee speeding and passed passenger up.	ITD	Inattention to Duty	WRW	Written Warning

ASIAN	M	4/16/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	4/16/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out to revenue service #2.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	4/21/2021	Written Warning	Conduct - 2.8 - Pass up Written warning for passenger pass-up on March 23, 2021	PRF	Performance Issues	WRW	Written Warning
ASIAN	M	4/23/2021	Written Warning	Safety - 2.14.1 - Operator ran stop sign on April 8, 2021.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	5/10/2021	Written Warning	Safety - 2.21.16 - Made contact with a fixed object.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	5/19/2021	Written Warning	Safety - 4.19.1 - Operator had stop sign violation on April 20, 2021.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	5/19/2021	Written Warning	Inattention - 3.4.1 - Operator did not complete pre-trip inspection to confirm a working radio.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	5/21/2021	Written Warning	Inattention - 2.15.6 - 14 Minutes ahead of schedules.	ITD	Inattention to Duty	WRW	Written Warning
ASIAN	M	6/1/2021	Written Warning	Attendance - - Excessive absences	ATT	Attendance	WRW	Written Warning
NOTE:	4- FEMALES		56- WRITTEN WARNINGS			1- DISHONESTY		56- WRITTEN WARNINGS
TOTAL= 141	137- MALES		1- PROBATIONARY RELEASE			1- SUBSTANCE ABUSE		1- PROBATIONARY RELEASE
			9 - PROBATION EXTENSIONS			1- PENDING		9 - PROBATION EXTENSIONS
			3- DISMISSALS (3 MALES)			8- ATTENDANCE		3- DISMISSALS
			1- 11-15 DAY SUSPENSIONS			84- INATTENTION TO DUTY		1- 11-15 DAY SUSPENSIONS
			6- 6-10 DAY SUSPENSIONS			36- PERFORMANCE ISSUES		6- 6-10 DAY SUSPENSIONS
			12- 5 DAY SUSPENSIONS			10- OTHER/FAILURE REGULATION REQ		12- 5 DAY SUSPENSIONS
			21- 3 DAY SUSPENSIONS					21- 3 DAY SUSPENSIONS
			6- 2 DAY SUSPENSIONS					6- 2 DAY SUSPENSIONS
			26- 1 DAY SUSPENSIONS					26- 1 DAY SUSPENSIONS
			141 = TOTAL ACTIONS					141 = TOTAL ACTIONS

[illegible]

RACE	SEX	REPORT DATE	DISCIPLINE DESCRIPTION	COMMENTS	DISCIPLINARY REASON STEP	STEP DESCRIPTION	FINAL RESOLUTION CODE	FINAL RESOLUTION
FILIPINO+A2:I7	M	11/12/2020	Dismissal	Substance Abuse - 2nd positive test 9.22.2020	SUB	Substance Abuse	RES	
FILIPINO	M	9/21/2020	Suspension 1 day	Safety - 2.1.2 - stop sign violation	ITD	Inattention to Duty	S01	Suspension 1 day
FILIPINO	M	10/16/2020	Suspension 1 day	Signal Violation - 4.19.1 - Failed to make complete stop sign violation	PRF	Performance Issues	S01	Suspension 1 day
FILIPINO	M	10/20/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day
FILIPINO	M	4/16/2021	Suspension 1 day	Rule 2.6 Safety Violation wearing a hoodie	ITD	Inattention to Duty	S01	Suspension 1 day
FILIPINO	M	2/8/2021	Suspension 2 days	AWOL 12/15/2020	ATT	Attendance	S02	Suspension 2 days
FILIPINO	M	3/31/2021	Suspension 2 days	Inattention - 4.28 - Left Coach 6703 unattended 2.22.2021, Requested 20% pay cut instead	ITD	Inattention to Duty	S02	Suspension 2 days
FILIPINO	F	4/13/2021	Suspension 2 days	AWOL - 4.3.3 - Employee called in late and decided not to take another run.	ATT	Attendance	S02	Suspension 2 days
FILIPINO	M	8/28/2020	Suspension 26 - 30 days	Drug and Alcohol - 1st offense on 8.12.2020, 30 day suspension, entry to SAP	SUB	Substance Abuse	S30	Suspension 26 - 30 days
FILIPINO	M	5/3/2021	Suspension 26 - 30 days	Substance Abuse 1st Incident 30 day suspension	SUB	Substance Abuse	S30	Suspension 26 - 30 days
FILIPINO	M	4/7/2021	Suspension 3 days	Signal Violation - 4.19.1 - Failed to stop at stop sign. Drive Cam.	ITD	Inattention to Duty	S03	Suspension 3 days
FILIPINO	M	7/14/2020	Suspension 5 days	Performance Rolling Stop 6/11/2020 5-day suspension reduced to 3 days.	PRF	Performance Issues	S03	Suspension 3 days
FILIPINO	M	8/12/2020	Suspension 5 days	Safety - 4.22 - Speeding; Operator was driving 40mph in 30mph zone	PRF	Performance Issues	S05	Suspension 5 days
FILIPINO	M	9/8/2020	Suspension 6 - 10 days	Safety - 2.21.1 - Operator alleged to have sped 40mph in 30mph zone	PRF	Performance Issues	RES	
FILIPINO	M	4/2/2021	Suspension 6 - 10 days	Conduct - 2.28 - Equipment Ten Days Suspension for tampering with equipment - To be served April 10 to April 23, 2021.	MPR	Misuse of Public Resources	S10	Suspension 6 - 10 days
FILIPINO	M	8/12/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning
FILIPINO	M	8/19/2020	Written Warning	Safety - Rule 2.8.2 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
FILIPINO	M	9/1/2020	Written Warning	Safety - Rule 2.8.2 - Avoidable Accident -	PRF	Performance Issues	WRW	Written Warning
FILIPINO	M	10/8/2020	Written Warning	Safety - 2.14.1 - Drive Cam Speeding Violation #1	ITD	Inattention to Duty	WRW	Written Warning
FILIPINO	M	11/23/2020	Written Warning	Safety - 2.14.2 - Traffic Laws - Operator ran a stop sign on October 8, 2020.	PRF	Performance Issues	WRW	Written Warning
FILIPINO	M	2/3/2021	Written Warning	Safety - 2.8 - Avoidable Incident	ITD	Inattention to Duty	WRW	Written Warning
FILIPINO	M	3/3/2021	Written Warning	Safety - 2.21.15 - Operator had a preventable collision on January 7, 2021.	ITD	Inattention to Duty	WRW	Written Warning
FILIPINO	F	3/5/2021	Written Warning	Attendance - CSC 420 - Excessive Absences 13 absence in 4 months.	ATT	Attendance	WRW	Written Warning
FILIPINO	F	4/1/2021	Written Warning	Performance - 2.15.1 - Ahead of schedule. Operator arrived at terminal 11 minutes early.	PRF	Performance Issues	WRW	Written Warning
FILIPINO	F	4/8/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
FILIPINO	M	5/13/2021	Written Warning	Inattention to Duty - EE received Written Warning for damage incurred to a coach when they did not verify the garage door was fully open on April 26, 2021.	ITD	Inattention to Duty	WRW	Written Warning

NOTES	4 FEMALES		11- WRITTEN WARNINGS			10- INATTENTION TO DUTY		11- WRITTEN WARNINGS
TOTAL= 26	22 MALES		1- DISMISSAL (1 MALE)			9- PERFORMANCE ISSUES		1- DISMISSAL
			2- 26-30 DAY SUSPENSIONS			3- ATTENDANCE		2- 26-30 DAY SUSPENSIONS
			2- 6-10 DAY SUSPENSIONS			1- MISUSE PUBLIC RESOURCES		2- 6-10 DAY SUSPENSIONS
			2- 5 DAY SUSPENSION			3- SUBSTANCE ABUSE		2- 5 DAY SUSPENSION
			1- 3 DAY SUSPENSION					1- 3 DAY SUSPENSION
			3- 2 DAY SUSPENSIONS					3- 2 DAY SUSPENSIONS
			4- 1 DAY SUSPENSIONS					4- 1 DAY SUSPENSIONS
			26= TOTAL ACTIONS					26= TOTAL ACTIONS

RACE	SEX	REPORT DATE	DISCIPLINE DESCRIPTION	COMMENTS	DISCIPLINARY REASON STEP	STEP DESCRIPTION	FINAL RESOLUTION CODE	FINAL RESOLUTION	
HISPANIC	M	7/7/2020	Dismissal	Safety - 2.21.2 - Operator had preventable collision with automobile on May 28, 2020. 20% pay cut instead of suspension, dk	PRF	Performance Issues	S10	Suspension 6 - 10 days	
HISPANIC	M	10/1/2020	Dismissal	Condition of Employment - 6.1 - Failure to maintain all regulatory requirements	OTH	Other	DIS	Dismissal	
HISPANIC	M	9/22/2020	Probationary Period Extension	Division needs more time to reevaluate as training was interrupted due to COVID. Employee to be retrained.	OTH	Other	PPX	Probationary Period Extension	
HISPANIC	M	9/22/2020	Probationary Release	release from probation due to positive drug test with restrictions	SUB	Substance Abuse	PRE	Probationary Release	
HISPANIC	M	7/16/2020	Suspension 1 day	Safety - Rule 2.8.1 - Red Light; Signal Violation -	PRF	Performance Issues	S01	Suspension 1 day	
HISPANIC	M	9/1/2020	Suspension 1 day	Safety - 2.8.1 - Avoidable Sign Violation -	PRF	Performance Issues	S01	Suspension 1 day	
HISPANIC	F	9/21/2020	Suspension 1 day	Inattention - 2.13.1.A - Left an passenger on board, misrepresenting facts	ITD	Inattention to Duty	S01	Suspension 1 day	
HISPANIC	M	9/22/2020	Suspension 1 day	Safety - 2.8.1 - Stop sign violation	PRF	Performance Issues	S01	Suspension 1 day	
HISPANIC	F	10/5/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam Stop Sign Violation #1	ITD	Inattention to Duty	S01	Suspension 1 day	
HISPANIC	M	10/7/2020	Suspension 1 day	Signal Violation - 4.19.1 - Drive Cam Stop Sign Violation	ITD	Inattention to Duty	S01	Suspension 1 day	
HISPANIC	M	10/14/2020	Suspension 1 day	Safety - 4.22.1 - Operator had posted speed violation on September 29, 2020.	PRF	Performance Issues	S01	Suspension 1 day	
HISPANIC	M	10/14/2020	Suspension 1 day	Safety - 4.19.1 - Stop sign violation	PRF	Performance Issues	S01	Suspension 1 day	
HISPANIC	M	11/2/2020	Suspension 1 day	Signal Violation - 4.19.1 - DriveCam Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day	
HISPANIC	M	12/17/2020	Suspension 1 day	Signal Violation - 4.19.1 - Stop sign violation failed to complete stop.	ITD	Inattention to Duty	S01	Suspension 1 day	
HISPANIC	M	1/26/2021	Suspension 1 day	Signal Violation - 4.19.1 - Stop sign violation	ITD	Inattention to Duty	S01	Suspension 1 day	
HISPANIC	F	2/25/2021	Suspension 1 day	Attendance - CSC 420 - Excessive Absenteeism	ATT	Attendance	S01	Suspension 1 day	
HISPANIC	M	4/16/2021	Suspension 1 day	2.13 Inattention to Duties - Excessive Absences 1 day suspension	ATT	Attendance	S01	Suspension 1 day	
HISPANIC	M	7/20/2020	Suspension 2 days	Attendance - CSC 420 - Excessive Absenteeism -	ATT	Attendance	S02	Suspension 2 days	
HISPANIC	M	8/12/2020	Suspension 2 days	Attendance - Rule 4.3.3 - AWOL Violation	ATT	Attendance	S02	Suspension 2 days	
HISPANIC	M	10/20/2020	Suspension 2 days	AWOL - 4.3.3 - AWOL #1 Employee was late and no open runs was available	ATT	Attendance	S02	Suspension 2 days	
HISPANIC	M	11/4/2020	Suspension 2 days	AWOL - 4.1.1 - Operator was AWOL on October 14, 2020.	ATT	Attendance	S02	Suspension 2 days	
HISPANIC	M	12/29/2020	Suspension 2 days	AWOL - 4.2.3 - AWOL 10.16.2020	ATT	Attendance	S01	Suspension 1 day	
HISPANIC	M	3/2/2021	Suspension 2 days	AWOL - 2.1.3; 2.1.5; 2.13.1A; 4.1.1; 4.3.3 - AWOL	ATT	Attendance	S02	Suspension 2 days	
HISPANIC	M	7/22/2020	Suspension 3 days	Safety - 2.4.1 - Red light violation 3/6/20	ITD	Inattention to Duty	S03	Suspension 3 days	
HISPANIC	M	9/29/2020	Suspension 3 days	Signal Violation - 4.19.1 - Drive Cam 2nd Stop Sign Violation	ITD	Inattention to Duty	S03	Suspension 3 days	
HISPANIC	M	10/9/2020	Suspension 3 days	Rule 5.3.3 - Signal Violation -	PRF	Performance Issues	S03	Suspension 3 days	
HISPANIC	M	12/9/2020	Suspension 3 days	Safety - 2.21.15 - Operator had a preventable collision on November 18, 2020.	PRF	Performance Issues	S03	Suspension 3 days	
HISPANIC	M	1/19/2021	Suspension 3 days	Attendance - CSC 420 - Absence of 46 days	ATT	Attendance	S03	Suspension 3 days	
HISPANIC	M	3/30/2021	Suspension 3 days	Conduct - 2.8.1 - Operator was discourteous towards a colleague and also failed to complete various pre-trip inspections and was observed not wearing a seatbelt.	PRF	Performance Issues	S03	Suspension 3 days	
HISPANIC	M	4/9/2021	Suspension 3 days	Safety - 2.12.3 - Operator observed eating in cab and not having hands on wheel on January 27, 2021	PRF	Performance Issues	S03	Suspension 3 days	
HISPANIC	M	5/7/2021	Suspension 3 days	stop sign violation	ITD	Inattention to Duty			
HISPANIC	M	8/31/2020	Suspension 5 days	Safety - 2.7.1 - Preventable collision	ITD	Inattention to Duty	S05	Suspension 5 days	
HISPANIC	M	11/9/2020	Suspension 5 days	Conduct - Rule 2.7.10 - Discourteous Insubordination -	PRF	Performance Issues	S05	Suspension 5 days	
HISPANIC	F	11/20/2020	Suspension 5 days	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	S01	Suspension 5 days	
HISPANIC	M	12/16/2020	Suspension 5 days	PED - PED violation	ITD	Inattention to Duty	S05	Suspension 5 days	
HISPANIC	M	4/19/2021	Suspension 5 days	PED - 2.22.7 - Operator allegedly used Personal Electronic Device on Feb. 21, 2021.	ITD	Inattention to Duty	S05	Suspension 5 days	
HISPANIC	M	4/23/2021	Suspension 5 days	Personal Electronic Device - 2.22.7 - PED violation 3.28.2021	ITD	Inattention to Duty	S05	Suspension 5 days	

				PED Violation - 2nd occurrence on 10/21/20. Suspension Days: 11/20, 11/23, 11/24, & 11/30 - 12/4/20				Suspension 6 - 10 days	
HISPANIC	M	11/19/2020	Suspension 6 - 10 days		ITD	Inattention to Duty	S10		
HISPANIC	M	2/3/2021	Suspension 6 - 10 days	Attendance - 4.2.3 - Working Miss Out #4 1.10.2021	ATT	Attendance	S05	Suspension 5 days	
HISPANIC				AWOL - 4.3.3 - AWOL #1 & AWOL #2. Failed to report to work on time & called in ten minutes before shift started.				Suspension 6 - 10 days	
HISPANIC	M	3/16/2021	Suspension 6 - 10 days		ATT	Attendance	S10		
HISPANIC	M	3/19/2021	Suspension 6 - 10 days	AWOL - 4.2.3 - AWOL #2 on 2.18.21	ATT	Attendance	S10	Suspension 6 - 10 days	
HISPANIC				Conduct - 2.1; 6.5 - Violation of Enforcement policy on prohibition of Body Worn Cameras and uniform	INS	Insubordination	WRW	Written Warning	
HISPANIC	M	7/14/2020	Written Warning					Written Warning	
HISPANIC	M	8/7/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	M	8/7/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	M	8/17/2020	Written Warning	Safety - Rule 2.14.1 - Unsafe Operation Violation; Illegal Turn -	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	M	8/19/2020	Written Warning	Routes - Rule 2.13.1 - Route Violation -	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	M	9/8/2020	Written Warning	Inattention - 74.5 - Employee had preventable Yard Controller collision	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	M	9/9/2020	Written Warning	Safety - 6.14.1 - Avoidable accident fall on board Passenger assistance	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	M	9/11/2020	Written Warning	Attendance - 4.1.1 - Late for duty	ATT	Attendance	WRW	Written Warning	
HISPANIC	M	9/16/2020	Written Warning	Attendance - 2.14.1 - Operator has had 27 absences in last 12 months.	ATT	Attendance	WRW	Written Warning	
HISPANIC	F	10/14/2020	Written Warning	Conduct - 2.8.2 - Called bicyclist a "faggot"	OTH	Other	WRW	Written Warning	
HISPANIC	M	10/29/2020	Written Warning	Inattention - 2.13.1 - Coach seat belts were knotted and wheelchair claps tied off at the ADA seats.	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	M	11/5/2020	Written Warning	Inattention - 2.15.1 - Operator pulled coach into division twelve 12 minutes prior to scheduled end of run on November 5, 2020.	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	F	11/23/2020	Written Warning	Safety - 2.14.2 - Stop sign violation	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	F	11/28/2020	Written Warning	Uniform - 2020.DOC.040 - Failure to wear mask. Customer Service Complaint #274654	OTH	Other	WRW	Written Warning	
HISPANIC	M	11/30/2020	Written Warning	Inattention - 2.2.1 - Operator was observed operating without face mask covering on November 30, 2020.	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	F	12/4/2020	Written Warning	Schedule - 2.15.1 - Left the terminal late by five minutes.	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	M	1/28/2021	Written Warning	Inattention - 2.13; 2.13.1A; 4.3; 4.3.3 - Late 7 minutes Run 496 L14R	ITD	Inattention to Duty	WRW		
HISPANIC	F	2/2/2021	Written Warning	Inattention - - Employee allegedly sat for an extended period of time on a revenue vehicle while colleagues performed a fare enforcement / proof-of- payment deployment on transit lines.	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	M	2/3/2021	Written Warning	Signal Violation - 4.19.1 - Failed to make a complete stop.	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	M	2/3/2021	Written Warning	Safety - 2.8 - Avoidable Incident	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	M	2/17/2021	Written Warning	Inattention - 4.12.1 - Operator did not notify TMC/OCC when leaving coach unattended for 13 minutes.	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	M	2/23/2021	Written Warning	Inattention - 4.11.2 - Operator did not perform a pre-operational inspection of coach on February 18, 2021.	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	M	3/29/2021	Written Warning	Inattention - 2.2.1 - Operator was observed without proper PPE on January 27, 2021.	ITD	Inattention to Duty	WRW	Written Warning	
HISPANIC	M	3/30/2021	Written Warning	Performance - 2.15 - Schedule violation Written warning to operate according to established timetables schedule violation -2nd violation in past 12 months	PRF	Performance Issues	WRW	Written Warning	
HISPANIC	M	4/5/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning	

HISPANIC	M	4/8/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
HISPANIC	M	4/16/2021	Written Warning	Inattention - 3.4.1 - Operator failed to do a radio check prior to pulling out of radio services violation #2.	ITD	Inattention to Duty	WRW	Written Warning
NOTES:								
TOTAL= 68	9 FEMALES		27- WRITTEN WARNINGS			28- INATTENTION TO DUTY		27- WRITTEN WARNINGS
	59 MALES		1- PROBATIONARY RELEASE			20- PERFORMANCE ISSUES		1- PROBATIONARY RELEASE
			1- PROBATION EXTENSION			1- SUBSTANCE ABUSE		1- PROBATION EXTENSION
			2- DISMISSALS (2 MALES)			4- OTHER/ FAILURE REGULATION REQ		2- DISMISSALS
			4- 6-10 DAY SUSPENSIONS			14- ATTENDANCE		4- 6-10 DAY SUSPENSIONS
			6- 5 DAY SUSPENSIONS			1- INSUBORDINATION		6- 5 DAY SUSPENSIONS
			8- 3 DAY SUSPENSIONS					8- 3 DAY SUSPENSIONS
			6- 2 DAY SUSPENSIONS					6- 2 DAY SUSPENSIONS
			13-1 DAY SUSPENSIONS					13- 1 DAY SUSPENSIONS
			68= TOTAL ACTIONS					68= TOTAL ACTIONS

		PROBATIONARY PERIOD		PROBATIONARY PERIOD		PROBATIONARY PERIOD		PROBATIONARY PERIOD	
Multi-act	F	5/1/2021	Probationary Period Extension	Probationary extension adjustment from 5/1/2021	ACT	Attendance	5/1/2021	Probationary Period Extension	
Multi-act	M	5/1/2021	Probationary Release	Probationary Release	PER	Performance Issues	5/1/2021	Probationary Release	
Multi-act	M	5/1/2021	Probationary Release	Probationary Release	PER	Performance Issues	5/1/2021	Probationary Release	
Multi-act	F	5/1/2021	Written Warning	Written Warning	PER	Performance Issues	5/1/2021	Written Warning	

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Open in-person public hearings
Date: Thursday, July 22, 2021 9:27:00 AM

From: peter fatooh <pfatooh@sbcglobal.net>
Sent: Wednesday, July 21, 2021 10:53 AM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Cc: Gibson, Alistair (BOS) <alistair.gibson@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Breed, London (MYR) <london.breed@sfgov.org>; dennis.herrerra@sfgov.org
Subject: Open in-person public hearings

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Calvillo:

Since the Board of Supervisors is responsible for the Assessment Appeal Board, I am asking you and the members of the Board of Supervisors to allow the AAB to resume its public, in-person, hearings. As you know, my clients with appeals pending before the AAB, have opted to not have their matters heard through the "Zoom" system. Consequently, my clients have had to wait patiently to have their matter heard before a "live" Board.

My clients and I understand the nature of the COVID protocols, however, in all fairness, how can the City possibly allow 40,000 un-masked baseball fans to attend Giants games while shuttering 5 levels of the SF City Hall sans public hearings? The adage 'justice delayed is justice denied' certainly applies to those of us seeking redress to their local government.

Taxpayers with property tax appeals pending for over two years are being forced to pay what they believe to be inflated property taxes while they patiently wait for their day in court. The Governor has declared 'back to business', but apparently not at City Hall. This is unacceptable.

The very employees who staff City Hall have not missed a pay period through the entire pandemic situation. The taxpayers have a right to expect the City to serve their needs and those needs include in-person public hearings at City Hall.

I would ask that you copy each member of the Board of Supervisors this email.

I and my clients look forward to your response.

Sincerely,

Peter J. Fatooh
 SF Property Tax Appeals

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Wong, Linda \(BOS\)](#)
Subject: FW: trash cans!
Date: Thursday, July 22, 2021 11:00:00 AM

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

From: janis reed <jreedme@sonic.net>
Sent: Thursday, July 22, 2021 10:29 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: trash cans!

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Okay, besides the fact that \$20,000 is absurd, in the SF Chron article it mentions that the proposed cans will have a handle to open a chute.

Uhhh.... I do NOT want to touch a handle on a public trashcan! Didn't anybody consider this???? Seriously, why would anyone want to grab a handle on a public city trash can???? Even before Covid, something I won't do, unless of course you provide \$100,000 wash stations by each can... Please reconsider this design flaw.

The current cans are fine. Just try emptying them more often. And putting back the ones that were taken away a few years back (for what logical reason, I still can't fathom).

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Carroll, John \(BOS\)](#)
Subject: FW: REFERRAL - YOUTH COMMISSION - File No. 210747 - Hearing - COVID-Related Sexual Orientation and Gender Identity Data Reports - FY 2019-2020 and Initial Six Months of FY 2020-2021
Date: Thursday, July 22, 2021 9:01:00 AM
Attachments: [210747 Youth Commission 2021-RBM-21.pdf](#)
[image001.png](#)

From: Carroll, John (BOS) <john.carroll@sfgov.org>
Sent: Wednesday, July 21, 2021 11:28 AM
To: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: FW: REFERRAL - YOUTH COMMISSION - File No. 210747 - Hearing - COVID-Related Sexual Orientation and Gender Identity Data Reports - FY 2019-2020 and Initial Six Months of FY 2020-2021

Thank you, Kiely,

I'm forwarding this Youth Commission response to the board.of.supervisors@sfgov.org email address, so it can be forwarded to all the BOS members.

I've added a copy of this response to the file.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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

Disclosures: *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these*

submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

From: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>
Sent: Tuesday, July 20, 2021 5:34 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Estrada, Itzel (BOS) <itzel.estrada@sfgov.org>; Kilgore, Preston (BOS) <preston.kilgore@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>
Subject: RE: REFERRAL - YOUTH COMMISSION - File No. 210747 - Hearing - COVID-Related Sexual Orientation and Gender Identity Data Reports - FY 2019-2020 and Initial Six Months of FY 2020-2021

Hello,
Please find attached the Youth Commission's response to BOS File No. 210747.

Cheers,
Kiely

Kiely Hosmon, M.A.
Director
San Francisco Youth Commission
Office: 415.554.6464 | Fax: 415.554.6140

Pronouns Used: she & her

Visit the official [Youth Commission site](#) and [YC facebook](#) page.
Sign up for [our newsletter](#).

Complete a Board of Supervisors [Customer Satisfaction form](#).

From: Carroll, John (BOS) <john.carroll@sfgov.org>
Sent: Monday, July 19, 2021 3:35 PM
To: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>
Cc: Estrada, Itzel (BOS) <itzel.estrada@sfgov.org>; Kilgore, Preston (BOS) <preston.kilgore@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>
Subject: REFERRAL - YOUTH COMMISSION - File No. 210747 - Hearing - COVID-Related Sexual Orientation and Gender Identity Data Reports - FY 2019-2020 and Initial Six Months of FY 2020-2021

Greetings:

The following matter is referred by request to the Youth Commission for review and comment.
Please forward the Commission's response as soon as it is available.

[Referral Memo – July 19, 2021](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 210747](#)

Thanks for the review.

John Carroll

Assistant Clerk

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>

Sent: Monday, July 19, 2021 3:29 PM

To: Carroll, John (BOS) <john.carroll@sfgov.org>

Cc: Estrada, Itzel (BOS) <itzel.estrada@sfgov.org>

Subject: Re: Youth Commission requesting BOS File No. 210747

Hi John,

Yes, we have it on our agenda tonight. I thought I had requested the leg last week but looks

like I did it for another piece of legislation.

We took the legislation from Legistar so our Commissioners had the documents in their packet to review beforehand.

Cheers,
Kiely

Kiely Hosmon, M.A.

Director

San Francisco Youth Commission

Office: 415.554.6464 | Fax: 415.554.6140

Pronouns Used: she & her

Visit the official [Youth Commission site](#) and [YC facebook](#) page.

Sign up for [our newsletter](#).

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From: Carroll, John (BOS) <john.carroll@sfgov.org>
Sent: Monday, July 19, 2021 3:26 PM
To: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>
Cc: Estrada, Itzel (BOS) <itzel.estrada@sfgov.org>
Subject: RE: Youth Commission requesting BOS File No. 210747

This will be heard tonight, as in it's already on you agenda?

JEC

From: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>
Sent: Monday, July 19, 2021 2:47 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Estrada, Itzel (BOS) <itzel.estrada@sfgov.org>

Subject: Youth Commission requesting BOS File No. 210747

Hi John,

The Youth Commission requests File No. 210747 - [Hearing - COVID-Related Sexual Orientation and Gender Identity Data Reports - FY 2019-2020 and Initial Six Months of FY 2020-2021] Sponsor: Supervisor Mandelman to be referred to them.

We will be hearing it tonight at our meeting.

Cheers,

Kiely

Apply to be on the SF Youth Commission for the 2021-2022 term! Applications open on a rolling basis for D5, 8, 10, 11.

For more [information](#) & to apply: tinyurl.com/SFYCAPP2021

Kiely Hosmon, M.A.

Director

San Francisco Youth Commission

Office: 415.554.6464 | Fax: 415.554.6140

Pronouns Used: she & her

Visit the official [Youth Commission site](#) and [YC facebook](#) page.

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BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Kiely Hosmon, Director
Youth Commission

FROM: John Carroll, Assistant Clerk,
Government Audit and Oversight Committee

DATE: July 19, 2021

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following proposed legislation which is being referred to the Youth Commission as per Charter, Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 210747

Hearing on the City's collection and analysis of Sexual Orientation and Gender Identity (SOGI) data for Fiscal Year (FY) 2019-2020, the first six months of FY 2020-2021, and any COVID-related SOGI data, as available; and requesting the Department of Public Health, Mayor's Office of Housing and Community Development, Human Services Agency, Department of Aging and Adult Services, Department of Children, Youth and Their Families, and Department of Homelessness and Supportive Housing to report.

Please return this cover sheet with the Commission's response to John Carroll, Assistant Clerk, Government Audit and Oversight Committee.

RESPONSE FROM YOUTH COMMISSION Date: July 19, 2021

 No Comment
 X Recommendation Attached

A handwritten signature in cursive script, reading "Nora Hytton".

Chairperson, Youth Commission

c: Office of Chair Preston

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☒ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning : "Supervisor inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

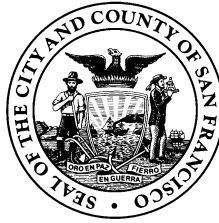
Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only

Youth Commission
City Hall ~ Room 345
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4532



(415) 554-6446
(415) 554-6140 FAX
www.sfgov.org/youth_commission

YOUTH COMMISSION MEMORANDUM

TO: John Carroll, Assistant Clerk, Government Audit and Oversight Committee
FROM: Youth Commission
DATE: Tuesday, July 20, 2021
RE: Referral response to BOS File No. 210747 – [Hearing on the FY 2019/2020, first six months FY 2020/2021 & COVID-related Sexual Orientation and Gender Identity (SOGI) Data Reports]

At our **Monday, July 19, 2021, meeting**, the Youth Commission voted to support the following motion:

To unanimously support BOS File No. 210747 – [Hearing on the FY 2019/2020, first six months FY 2020/2021 & COVID-related Sexual Orientation and Gender Identity (SOGI) Data Reports]

The Youth Commissioners voted to include the following questions, recommendations, and comments.

Questions:

- 1) What are the additional resources needed to get the SOGI data together?
- 2) What are the long term strategies to be implemented to collect data to learn about the needs of LGBTQ+ people in SF?

Youth Commissioners thank the Board of Supervisors for their attention to this issue. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.

A handwritten signature in cursive script that reads "Nora Hylton".

Nora Hylton, Chair
Adopted on July 19, 2021
2020-2021 San Francisco Youth Commission

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Carroll, John \(BOS\)](#)
Subject: FW: REFERRAL - YOUTH COMMISSION - File No. 210748 - Hearing - De Facto Route Abandonment and Service Restoration for Muni Buses, Trains, and Cable Cars
Date: Thursday, July 22, 2021 9:02:00 AM
Attachments: [210748 Youth Commission 2021-RBM-22.pdf](#)
[image001.png](#)

From: Carroll, John (BOS) <john.carroll@sfgov.org>
Sent: Wednesday, July 21, 2021 11:32 AM
To: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: FW: REFERRAL - YOUTH COMMISSION - File No. 210748 - Hearing - De Facto Route Abandonment and Service Restoration for Muni Buses, Trains, and Cable Cars

Thank you, Kiely,

I'm forwarding this Youth Commission response to the board.of.supervisors@sfgov.org email address, so it can be forwarded to all the BOS members.

I've added a copy of this response to the file.

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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

information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

From: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>

Sent: Tuesday, July 20, 2021 5:36 PM

To: Carroll, John (BOS) <john.carroll@sfgov.org>

Cc: Estrada, Itzel (BOS) <itzel.estrada@sfgov.org>; Kilgore, Preston (BOS) <preston.kilgore@sfgov.org>

Subject: RE: REFERRAL - YOUTH COMMISSION - File No. 210748 - Hearing - De Facto Route Abandonment and Service Restoration for Muni Buses, Trains, and Cable Cars

Hello,

Please find attached the Youth Commission's response to BOS File No. 210748.

Cheers,

Kiely

Kiely Hosmon, M.A.

Director

San Francisco Youth Commission

Office: 415.554.6464 | Fax: 415.554.6140

Pronouns Used: she & her

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Sign up for [our newsletter](#).

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From: Carroll, John (BOS) <john.carroll@sfgov.org>

Sent: Tuesday, July 06, 2021 2:34 PM

To: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>

Cc: Estrada, Itzel (BOS) <itzel.estrada@sfgov.org>; Kilgore, Preston (BOS) <preston.kilgore@sfgov.org>

Subject: REFERRAL - YOUTH COMMISSION - File No. 210748 - Hearing - De Facto Route Abandonment and Service Restoration for Muni Buses, Trains, and Cable Cars

Greetings:

The following matter is referred by request to the Youth Commission for review and comment. Please forward the Commission's response as soon as it is available.

[Referral Memo – July 6, 2021](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links

below:

[Board of Supervisors File No. 210748](#)

Thanks for the review.

John Carroll

Assistant Clerk

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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From: Hosmon, Kiely (BOS) <kiely.hosmon@sfgov.org>

Sent: Tuesday, July 6, 2021 11:16 AM

To: Carroll, John (BOS) <john.carroll@sfgov.org>

Subject: Youth Commission requests BOS File No. 210748 for referral

Hi John,

I hope you had a great three day weekend.

The Youth Commission is requesting BOS File No. 210748 - [Hearing - De Facto Route Abandonment and Service Restoration for Muni Buses, Trains, and Cable Cars] Sponsor: Supervisor Preston be referred to them. We plan to hear it at our meeting tonight.

Cheers,
Kiely

Apply to be on the SF Youth Commission for the 2021-2022 term! Applications open on a rolling basis for D5, 8, 10, 11.

For more [information](#) & to apply: tinyurl.com/SFYCAPP2021

Kiely Hosmon, M.A.

Director

San Francisco Youth Commission

Office: 415.554.6464 | Fax: 415.554.6140

Pronouns Used: she & her

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TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Kiely Hosmon, Director
Youth Commission

FROM: John Carroll, Assistant Clerk,
Government Audit and Oversight Committee

DATE: July 6, 2021

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following proposed legislation which is being referred to the Youth Commission as per Charter, Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 210748

Hearing on the de facto route abandonment and service restoration for Muni buses, trains, and cable cars; and requesting the Municipal Transportation Agency to report.

Please return this cover sheet with the Commission's response to John Carroll, Assistant Clerk, Government Audit and Oversight Committee.

RESPONSE FROM YOUTH COMMISSION **Date:** July 19, 2021

 No Comment
 X **Recommendation Attached**

A handwritten signature in cursive script, appearing to read "Nora Hyatt".

Chairperson, Youth Commission

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☒ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning : "Supervisor inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

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City Hall ~ Room 345
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4532



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YOUTH COMMISSION

MEMORANDUM

TO: John Carroll, Assistant Clerk, Government Audit and Oversight Committee
FROM: Youth Commission
DATE: Tuesday, July 20, 2021
RE: Referral response to BOS File No. 210748 – [Hearing on de facto route abandonment and service restoration for Muni buses, trains and cable cars]

At our **Monday, July 19, 2021, meeting**, the Youth Commission voted to support the following motion:

To unanimously support BOS File No. 210748 – [Hearing on de facto route abandonment and service restoration for Muni buses, trains and cable cars]

The Youth Commissioners voted to include the following questions, recommendations, and comments.

Questions:

- 1) What is the perspective on the lack of focus on specific impacts of non restoration of lines on youth and students?
- 2) Why is the SFMTA advertising that youth under 16 should hold government ID when the Youth Commission and other advocates have specifically said not to do this; specifically because of the impact on youth riders of color and the impact on undocumented youth who don't have access to government ID? This speaks to a larger issue around communication from key stakeholders.
- 3) How will it be decided on what priority lines will reopen and how will they prioritize lines that serve communities of color?
- 4) What has the SFMTA been spending federal relief funding on? How much do they track internally where that money is going and is the money going to cover the salaries of fare inspectors?

Recommendation:

- 1) The Youth Commission does not want funding to go toward policing.

Youth Commissioners thank the Board of Supervisors for their attention to this issue. If you have any questions, please contact our office at (415) 554-6446, or your Youth Commissioner.

Nora Hytton

Nora Hylton, Chair
Adopted on July 19, 2021
2020-2021 San Francisco Youth Commission

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Juvenile Justice Center
Date: Friday, July 16, 2021 11:27:00 AM

From: Allen Jones <jones-allen@att.net>
Sent: Friday, July 16, 2021 9:39 AM
To: Margaret Brodtkin <margaret@margaretbrodtkin.com>; Waltonstaff (BOS) <waltonstaff@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Jill Tucker <jtucker@schronicle.com>
Subject: Juvenile Justice Center

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Attention: All Members of the San Francisco Board of Supervisors,

I keep telling you all that juvenile hall will not be closed. And though I expect you all to continue down the path you are on, I respectfully hope you all wake up. We do not need a new juvenile hall, we need new programs up at juvenile hall.

The program I read about (link below) should be explored further. The size of juvenile hall is perfect for adding programs that give the most troubled youth of San Francisco a step up.

https://avanan.url-protection.com/v1/url?o=https%3A//oanow.com/news/local/govt-and-politics/opelikas-youth-incarceration-prevention-program-is-already-a-big-success-and-the-numbers-show-it/article_ad61bbee-e32f-11eb-b891-f727151edb3f.amp.html%3F__twitter_impression%3Dtrue%26amp%3Bs%3D09&g=NjUwYTQ4ZmVlNDk0NzNhNw==&h=ZmZhMTNmN2I4Mjg2YTVhNTY1MTdkNmRhMjRhMjY4NGU2MTBmYmE0MThlNjFiZTM3MmRkZDYxYzljMDQzMWMwZQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOjQxNTgwZjY0OGUzOTQ2YzdmMmMzM2U1MjM5OTJiYmRkOnYx

Allen Jones
 (415) 756-7733
jones-allen@att.net
 Californiaclemency.org

The Only thing I love more than justice is the freedom to fight for it.

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Subject: FW: Homeless count
Date: Friday, July 16, 2021 8:04:00 AM

From: Marilu Donnici <mdonnici@pacbell.net>
Sent: Friday, July 16, 2021 7:50 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Homeless count

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I just read this in Chronicle “City officials are working on creating a public database to track metrics, such as how many people have been placed into housing and how many new units have been built or acquired.”

We need to track each homeless person and pull the welcome mat.

The reason Giuliani was able to clean up NYC in the 80’s is because he sent them all to SF.

We need to categorize each person into 3 groups

1)Homeless- get them to work if they need shelter (i.e.clean the streets; pick up trash)

2)Mentally ill (work for shelter-get Scott Wiener to focus on this type of institutional housing statewide)

3)Drug addicts

(no needles, don’t fuel it, they need rehabilitation-get them work for shelter, again Wiener needs to agrees this type of statewide-institutional facilities.

This is common sense and the money we have should be appropriated accordingly.

Mary L. Donnici

SF caring resident

Sent from my iPad

Mary Louise Donnici

Sr. Loan Officer

Pacific Bay Lending, Inc.

CA Bureau of Real Estate #[1375656](#), [01874818](#)

NMLS# 237617, 318011

Direct [415-794-4554](#)

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: My new article ("Police Commission's Staffing Guidance: Reducing SFPD's Bloated Sworn Police Officers")
Date: Monday, July 19, 2021 5:19:59 PM
Attachments: [glbpbmfmikekfapf.png](#)
[dlkbncmmlgmkmig.png](#)
[Police Commission's Staffing Guidance to Chief Scott 21-07-08.pdf](#)

From: pmonette-shaw <pmonette-shaw@earthlink.net>

Sent: Monday, July 19, 2021 12:32 PM

To: Chan, Connie (BOS) <connie.chan@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>

Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Elsbernd, Sean (MYR) <sean.elsbernd@sfgov.org>; Yu, Angelina (BOS) <angelina.yu@sfgov.org>; Fregosi, Ian (BOS) <ian.fregosi@sfgov.org>; Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>; Groth, Kelly (BOS) <kelly.groth@sfgov.org>; Donovan, Dominica (BOS) <dominica.donovan@sfgov.org>; Bennett, Samuel (BOS) <samuel.bennett@sfgov.org>; Mullan, Andrew (BOS) <andrew.mullan@sfgov.org>; Falzon, Frankie (BOS) <frankie.falzon@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Yan, Calvin (BOS) <calvin.yan@sfgov.org>; Souza, Sarah (BOS) <sarah.s.souza@sfgov.org>; Quan, Daisy (BOS) <daisy.quan@sfgov.org>; Wong, Alan (BOS) <alan.wong1@sfgov.org>; Wright, Edward (BOS) <edward.w.wright@sfgov.org>; Lovett, Li (BOS) <li.lovett@sfgov.org>; Snyder, Jen (BOS) <jen.snyder@sfgov.org>; Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>; Kilgore, Preston (BOS) <preston.kilgore@sfgov.org>; Yu, Avery (BOS) <avery.yu@sfgov.org>; RivamonteMesa, Abigail (BOS) <abigail.rivamontemesa@sfgov.org>; Barnett, Monica (BOS) <monica.barnett@sfgov.org>; Mahogany, Honey (BOS) <honey.mahogany@sfgov.org>; Zou, Han (BOS) <han.zou@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>; Fieber, Jennifer (BOS) <jennifer.fieber@sfgov.org>; Imperial, Megan (BOS) <megan.imperial@sfgov.org>; Carrillo, Lila (BOS) <lila.carrillo@sfgov.org>; Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>; Mundy, Erin (BOS) <erin.mundy@sfgov.org>; Adkins, Joe (BOS) <joe.adkins@sfgov.org>; Lerma, Santiago (BOS) <santiago.lerma@sfgov.org>; Monge, Paul (BOS) <paul.monge@sfgov.org>; Beinart, Amy (BOS) <amy.beinart@sfgov.org>; Li-D9, Jennifer (BOS) <jennifer.li-d9@sfgov.org>; Burch, Percy (BOS) <percy.burch@sfgov.org>; Gallardo, Tracy (BOS) <tracy.gallardo@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>; Evans, Abe (BOS) <abe.evans@sfgov.org>; Morris, Geoffrea (BOS) <geoffrea.morris@sfgov.org>; Chung, Lauren (BOS) <lauren.l.chung@sfgov.org>; Chinchilla, Monica (BOS) <monica.chinchilla@sfgov.org>; Jones, Ernest (BOS) <ernest.e.jones@sfgov.org>; Berenson, Samuel (BOS) <sam.berenson@sfgov.org>

Subject: My new article ("Police Commission's Staffing Guidance: Reducing SFPD's Bloated Sworn Police Officers")

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My new article ("**Police Commission's Staffing Guidance: Reducing SFPD's Bloated Sworn Police Officers**") is now available on my web site at www.stopLHHdownsize.com and has been published in the *Westside Observer* Newspaper. A printer-friendly PDF file is attached.



Police Commission's Resolution: Malia Cohen, president of the Police Commission, (top center frame) lead discussion on June 16 of methodologies Police Chief "Bill" Scott should use developing a staffing report now required biannually by the new City Charter.

On June 16, San Francisco's Police Commission passed a Resolution prescribing methodologies Police Chief "Bill" Scott should use to prepare the Police Department's 2021 staffing report required by the November 2020 "Prop. E" ballot measure.

Unfortunately, there are problems with the methodologies the Police Commission adopted and transmitted to the Chief. The most glaring problem is that the Police Commission's Resolution made no mention that Scott's report must include an analysis of the current number of full-duty sworn officers. There are other shortcomings to the methodologies the Commission adopted.

"Prop. E" required that the Police Commission adopt a policy by July 1 prescribing the methodologies the Chief may use in evaluating police staffing levels, and further required the Police Commission to hold a public hearing regarding the Chief's staffing report by December 31, 2021. The Commission directed Chief Scott to provide a verbal update during a public meeting of the Commission by August 31 on progress developing his staffing report.

News reports surfaced during June 2021 on ABC Channel 7 broadcasts that SFPD and the Mayor began claiming SFPD was facing staffing shortages of approximately 200 police officers. Some observers suspected the 200-officer shortage was rolled out hoping to affect outcomes of SFPD's next budget award. At about 5:20 p.m. on July 5, ABC Channel 7 broadcast a report about increased burglaries and robberies in the City. The broadcast featured Deputy Chief David Lazar, who suddenly asserted that SFPD is approximately 400 officers short. Those observers then wondered how the officer shortage grew from 200 to 400 within a single month.

Methodologies the Commission Adopted

The Police Commission's Resolution direct Chief Scott to focus on four main areas of interest, including workload-based, ratio-based, non-scalable, and fixed-hours methodologies, described in the attached full

article.

In addition, the Resolution includes additional guidelines to be used in the police staffing analysis, including that the Chief must include discussion of: Staffing redeployment strategies on future disposition (re-assignment or reduction) of sworn police officers, potential impact on police staffing levels from transferring duties to other City agencies, the relationship between the amount of time dedicated to foot- or vehicle-patrols in each of the ten Police Districts, and civilianization opportunities to maximize the number of sworn officers performing operational duties.

Problems With Police Commission's Methodologies

There are a number of problems with some of the methodologies the Police Commission laid out, starting with for ratio-based methodologies why the Police Commission may only be concerned about the FBI's Uniform Crime Reporting (UCR) Part 1 crimes, which include Part 1 **violent** crimes (aggravated assault, forcible rape, murder and manslaughter, robbery, and two types of human trafficking) and Part 1 **property** crimes (arson, burglary, larceny-theft, and motor vehicle theft).

Oddly, SFPD's *Crime Dashboard* does not include Part 1 murder/manslaughter year-to-date data. It has to be culled from data in 12 separate *CompStat* monthly reports posted on a separate web page.

SFPD's *Crime Dashboard* comparing apples-to-apples periods during the COVID pandemic between March 17 and June 15, 2020 to the same post-COVID three-month period in 2021 shows aggravated assaults, robberies, and larceny thefts (including shoplifting) were each up by statistically significant percentages (22.2%, 10.4%, and 44.1%, respectively) in 2021. Total Part 1 Crimes (excluding murders that are not reported in the *Dashboard*) were up by an overall 20.3%:

San Francisco reportedly has more larcenies per capita than every other city in the U.S. From 2009 to 2018, property crimes dropped 23% across the country while property crimes in San Francisco increased 46%, which represents a 66% point spread.

It's curious that the Police Commission chose to exclude requiring Chief Scott to analyze the FBI's UCR Part 2 crimes in developing staffing recommendations. Part 2 crimes include: Simple assault, curfew offenses and loitering, embezzlement, forgery and counterfeiting, disorderly conduct, driving under the influence, drug offenses, fraud, gambling, liquor offenses, offenses against the family, prostitution, [public drunkenness](#), runaways, sex offenses, stolen property, vandalism, vagrancy, and weapons offenses.

It's hard to believe there have been zero Part 2 crimes and arrests in San Francisco over the years. And even harder to believe the Part 2 crimes have no impact on police staffing levels.

Current Sworn Officer Staffing

Most concerning, the Police Commission failed to direct Chief Scott to take into consideration current staffing levels of sworn officers in SFPD using the number of full-time equivalent (FTE) officers currently on the City's payroll.

There are a number of ways of looking at the current levels of SFPD sworn officer staffing. As I have previously published in the *Westside Observer* Newspaper:

- As recently as June 30, 2020 the City had 194 more full-time equivalent (FTE) officers than the actual 2,411 sworn officers named on the payroll (based on their regular hours plus overtime hours worked).

- As of June 30, 2020 the 2,411 officers on the City payroll involved 634 more FTE officers than the 1,971 minimum officers the former City Charter had mandated.
- The 2,605 FTE police officers on the City payroll as of June 30, 2020 involved nearly 500 more officers than the 2,107 FTE's Matrix Consulting had recommended in early 2020. Matrix Consulting had been hired by the Police Commission to help analyze SFPD staffing needs above the 1,971 minimum staffing in the former City Charter.
- The 2,217 sworn officers that had been consistently reported on SFPD's monthly *CompStat* reports for many years involved 246 more officers than the 1,971 sworn officers mandated by the former City Charter.
- The 2,605 FTE police officers on the City payroll as of June 30, 2020 involved almost 400 more sworn officers than the 2,217 listed on the *CompStat* reports.
- Over the last three fiscal years, payroll costs (excluding fringe benefits) for the current sworn police officers grew by \$36.3 million as of June 30, 2020.

Civilianization

The Police Commission did not issue guidance to Chief Scott about prioritizing restoration of positions the Commission had previously identified and approved for civilianization in the initial FY 2021–2022 proposed budget. According to the Board of Supervisors' Budget and Legislative Analyst's May 12, 2021 report on Law Enforcement staffing, Mayor Breed's proposed FY 2020–2021 budget deleted 45 of previously-approved 75 civilianization positions that were vacant, a loss of 30 positions that had been earmarked for civilianization.

The Board of Supervisors restored funding for nine of those positions, for a total of only 39 civilianized positions. But that left 37 of the 75 previously-approved civilianization positions eliminated. The Commission should have directed Chief Scott to again revisit civilianizing those previously-identified 37 positions Breed had eliminated.

Conspicuously, the Police Commission did not explicitly direct Chief Scott to civilianize positions in SFPD's Media Relations unit or positions staffing the Police Commission. There are at least two SFPD positions that should be rapidly civilianized, both involving highly-paid Police Sergeants.

Between Andraychak and Youngblood, the pair of Sergeants were paid a total of \$395,340 in the year ending June 30, 2020, including a whopping \$52,595 in combined overtime pay. There are likely additional sworn officers staffing SFPD's Media Relations units the Police Commission — if not the Board of Supervisors — might consider civilianizing.

The Police Commission might remember that one red herring is the notion reductions to SFPD's sworn police officer staffing must be done using a 1:1 ratio of replacing police officers with civilian counterparts.

"Prop. E" specifically noted that the Commission is not required to accept or adopt any recommendations Chief Scott may eventually submit when he issues his recommended staffing report. Nor are the Board of Supervisors.

The Police Commission and City Supervisors should flex their collective muscles.

There are many additional details in this article.

Patrick Monette-Shaw

Columnist

Westside Observer Newspaper

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July 8, 2021

Reducing SFPD'S Bloated Sworn Police Officers Police Commission's Staffing Guidance

by Patrick Monette-Shaw

On June 16, San Francisco's Police Commission passed a Resolution prescribing methodologies Police Chief "Bill" Scott should use to prepare the Police Department's 2021 staffing report required by the November 2020 "Prop. E" ballot measure that removed from the former City Charter the mandate to have a minimum of 1,971 sworn police officers in SFPD.

The Resolution specifying the methodologies to be used by Chief Scott passed unanimously by the five Commissioners present on June 16, given the absence of Police Commissioner Larry Yee.

Unfortunately, there are problems with the methodologies the Police Commission adopted and transmitted to the Chief. The most glaring problem is that the Police Commission's Resolution made no mention that Scott's report must include an analysis of the current number of full-duty sworn officers. There are other shortcomings to the methodologies the Commission adopted.

"Prop. E" required that the Police Commission adopt a policy by July 1 prescribing the methodologies the Chief may use in evaluating police staffing levels, and further requires the Police Commission to hold a public hearing regarding the Chief's staffing report by December 31, 2021. The Commission directed Chief Scott to provide a verbal update during a public meeting of the Commission by August 31 on progress on developing his staffing report, and include any foreseen need to deviate from the methodologies the Commission directed he use.

The *Westside Observer* [reported](#) in June 2021 that during May and June San Francisco's Board of Supervisors Budget and Appropriations Committee held hearings on each City Department's proposed two-year budgets for Fiscal Year 2021–2022 and Fiscal Year 2022–2023.

As we reported last June, Police Chief William Scott proposed to the Police Commission in February 2020 that police officer staffing beginning July 1, 2020 should be increased to 2,715 sworn officers — 744 more than the 1,971 sworn officers previously mandated as the minimum in the former City Charter. We also reported that based on the total number of hours sworn officers had worked during the fiscal year that ended on June 30, 2020 SFPD had 2,605 full-time equivalent (FTE) sworn staff based on the total number of regular- plus overtime-hours they had worked, 634 more than what the Charter had mandated.

Finally, we noted in June that one red herring is the notion that reductions to SFPD sworn police officers must be done using a 1:1 ratio of replacing police officers with civilian counterparts.

Somewhat shocking — but not too surprising, given that the Board of Supervisors has not yet finished developing and adopting the City's next two-year budget — news reports surfaced during June 2021 on ABC Channel 7 broadcasts that SFPD and the Mayor began claiming SFPD was facing staffing shortages of approximately 200 police officers. Some observers suspected the 200-officer shortage was rolled out hoping to affect outcomes of SFPD's next budget award. The observers wondered whether San Francisco's Police Officers Association (POA) was involved in the 200-officer shortage claim.



Police Commission's Resolution: Malia Cohen, president of the Police Commission, (top center frame) lead discussion on June 16 of methodologies Police Chief "Bill" Scott should use developing a staffing report now required biannually by the new City Charter.

“ There are problems with methodologies the Police Commission adopted and transmitted to the Chief. The most glaring is that the Police Commission's Resolution made no mention Chief Scott's report must include an analysis of the current number of full-duty sworn officers. ”

“ Based on the total number of hours sworn officers had worked in the fiscal year that ended June 30, 2020, SFPD had 2,605 full-time equivalent (FTE) sworn staff, 634 more than what the previous City Charter had mandated. ”

At about 5:20 p.m. on July 5, ABC Channel 7 broadcast a report about increased burglaries and robberies in the City. The broadcast featured Deputy Chief David Lazar, who suddenly asserted that SFPD is approximately 400 officers short. Those observers then wondered how the officer shortage grew from 200 to 400 within a single month.

[An unverified rumor — not yet reported in, or verified by, the mainstream media — has surfaced that between 72 and 100 SFPD officers turned in their guns during June alone, decamping for other jurisdictions or opting to retire from City employment. It's unclear if the rumor may also have originated from the POA. At this point it remains just a rumor.]

“ On July 5, ABC Channel 7 broadcast a report featuring Deputy Chief David Lazar, who asserted SFPD is approximately 400 officers short. Observers wondered how the sworn officer shortage grew from 200 to 400 within a single month. ”

Methodologies the Commission Adopted

Methodologies the Police Commission adopted in its June 16, 2021 [Resolution](#) direct Chief Scott to focus on four main areas of interest to the Commission:

“ Methodologies the Police Commission adopted direct Chief Scott to focus on four areas of interest to the Commission. ”

1. **Workload-based methodology**, taking into account the time needed to complete tasks, multiplied by volume, to assess the total number of workload hours for each position;
2. **Ratio-based methodologies**, including span-of-control analyses, support to other staff, and ratios based on other variables such as instructor-to-student ratios, or the number of “Part 1” crimes to each available officer;
3. **Non-scalable methodologies**, including selective analyses for positions that provide the Department with a specific capability or analysis of unique roles that do not scale, such as senior leadership positions; and
4. **Fixed-hours methodology**, for positions whose staffing needs are based on a fixed number of hours that need to be staffed (e.g., SWAT and K9).

In addition, the Commission’s Resolution includes additional guidelines to be used in the police staffing report, including that the Chief must ensure his staffing analysis includes discussion of:

- Staffing redeployment strategies, and consideration of the potential impact of the Street Crisis Response Team to future disposition (re-assignment or reduction) of sworn police officers;
- Calls for service and the potential impact on police staffing levels from transferring the primary response duties for 9–1–1 “Priority C” calls — calls where there is no present or potential danger to life or property — to other City agencies for homelessness, mental health, substance abuse, well-being, and traffic enforcement issues;
- The relationship between the amount of time dedicated to foot- or vehicle-patrols in each of the ten Police Districts;
- Civilianization opportunities to maximize the number of sworn officers performing operational duties; and
- Other factors the Chief may deem appropriate.

“ The Commission’s Resolution includes additional guidelines Chief Scott should use in his police staffing report, including the impact on police staffing levels from transferring the primary response duties for 9–1–1 ‘Priority C’ calls to other City agencies, and the relationship between the amount of time dedicated to foot- or vehicle-patrols in each Police District. ”

Problems With Police Commission’s Methodologies

There are a number of problems with some of the methodologies the Police Commission laid out.

FBI UCR Part 1 Crimes

For the ratio-based methodologies, it's curious why the Police Commission may only be concerned about UCR Part 1 crimes.

The FBI's Uniform Crime Reporting (UCR) program collects official data about crime trends across the United States. The UCR is a nationwide, statistical effort of approximately 18,000 city, university and college, county, state, tribal, and federal law enforcement agencies that voluntarily report data on crimes brought to the attention of the FBI.

Part 1 crimes are collectively known as "Index" crimes because those crimes are considered quite serious, tend to be reported more reliably than others, and reports are taken directly by the police, not by a separate agency. Part 1 crimes are broken into two categories: Violent crimes and property crimes.

Part 1 **violent** crimes include: Aggravated assault, forcible rape, murder (including non-negligent manslaughter), robbery, human trafficking (commercial sex acts), and human trafficking (involuntary servitude). [Note: The two human trafficking offenses were added to the UCR in 2013.]

Part 1 **property** crimes include: Arson, burglary, larceny-theft, and motor vehicle theft.

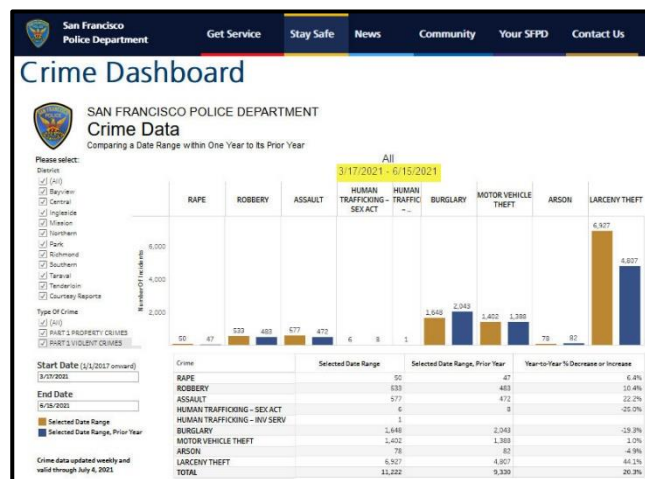
Some observers suspect SFPD doesn't want the public to easily access murder and homicides statistics. Indeed, SFPD's *Crime Dashboard* website — which has a feature to easily display aggregated year-to-date crime data — does not include or display murders and homicides, as shown in the [Crimes Dashboard](#) for the period ending July 4, 2021. Instead, members of the public are forced to go to another website page for monthly "*CompStat*" (computer statistics) reports and manually compute murder data for a given year from 12 separate monthly reports.

The Police Commission should direct Chief Scott to include the homicide/murder data on the *Crime Dashboard* website, so members of the public don't have to go to the *CompStat* web site to find monthly reports reporting the homicide data, and then have to compile annual homicide data manually.

Table 1 illustrates SFPD's *Crime Dashboard* comparing apples-to-apples periods during the COVID pandemic between March 17 and June 15, 2020 to the same post-COVID three-month period in 2021:

Table 1: SFPD Crime Dashboard, 3/17/20 – 6/15/20 vs. 3/17/21 – 6/15/21

		March 17 to June 15 Each Year			
Part 1 Type	Part 1 Crime Category	2021	2020	Increase/ (Decrease)	% Change
Violent	ASSAULT (AGGRAVATED)	577	472	105	22.2%
Violent	RAPE	50	47	3	6.4%
Violent	ROBBERY	533	483	50	10.4%
Violent	HUMAN TRAFFICKING – SEX ACT	6	8	(2)	-25.0%
Violent	HUMAN TRAFFICKING – INV SERV	1		1	
Property	ARSON	78	82	(4)	-4.9%
Property	BURGLARY	1,648	2,043	(395)	-19.3%
Property	LARCENY THEFT	6,927	4,807	2,120	44.1%
Property	MOTOR VEHICLE THEFT	1,402	1,388	14	1.0%
Total:		11,222	9,330	1,892	20.3%



Weirdly, SFPD's *Crime Dashboard* web page that displays Part 1 crimes does not include murders. Web site visitors must go to a different web page and manually compute murder data for a given year from 12 separate monthly reports.

It's curious why the Police Commission may only be concerned about UCR Part 1 crimes that involve two categories: Violent crimes and property crimes.

Part 1 violent crimes include: Aggravated assault, forcible rape, murder, robbery, and two types of human trafficking. Part 1 property crimes include: Arson, burglary, larceny-theft, and motor vehicle theft.

The Police Commission should direct Chief Scott to include homicide/murder data on the Crime Dashboard website.

It's clear aggravated assaults, robberies, and larceny thefts (including, but not limited to, shoplifting) were each up by statistically significant percentages (22.2%, 10.4%, and 44.1%, respectively) in 2021, and total Part 1 Crimes (excluding murders that are not reported in the *Dashboard*) were up by an overall 20.3%.

Indeed, the *CompStat* [report](#) for May 2021 shows that comparing May 2021 to May 2020 murders were up 100%, robberies were up 28%, aggravated assaults were up 20%, overall larceny thefts were up 49%, and thefts from vehicles were up 105%.

Before Bill Scott was hired as Police Chief, his predecessor's reports contained sub-categories for each Part 1 crime category. For example, the *CompStat* [report](#) for November 2016 just before Scott became Chief included Robbery data broken out for sub-categories of robberies involving firearms, knives or other cutting instruments, other dangerous weapons, and strongarm robberies not involving a weapon. Similarly, the Burglary category reported sub-categories for forcible entries, unlawful entries without force, and attempted forcible entries.

But when former-Mayor Ed Lee appointed Scott as Police Chief in January 2017, the *CompStat* monthly [report](#) for January 2017 no longer reported any of the various sub-categories of data.

As well, Chief Scott appears to have added a section to the *CompStat* monthly reports showing Part 1 *Arrests*, in addition to the Part 1 *Crimes* in the January and February 2017 monthly reports. Then, the *Arrests* section was quickly removed from the March 2017 report and was no longer reported.

The Police Commission should also direct Chief Scott (and future Chiefs) to resume reporting the *Arrests* data, in addition to the Part 1 Crimes, to the *CompStat* monthly reports. Perhaps resuming public disclosure of Part 1 *Arrests* data might spur embattled District Attorney Chesa Boudin to actually prosecute those who are arrested, rather than let them off the hook and return them to the community to repeat their offenses.

San Francisco reportedly has more larcenies per capita than every other city in the U.S. From 2009 to 2018, property crimes dropped 23% across the country while property crimes in San Francisco increased 46%, which represents a 66% point spread.

FBI UCR Part 2 Crimes

It's curious that the Police Commission chose to exclude requiring Chief Scott to analyze the FBI's Uniform Crime Reporting (UCR) system's Part 2 crimes in developing staffing recommendations. The UCR system may only collect actual *Arrest* data for Part 2 crimes.

Part 2 crimes include: Simple assault, curfew offenses and loitering, embezzlement, forgery and counterfeiting, disorderly conduct, driving under the influence, drug offenses, fraud, gambling, liquor offenses, offenses against the family, prostitution, public drunkenness, runaways, sex offenses, stolen property, vandalism, vagrancy, and weapons offenses.

There is a pyramid of crimes. The ones at the bottom — Part 2 crimes — are considered to be the most venial crimes, but perhaps the most voluminous and which may occur far more frequently than Type I crimes. Observers note that SFPD doesn't have the time, or political will, to tend to the "small stuff," like Part 2 crimes. One knowledgeable observer wonders

"SFPD's *Crime Dashboard* comparing March 17 and June 15, 2020 to the same post-COVID three-month period in 2021 shows aggravated assaults, robberies, and larceny thefts were each up by statistically significant percentages (22.2%, 10.4%, and 44.1%, respectively)."

Total Part 1 Crimes (excluding murders that are not reported in the *Dashboard*) were up by an overall 20.3%."

"Chief Scott appears to have added a section to the *CompStat* monthly reports showing Part 1 *Arrests*, in addition to the Part 1 *Crimes*. Then, the *Arrests* section was quickly removed."

"San Francisco reportedly has more larcenies per capita than every other city in the U.S. From 2009 to 2018, property crimes dropped 23% across the country while property crimes in San Francisco increased 46%."

"It's curious the Police Commission chose to exclude requiring Chief Scott to analyze the FBI's Part 2 crimes in developing staffing recommendations."

One knowledgeable observer wonders whether the Police Commission may just be 'decriminalizing' Part 2 crimes because — though they may not commit more Part 2 crimes — so many people of color may go to jail for them."

whether the Police Commission may just be “*decriminalizing*” Part 2 crimes because, though they may not commit more Part 2 crimes, so many people of color may go to jail for them.

It’s hard to believe there have been zero Part 2 crimes and arrests in San Francisco over the years. San Franciscans deserve to be told about the Part 2 data. The Police Commission should direct Chief Scott to begin reporting Part 2 crime data in *CompStat* monthly reports to provide the public with increased police accountability and transparency.

Current Sworn Officer Staffing

Most concerning, the Police Commission failed to direct Chief Scott to take into consideration current staffing levels of sworn officers in SFPD using the number of full-time equivalent (FTE) officers currently on the City’s payroll.

There are a number of ways of looking at the current levels of SFPD sworn officer staffing.

Table 2 presents the number of sworn officers on the City payroll for the past three fiscal years. It shows that as recently as June 30, 2020 the City had 194 more FTE officers than the actual 2,411 named sworn officers on the payroll (based on their regular hours plus overtime hours worked).

Table 2: Named Officers on City Payroll vs. Their Full-Time Equivalent Positions

Job Code	Job Class Title	# of Sworn Officers Named by Last Name in City Controller Payroll Database				Computed FTE's ¹ (Based on Regular Hours + Overtime Hours Worked)			
		FY 17–18	FY 18–19	FY 19–20	Change FY 17–18 to FY 19–20	FY 17–18	FY 18–19	FY 19–20	Change FY 17–18 to FY 19–20
Q002	Police Officer	642	616	483	(159)	601	486	459	(142)
Q003	Police Officer 2	425	504	440	15	469	559	495	26
Q004	Police Officer 3	748	840	823	75	798	843	882	84
Q051	Sergeant 2	34	29	21	(13)	39	33	24	(15)
Q052	Sergeant 3	437	479	498	61	509	541	589	80
Q061	Lieutenant 2	4	4	3	(1)	5	5	4	(1)
Q062	Lieutenant 3	101	115	110	9	112	116	122	10
Q082	Captain 3	33	35	33	0	33	29	30	(3)
Total Sworn Officers:		2,424	2,622	2,411	(13)	2,566	2,612	2,605	39
Number of Computed FTE's Above Named Officers on Payroll:						142	(10)	194	

¹ **Computed Full-Time Equivalent (FTE) Formula:** (Regular Hours Worked + Overtime Hours Worked) ÷ 2,080 Hours

Source: City Controller Annual Payroll Database

Of note, Table 2 shows that in the three year period between July 1, 2017 and June 30, 2020 almost half — 46.4% — of the 194 extra FTE’s involved 90 “supervising” officers (80 additional Sergeant FTE’s and 10 additional Lieutenant FTE’s).

Another way of looking at the current level of sworn officers is by comparing the computed FTE’s to the former City Charter and to other reports. Table 3 shows that before “Prop. E” passed in November 2020, the previous Charter mandated that SFPD have a minimum of 1,971 sworn officers. But as of June 30, 2020 the 2,411 officers on the City payroll involved 634 more FTE officers than the 1,971 the former Charter had mandated.

“It’s hard to believe there have been zero Part 2 crimes and arrests in San Francisco over the years.”

“Most concerning, the Police Commission failed to direct Chief Scott to consider current staffing levels of sworn officers using the number of full-time equivalent officers currently on the City’s payroll.”

“Almost half — 46.4% — of the 194 extra FTE’s involved 90 ‘supervising’ officers (80 Sergeant and 10 Lieutenant FTE’s).”

“As of June 30, 2020 the 2,411 officers on the City payroll involved 634 more FTE sworn officers than the 1,971 the former Charter had mandated.”

Two other indicators paint a slightly different picture of excess sworn officers.

Table 3: Excess Officers: Actual vs. Previously Recommended Officers

Job Code	Job Class Title	# of Sworn Officers Named by Last Name				Computed FTE's ¹ (Based on Regular Hours + Overtime Hours Worked)			
		FY 17–18	FY 18–19	FY 19–20	Change FY 17–18 to FY 19–20	FY 17–18	FY 18–19	FY 19–20	Change FY 17–18 to FY 19–20
	Total Sworn Officers:	2,424	2,622	2,411	(13)	2,566	2,612	2,605	39
	Former Charter Sworn Officer Mandate	1,971	1,971	1,971		1,971	1,971	1,971	
	Excess Above Charter Mandate	453	651	440		595	641	634	
	Total Sworn Officers:	2,424	2,622	2,411	(13)	2,566	2,612	2,605	39
	Matrix Consulting Group Recommended FTE's	2,107	2,107	2,107		2,107	2,107	2,107	
	Excess Above Matrix Consulting	317	515	304		459	505	498	
	Total Sworn Officers:	2,424	2,622	2,411	(13)	2,566	2,612	2,605	39
	Sworn Officers on Monthly Compstat Reports	2,217	2,217	2,217		2,217	2,217	2,217	
	Excess Above Monthly Compstat Reports	207	405	194		349	395	388	

¹ Computed Full-Time Equivalent (FTE) Formula: (Regular Hours Worked + Overtime Hours Worked) ÷ 2,080 Hours

Source: City Controller Annual Payroll Database

- One of the other indicators in Table 3 involved the Matrix Consulting Group's recommendation in early 2020 to increase sworn officers to 2,107 FTE's, ostensibly an increase above the 1,971 minimum sworn officers prescribed by the former City Charter. Matrix Consulting had been hired by the Police Commission to help analyze SFPD staffing needs.

Table 3 also shows that the 2,605 FTE police officers on the City payroll as of June 30, 2020 involved nearly 500 more officers than the 2,107 FTE's Matrix Consulting had recommended several months before the end of June 2020.

"The 2,605 FTE police officers on the City payroll as of June 30, 2020 involved nearly 500 more officers than the 2,107 FTE's Matrix Consulting had recommended."

- The other additional indicator in Table 3 is from the *CompStat* reports listing monthly Part 1 UCR crime statistics posted on SFPD's web site. Weirdly, every monthly report going back five years to the last report former Police Chief Greg Suhr authored in April 2016 (and before) all show in the report header that SFPD had 2,217 sworn officers. [Perhaps Police Command staff overlooked ever adjusting the number of sworn officers displayed on the *CompStat* monthly reports, and perhaps no SFPD clerical staff ever pointed out this error.]

That said, the 2,217 sworn officers reported on the *CompStat* reports involved 246 more officers than the 1,971 sworn officers mandated by the former City Charter. More significantly, Table 3 shows that the 2,605 FTE police officers on the City payroll as of June 30, 2020 involved almost 400 more sworn officers (388, actually) than the 2,217 listed on the *CompStat* reports.

"The 2,217 sworn officers reported on the *CompStat* reports involved 246 more officers than the 1,971 sworn officers mandated by the former City Charter."

Meanwhile, Table 4 below shows that over the last three fiscal years, the payroll costs (excluding fringe benefits) for the current sworn police officers — excluding Commanders, Assistant Chiefs, and Deputy Chiefs on SFPD's Command Staff — grew by \$36.3 million as of June 30, 2020.

"Over the last three fiscal years, payroll costs for the current sworn police officers grew by \$36.3 million at the end of June 30, 2020."

Table 4: Historical Costs of Sworn Officers

		Total Pay ¹			Change
Job Code	Job Class Title	FY 17–18	FY 18–19	FY 19–20	FY 17–18 to FY 19–20
Q002	Police Officer	\$ 59,890,941	\$ 49,304,007	\$ 48,679,059	\$ (11,211,882)
Q003	Police Officer 2	\$ 60,363,762	\$ 72,585,317	\$ 66,567,240	\$ 6,203,478
Q004	Police Officer 3	\$ 110,810,616	\$ 122,664,190	\$ 131,623,883	\$ 20,813,267
Q051	Sergeant 2	\$ 5,954,930	\$ 5,375,388	\$ 3,929,580	\$ (2,025,350)
Q052	Sergeant 3	\$ 79,839,056	\$ 88,421,288	\$ 98,941,420	\$ 19,102,364
Q061	Lieutenant 2	\$ 827,541	\$ 869,343	\$ 749,779	\$ (77,762)
Q062	Lieutenant 3	\$ 19,249,934	\$ 20,632,685	\$ 22,787,965	\$ 3,538,031
Q082	Captain 3	\$ 6,920,165	\$ 6,678,546	\$ 6,927,335	\$ 7,170
		\$ 343,856,945	\$ 366,530,764	\$ 380,206,261	\$ 36,349,316

¹ Total Pay = Regular Pay + Overtime Pay + "Other" Pay

Source: City Controller Annual Payroll Database

Span of Control

Law enforcement agencies typically use military style chains of command, with higher-ranking staff supervising the ranks just below them.

Based on a seat-of-the pants, quick-and-dirty analysis, the 2,411 named sworn police officer staff in the City Controller's payroll database for the period ending June 30, 2020 the average spans of control within SFPD shown in Table 5 below appear to be pathetically low:

Table 5: Rough SFPD Spans of Control

Job Classification	# of Sworn Staff (6/30/2020)	Average Span of Control
Police Officers	1,746	—
Sergeants	519	3.36 Supervising Police Officers
Lieutenants	113	4.59 Supervising Sergeants
Captains	33	3.42 Supervising Lieutenants
Total:	2,411	

Source: City Controller Annual Payroll Database, FY ending June 30, 2020

That the 519 sergeants in SFPD may each supervise an average of just 3.36 Police Officers suggests a big span-of-control problem. Clearly, the Police Commission should closely watch Chief Scott's span-of-control analysis when he submits his recommended staffing report later in 2021.

Current Staffing Redeployment

Although the Police Commission rightly noted Chief Scott needs to consider the potential impact of the *Street Crisis Response Teams* — that Mayor London Breed introduced about a year ago — when considering potential strategies for redeployment of sworn officers, the Commission made no mention that the Board of Supervisors' Budget and Appropriations Committee is considering reallocation of Police budget dollars to an additional *Compassionate Alternative Response Team* (CART) program.

The Commission also failed to direct Chief Scott to consider redeployment or elimination of police officers assigned to SFPD's Airport Division, given that the Budget and Appropriations Committee may also be considering replacing SFPD staffing at the Airport with staff from the Sheriff's Department, instead.

"The average spans of control within SFPD appear to be pathetically low. That the 519 sergeants in SFPD may each supervise an average of just 3.36 Police Officers suggests a big span-of-control problem."

"The Commission made no mention that the Board of Supervisors is considering reallocation of Police budget dollars to an additional *Compassionate Alternative Response Team* (CART) program."

Finally, the Police Commission did not consider or issue guidance requiring Chief Scott to analyze Police Cadets and Community Police Services Aides staffing, whose numbers have grown substantially — particularly at the Airport — to handle such things as traffic control duties instead of sworn officers.

My reporting in [September 2020](#) noted Community Police Services Aides are paraprofessionals who perform a variety of police-related duties for the San Francisco Police Department, including directing traffic, issuing citations for parking violations, processing complaints, and completing reports, among other duties.

There has been a 97.2% change increase in Community Police Services Aides, from 145 in 2009 to 286 in FY 2019–2020. And there's been a 139.5% change increase in total pay (excluding fringe benefits) for just the Police Services Aides — from \$9.3 million in 2009 to \$22.2 million ending June 30, 2019.

To the extent consideration is being given to transfer traffic control duties from sworn officers to civilians, the Police Commission should also consider whether those duties should also be transferred from Police Services Aides to civilians.

Civilianization

The Police Commission did not issue guidance to Chief Scott about prioritizing restoration of positions the Commission had previously identified and approved for civilianization in the initial FY 2021–2022 proposed budget. According to the Board of Supervisors' Budget and Legislative Analyst's May 12, 2021 [report](#) on Law Enforcement staffing, Mayor Breed's proposed FY 2020–2021 budget deleted 45 of previously-approved 75 civilianization positions that were vacant, a loss of 30 positions that had been earmarked for civilianization.

The Board of Supervisors restored funding for nine of those positions, for a total of only 39 civilianized positions. But that left 37 of the 75 previously-approved civilianization positions eliminated. The Commission should have directed Chief Scott to again revisit civilianizing those previously-identified 37 positions, in part because "Prop. E" explicitly directed the Police Commission to "*civilianize as many positions as possible*."

Conspicuously, the Police Commission did not explicitly direct Chief Scott to civilianize positions in SFPD's Media Relations unit or positions staffing the Police Commission.

A possible solution: There are at least two SFPD positions that should be rapidly civilianized, both involving highly-paid Police Sergeants.

The first involves Sgt. Michael Andraychak, the Officer-in-Charge-of SFPD's Media Relations Unit and SFPD's spokesperson. He was paid a total of \$215,186 (excluding fringe benefits) in the year ending June 30, 2020, including \$33,350 in overtime pay and \$24,371 in so-called "Other Pay." There are likely additional sworn officers staffing SFPD's Media Relations units the Police Commission — if not the Board of Supervisors — might consider civilianizing.

The second involves Sgt. Stacy Youngblood, Secretary to the Police Commission. He was paid a total of \$180,153 (also excluding fringe benefits) in the year ending June 30, 2020, including \$19,065 in overtime pay and \$4,350 in "Other Pay."

Between Andraychak and Youngblood, the pair of Sergeants were paid a total of \$395,340 in the year ending June 30, 2020, including a whopping \$52,595 in combined overtime pay. [The pair may have been paid substantially more in the fiscal year

"The Police Commission did not consider or issue guidance requiring Chief Scott to analyze Police Cadets and Community Police Services Aides staffing, whose numbers have grown substantially."

"There's been a 97.2% change increase in Community Police Services Aides, from 145 in 2009 to 286 in FY 2019–2020."

"The Police Commission did not issue guidance to Chief Scott about prioritizing restoration of positions the Commission had previously identified and approved for civilianization. Mayor Breed's proposed FY 2020–2021 budget deleted 45 of 75 previously-approved civilianization positions."

"There are at least two SFPD positions that should be rapidly civilianized, both involving highly-paid Police Sergeants. The pair of Sergeants were paid a total of \$395,340 in the FY ending June 30, 2020."

that just ended on June 30, 2021.] Surely the two men could be replaced by civilians and returned to performing sworn officer duties (say, foot patrols or larceny thefts, aggravated assault, and robbery investigations).

While the Police Commission has made a commendable start in beginning to develop methodologies the Police Chief should follow in future years, the Commission has a lot of work yet to do to meaningfully address SFPD's sworn officer staffing.

Again, the Police Commission might remember that one red herring is the notion reductions to SFPD's sworn police officer staffing must be done using a 1:1 ratio of replacing police officers with civilian counterparts.

"Prop. E" specifically noted that the Commission is not required to accept or adopt any recommendations Chief Scott may eventually submit when he issues his recommended staffing report. Nor are the Board of Supervisors.

Should the Police Commission and City Supervisors flex their collective muscles?

"The Police Commission is not required to accept or adopt any recommendations Chief Scott may eventually submit when he issues his recommended staffing report. Nor are the Board of Supervisors."

Monette-Shaw is a columnist for San Francisco's Westside Observer newspaper, and a member of the California First Amendment Coalition (FAC) and the ACLU. He operates stopLHHdownsize.com. Contact him at monette-shaw@westsideobserver.com.

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Please restrict use transit-only lanes to only PUBLIC transit
Date: Monday, July 19, 2021 2:31:00 PM

From: ss@ssteuer.com <ss@ssteuer.com>
Sent: Monday, July 19, 2021 12:11 PM
To: MTABoard@sfmta.com
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Please restrict use transit-only lanes to only PUBLIC transit

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Directors:

Please immediately restrict use of our transit-only lanes to PUBLIC transit ONLY.

While our transit fleet are clean energy vehicles serving everyone in San Francisco, private transit operates for only a few, with no commitment to clean energy, and resulting in large vehicles transporting a handful of passengers polluting and endangering pedestrians.

I fully support the creation of permanent transit-only lanes on Geary Boulevard to help speed up our Muni and Golden Gate Transit buses, thus encouraging more people to ride transit as we recover from the pandemic. With more people on transit, and fewer people driving, we will reduce congestion and reduce our carbon footprint. We are in an existential climate crisis and must take collective action to reduce our carbon footprint immediately.

However, State and local laws, with good reason, restrict transit-only lanes (some of which are painted red) to PUBLIC buses, and sometimes taxicabs, only—therefore I only support these lanes as use for PUBLIC transit only.

Tech shuttle buses, Academy of Art buses, casino buses, charter buses, Greyhound, and tour buses are not public. Nor were the former Chariot vans and nor will be any future, private for-profit reincarnation of Chariot (such as [Uber](#) and Lyft services). Transit buses -- that is, public buses -- are required to serve all neighborhoods and demographics equitably. This is not the case with private transportation systems. Additionally, we do not know how many people private buses actually carry because private companies refuse to share that information. We don't know if a tech shuttle bus might be transporting five people or 50. Without that information, we can conduct no accurate environmental impact analysis.

The San Francisco Municipal Transportation Agency has repeatedly told the public that transit-only lanes are just that -- for transit only -- and then quietly adopted policies that permit unlimited numbers of for-profit, private buses to operate in these lanes [in violation of the law and without an environmental review](#). This is no more legal than permitting tech shuttle buses to operate in public

bus stops, [violating California Vehicle Code 22500.i](#). Please see the attached Sierra Club letter regarding temporary emergency transit lanes and the state and local laws that govern access to these lanes. These laws are also below:

According to state law, “buses” and “transit buses” are not the same thing. The California Vehicle Code, Division 1 “Words and Phrases”, Section 233, states:

(a) Except as provided in subdivision (b), a “bus” is any vehicle, including a trailer bus, designed, used, or maintained for carrying more than 15 persons including the driver. (b) A vehicle designed, used, or maintained for carrying more than 10 persons, including the driver ...

According to the vehicle code, Division I “Words and Phrases”, Section 642:

A “transit bus” is any bus owned or operated by a publicly owned or operated transit system, or operated under contract with a publicly owned or operated transit system, and used to provide to the general public, regularly scheduled transportation for which a fare is charged. A general public paratransit vehicle is not a transit bus.

The San Francisco Board of Supervisors, using its San Francisco Transportation Code Division I powers, passed a law in 2008 making operation of any but public transit vehicles in transit-only lanes an infraction:

SEC. 7.2.72. DRIVING IN TRANSIT-ONLY AREA. To operate a vehicle or any portion of a vehicle within the area of any street designated in Division II as a transit-only area, except that public transit vehicles and taxicabs, vehicles preparing to make a turn, and vehicles entering into or exiting from a stopped position at the curb may be driven within a transit-only area.

In 2016, the California state legislature created an additional vehicle code prohibiting non-transit buses from operating in transit only lanes. According to the California Vehicle Code, Division II, Rules of the Road, Chapter 3 “Driving, Overtaking, and Passing”:

“(a) A person shall not operate a motor vehicle on a portion of a highway that has been designated for the exclusive use of public transit buses, except in compliance with the directions of a peace officer or official traffic control device.”

Our City charter’s Transit First policy also restricts transit only lanes to public buses. According to Section 8A.115:

Transit-priority improvements, such as designated transit lanes and streets and improved signalization, shall be made to expedite the movement of public transit vehicles (including taxis and vanpools) and to improve pedestrian safety.

The public demands that the SFMTA restrict transit-only lanes to public buses -- and in some cases, taxicabs -- only.

Sincerely,

Sharon Steuer

Bernal, D9

P.S. Vanpools, according to the California Vehicle Code, Division I "Words and Phrases", Section 668 ,
are vehicles

SFMTA restrict transit-only lanes to public buses only.

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Subject: FW: Oppose 210821, Protect Real Women
Date: Friday, July 16, 2021 8:07:00 AM

From: Grover Cleveland Democratic Club <groverdemssf@tutanota.com>
Sent: Thursday, July 15, 2021 10:14 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Oppose 210821, Protect Real Women

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

The Grover Cleveland Democratic Club strenuously opposes the recent resolution, introduced by Supervisor Hillary Ronen, that would make it easier for transgendered sex offenders to evade detection and public scrutiny, and are frankly shocked that the mother of a young daughter would propose putting children in danger.

Our club supports gay and lesbian rights, but we consider spending taxpayer money on and coddling men who claim to be transgendered a bridge too far. Many of our members are Asian-American, and given the violence against the API community and the hypersexualization and exotification of Asian women, there is a lot of discomfort around individuals with a penis elbowing their way into women's spaces. We especially urge Connie Chan, the only Asian woman on the board, to oppose this.

Furthermore, transgendered ideology is anathema to the African-American community because of the forced feminization and rape of slaves. We also need to protect women and children from criminals, and given the amount of crimes committed by transgender people, allowing them to cover up their records is dangerous.

For the sake of our young girls, please oppose this horrible resolution. We don't want these circus freaks feeling free to gratify themselves in front of our children.

The Grover Cleveland Democratic Club Of San Francisco is a forum for moderate and conservative Democrats who feel left out of the elite circles of the city we call home. We support clean streets, toughness on crime, business friendly taxation and regulations, common sense, and a better quality of life for all in this city. We must secure a safe and prosperous future for our children in San Francisco.

From: [Calvillo, Angela \(BOS\)](#)
To: [Hickey, Jacqueline \(BOS\)](#)
Subject: FW: Background on File No. 210688, Street Encroachment Permit - North Mary Street Pedestrian Paseo and Underground Utilities in Portions of Minna, Natoma, and Mary Streets
Date: Monday, July 19, 2021 5:20:31 PM

From: Spitz, Jeremy (DPW) <Jeremy.Spitz@sfdpw.org>
Sent: Monday, July 19, 2021 12:10 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Wong, Phillip (ECN) <phillip.c.wong@sfgov.org>; Kwong, John (DPW) <John.Kwong@sfdpw.org>; Thomas, John (DPW) <John.Thomas@sfdpw.org>
Subject: Background on File No. 210688, Street Encroachment Permit - North Mary Street Pedestrian Paseo and Underground Utilities in Portions of Minna, Natoma, and Mary Streets

Dear Supervisors,

The 5M Street Encroachment resolution passed unanimously out of Land Use and Transportation Committee with positive recommendation to the Full Board tomorrow.

The resolution ([File No. 210688](#)) will allow Public Works to enter into an Encroachment Permit and Maintenance Agreement with the permittee which outlines the permittee's ownership and maintenance responsibilities for facilities constructed in public streets. These improvements include the pedestrianization of Mary street between Minna and Mission streets as obligated by the project's development agreement, a private telecommunications conduit between two of the project's buildings, and a non-potable water conduit that will allow the project to use gray water for toilet flushing and watering landscaping.

Please let me know if you have any questions.

Sincerely,

Jeremy Spitz

Policy and Government Affairs

San Francisco Public Works | City and County of San Francisco

sfpublicworks.org · twitter.com/sfpublicworks

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: FW: San Francisco can avoid a water crisis. Why isn't SFPUC on board?
Date: Friday, July 16, 2021 11:31:00 AM

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

From: info@baykeeper.org <info@baykeeper.org> On Behalf Of Mary via San Francisco Baykeeper
Sent: Friday, July 16, 2021 11:08 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: San Francisco can avoid a water crisis. Why isn't SFPUC on board?

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor Breed,

I urge you to withdraw the City's litigation against the State Water Resources Control Board and direct SFPUC to start investing aggressively in water recycling today.

I am writing to you in the early days of yet another punishing drought. While San Franciscans are doing their part to save water at the household level, SFPUC is mismanaging San Francisco's main water source, the Tuolumne River, and it isn't doing nearly enough to prepare for drought this year—or in the decades to come.

Other cities have learned the lessons of California's unpredictable climate and are quickly adopting water recycling to reduce their burden on rivers, while increasing the reliability of their supply. Orange County gets more than 75 percent of its water through its water reuse program. Las Vegas recycles nearly all of its water used indoors. And Los Angeles is on the path to reusing 100 percent of its wastewater by 2035.

But, as SFPUC's draft Urban Water Management Plan recently revealed, San Francisco currently has no plans to make recycled water widely available in the next 25 years. Instead, the city is pursuing multiple expensive and misguided lawsuits so that it can continue to rely, almost exclusively, on the Tuolumne River—one of the state's most overtapped rivers—for the next several decades. San Francisco and large agribusiness water districts divert four out of every five gallons of water that flow in the Tuolumne River during a typical year.

This overuse has caused the river's once mighty Chinook Salmon populations to crash. Meanwhile, low river flows from the Tuolumne contribute to deteriorating water quality—including toxic algae blooms—downstream, in the Delta and San Francisco Bay.

It's unacceptable for the city with the nation's greenest reputation to shirk its responsibilities to preserve California's precious and unpredictable water supply. We support increasing river flows to uphold San Francisco Bay's fisheries, water quality, and recreation. San Franciscans want the city to do its part to protect the Bay and its rivers—water recycling is a common-sense way to limit the city's water use, increase the reliability of its supply, and protect the Bay from harmful wastewater treatment plant effluent.

Thank you,

Mary Spicer
Alameda, CA

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Young, Victor \(BOS\)](#)
Subject: FW: Please Continue Sheriff's Oversight Item (File: 210481)
Date: Monday, July 19, 2021 10:19:00 AM

From: Grover Cleveland Democratic Club <groverdemssf@tutanota.com>

Sent: Monday, July 19, 2021 9:41 AM

To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Fregosi, Ian (BOS) <ian.fregosi@sfgov.org>; Groth, Kelly (BOS) <kelly.groth@sfgov.org>; Yu, Angelina (BOS) <angelina.yu@sfgov.org>; Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Yan, Calvin (BOS) <calvin.yan@sfgov.org>; sarah.souza@sfgov.org; Mundy, Erin (BOS) <erin.mundy@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>; Gallardo, Tracy (BOS) <tracy.gallardo@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>

Subject: Please Continue Sheriff's Oversight Item (File: 210481)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Rules Committee,

We at the Grover Cleveland Democratic Club of San Francisco are deathly concerned about the seating of the Sheriff's Oversight Committee. While the voters of San Francisco approved Prop D, many of our members, including many API individuals concerned with rising crime in the city and hate murders, voted no on the charter amendment, and it is likely in the city's high crime environment, the taxpayers of the city would vote no on this misguided policy were it on the ballot today, and we ask for a continuance given these pressing concerns.

We are seeing many Asian-Americans, who are greater than 1/3 of the electorate, getting beaten, raped, and murdered. Retail theft has gotten so bad that Walgreens and Target have to either close early or shut their doors altogether. Given the circumstances, the public is hardly clamoring for coddling of lawbreakers, and we at the Grover Cleveland Democratic Club believe that one shouldn't do the crime if they can't handle the rigors of doing time. No crime victim will be crying for some criminal who was forced into a gladiator fight.

With that said, should you decide to appoint somebody to the new Sheriff's Oversight Board, why not a deputy sheriff? Michael Nguyen is a good guy, and a team player who does everything by the book, and we think that we must have someone with the perspectives from the front lines. After all, we supported front-line workers during the COVID crisis, we should support those who know and apply department policy. We think that sheriffs should govern sheriffs, police should govern police, firefighters should govern firefighters, and street cleaners should govern streetcleaners once M.

Haney's Clean Streets Commission gets enacted.

In closing, it's best if, out of respect for our retail workers and crime victims, that this kangaroo commission not be seated, but if you must seat them, we must have good sheriff's deputies like Michael Nguyen serving on them.

The Grover Cleveland Democratic Club Of San Francisco is a forum for moderate and conservative Democrats who feel left out of the elite circles of the city we call home. We support clean streets, toughness on crime, business friendly taxation and regulations, common sense, and a better quality of life for all in this city. We must secure a safe and prosperous future for our children in San Francisco.

####

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Young, Victor \(BOS\)](#)
Subject: FW: Hanley Chan appointment
Date: Friday, July 16, 2021 11:28:00 AM

From: Sally Van Loon <madasaloon@sbcglobal.net>
Sent: Friday, July 16, 2021 10:21 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Hanley Chan appointment

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

July 16th, 2021

Dear Honorable Members of the San Francisco Board of Supervisors:

I am writing to ask that Mr. Hanley Chan be appointed to the San Francisco Sheriff's Department Oversight Board.

Hanley's background, extensive knowledge and qualifications, his law enforcement experience as well as his community involvement and commitment make him supremely qualified to be part of your oversight board.

Hanley Chan is the perfect, committed community leader we need right now and I urge you to appoint him to the San Francisco Sheriff's Department Oversight Board.

Sincerely,

Sarah VanLoon
76 Taraval Street
San Francisco, CA 94116
1-415-812-5255

Sent from my iPhone
~Sally

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Young, Victor \(BOS\)](#)
Subject: FW: Hanley Chan Appointment
Date: Friday, July 16, 2021 11:28:00 AM

From: Stefan Dobrus <shdobrus@sbcglobal.net>
Sent: Friday, July 16, 2021 10:29 AM
To: MelgarStaff (BOS) <melgarstaff@sfgov.org>; Waltonstaff (BOS) <waltonstaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Hanley Chan Appointment

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

July 16th, 2021

Dear Honorable Members of the San Francisco Board of Supervisors:

I am writing to ask that Mr. Hanley Chan be appointed to the San Francisco Sheriff's Department Oversight Board.

Hanley's background, extensive knowledge and qualifications, his law enforcement experience as well as his community involvement and commitment make him supremely qualified to be part of your oversight board.

Hanley Chan is the perfect, committed community leader we need right now and I urge you to appoint him to the San Francisco Sheriff's Department Oversight Board.

Sincerely,

Stefan Dobrus
76 Taraval Street
San Francisco, CA 94116
415.845.7667
Shdobrus@sbcglobal.net

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Young, Victor \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Somera, Alisa \(BOS\)](#)
Subject: FW: Letter of Support for Hanley Chan
Date: Thursday, July 15, 2021 1:21:00 PM
Attachments: [hanley chan.pdf](#)

From: up94life@yahoo.com <up94life@yahoo.com>
Sent: Thursday, July 15, 2021 12:16 PM
To: Waltonstaff (BOS) <waltonstaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Letter of Support for Hanley Chan

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Board of Supervisors,

Attached please find a letter in support of Hanley Chan's appointment to the SF Sheriff's Department Oversight Board. Please feel to contact me if you have any questions or require additional information.

In peace,

Rudy



UNITED • PLAYAZ

1038 Howard Street • San Francisco, CA 94103

www.unitedplayaz.org

July 15, 2021

Dear Honorable Members of the San Francisco Board of Supervisors,

My name is Rudy Corpuz Jr. I am the Founder and Director of United Playaz, a violence prevention and leadership development organization designed to provide youth with positive role models and activities to engage in as an alternative to involvement with gangs, drugs and other high-risk behaviors. I am writing this letter on behalf of Hanley Chan and his desire to be appointed to the San Francisco Sheriff's Department Oversight Board.

Hanley's background, extensive knowledge and qualifications, his law enforcement experience as well as his community involvement and commitment make him supremely qualified to be part of your oversight board. Hanley Chan is the perfect, committed community leader we need right now and I urge you to appoint him to the San Francisco Sheriff's Department Oversight Board.

Please feel free to contact me if you have any questions or require additional information at 415-716-4100.

In peace,

Rudy Corpuz Jr.
Executive Director

From: [Grover Cleveland Democratic Club](#)
To: [Board of Supervisors, \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Hepner, Lee \(BOS\)](#); [Souza, Sarah \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Evans, Abe \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Gallardo, Tracy \(BOS\)](#); [Gee, Natalie \(BOS\)](#); [Miyamoto, Paul \(SHF\)](#); justice@dsasf.org; susan@marinatimes.com
Subject: Oppose Jayson Wechter Appointment to Sheriff Commission (File: 210481)
Date: Wednesday, July 21, 2021 10:56:22 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please add this letter in OPPOSITION to the appointment of Jayson Wechter to the Sheriff's Commission. We at the Grover Cleveland Democratic Club believe this choice is dangerous, and would be a threat to public safety in this city.

You may recall that Jayson Wechter received an endorsement from unsuccessful applicant Alexander Post, and Wechter reciprocated with Post during their presentations. Both Post and Wechter are members of the Democratic Socialists Of America, who not only stole their acronym from the Deputy Sheriff's Association (whom I have copied on this email), but whom have been calling for defunding the police.

As we have reiterated and relitigated in a past email, we are in a high crime environment; Asians are being murdered, raped, and beaten with impunity, Target has had to close early, Walgreens shutting down their doors has contributed to the deaths of several seniors due to the loss of pharmacies for life saving medications, and as long as anti-Asian, communist, son of terrorists public defender Chesa Boudin is sabotaging the DA's office and virtue signaling, nothing will get done.

Certainly, the public is not clamoring for reform, nor do they care about how these thugs and layabouts are treated, as long as they are locked up and can't knock over retail anymore. We feel that Jayson Wechter will go on a witch-hunt against dedicated and diverse sheriff's deputies, which will decrease morale in the department. We must have Sheriff Deputies on this panel, and as long as retail workers don't feel safe, we as San Francisco taxpayers don't care if deputies are a little rough with brazen robbers of drug stores and other department stores.

Furthermore, with the controversies surrounding persecutor of our police John Hamasaki and his support for kids being able to have guns, we cannot trust people like Jayson to serve on this board. Further, Hamasaki is also a rank and file member of the "Democratic" Socialists of America, and we can't have anymore kangaroo courts that undermine public safety.

The "Democratic" Socialists of America have infiltrated City Hall, their members serve on the Board of Supervisors (Dean Preston, as well as closet socialists Matt Haney, Hillary Ronen, Gordon Mar, and Connie Chan), they serve as legislative aides, they serve in the City Attorney's office, the Clerk's office, the Controller's office, and a bunch of different boards and commissions throughout, and we must root them out before they destabilize and subvert city government (perhaps a committee could be established to do vetting of those entering city government).

Please vote down Jayson Wechter.

The Grover Cleveland Democratic Club Of San Francisco is a forum for moderate and conservative Democrats who feel left out of the elite circles of the city we call home. We support clean streets, toughness on crime, business friendly taxation and regulations, common sense, and a better quality of life for all in this city. We must secure a safe and prosperous future for our children in San Francisco.

####

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Items 16, Vision Zero
Date: Monday, July 19, 2021 4:55:00 PM

From: zrants <zrants@gmail.com>
Sent: Monday, July 19, 2021 4:23 PM
To: MTABoard@sfmta.com
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Items 16, Vision Zero

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Monday July 19th

Dear Members of the SFMTA Board:

Re: Items 16, Vision Zero

I agree in principal with the letter sent by Patricia Arack, and the Concerned Residents Of the Sunset that the street closures and other traffic calming attempts are not working to promote a safer environment. In some instances they are backfiring.

Spending millions of our tax-payer Prop K dollars promoting biking in the city has not removed many cars or convinced many people to bike. Most of the biking accidents I am personally familiar with do not involved run-ins with cars or other vehicles. Most of the broken arms, legs and dislocated shoulders occur because bikes are unstable. They fall down of their own accord when the rider loses control or balance. Bikes and rails do not mix, especially in the rain, and this goes for motorcycles and scooters as well as bikes. Where are the reports on these accidents?

All of the work done to promote biking for primarily young males who are pretty capable of getting themselves around without any assistance, has created a problem of safety and access for vulnerable individuals who rely on private vehicles. They either drive themselves or rely on help from friends. The parklets and street closures are also making it harder for wheelchairs and others to safely maneuver around the sidewalks and streets.

Working families are in a bind given the lack of consistency in routes from day to day. Pubic transit riders and private vehicle drivers share the same distress. The constant changes make the transit system unreliable and stressful for all, especially those who do not rely on digital gadgets. Whoever decided to invest large sums of money, time and energy into a digital messaging system for the masses must have been thinking of another planet, because on earth, there are thousands

of people who do not play the digital game.

Since the department left the physical reality behind and signed up for the virtual reality game of chairs with bus lines and services, the number of non-digital riders has gone down and the number of accidents has gone up.

We may be experiencing driver fatigue. There appear to be more dangerous drives on the road than ever. In the Mission and Potrero areas there are two corners that we have observed very strange behavior for some time.

One is the intersection of 17th and Potrero. Cars regularly drive West on the wrong side of 17th Street as they approach Potrero. We anticipate it because it has happened so many times.

Even more distressing is the intersection at 16th and 7th Streets at the railroad crossing and under the 280 Freeway. Almost every time I drive West on 16th Street under the overpass, I see someone drive through two red lights across the tracks and straight past the 7th Street intersection. This person is color blind, thinks they may be turning right on red but change their mind, or they are just crazy.

If you really want to slow people down, traffic lights are the answer, stop signs are. The more times you have stop the less time you have to speed and the more attention you will pay to what is going on at the intersection. Of course stop signs are relatively cheap. Maybe that is the problem? No easy way to mark them up.

Sincerely,

Mair Eliza, concerned citizen

cc: Board of Supervisors

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Medi-Cal fraud by Conard House - San Francisco permanent supportive housing
Date: Monday, July 19, 2021 10:11:00 AM

From: Mary Savannah <westcoastembers@yahoo.com>

Sent: Sunday, July 18, 2021 6:33 PM

To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Bobba, Naveena (DPH) <naveena.bobba@sfdph.org>; Dowling, Teri (DPH) <teri.dowling@sfdph.org>; tfriend01 <tfriend@sfbar.org>; HSA Webmaster (HSA) <hsawebmaster@sfgov.org>; Rosenberg, Dana (HSA) <dana.rosenberg@sfgov.org>; District Attorney, (DAT) <districtattorney@sfgov.org>; SFDA-Victim Services <victimservices@sfgov.org>; Arevalo, Roberto (DPH) <roberto.arevalo@sfdph.org>; Wohlers, Robert (DBI) <robert.wohlers@sfgov.org>; DPH-lindsey <lindsey@conard.org>; Haddix, Lindsay (HOM) <lindsay.haddix@sfgov.org>; Anne. Quaintance <anne.quaintance@conard.org>; Angie Brown <abrown@conard.org>; Abbott, Kerry (HOM) <kerry.abbott@sfgov.org>

Cc: Huie, Sophia (DPH) <sophia.huie@sfdph.org>; Black, Dedria (HOM) <dedria.black@sfgov.org>; Thompson, Cordell (HOM) <cordell.thompson@sfgov.org>; Colfax, Grant (DPH) <grant.colfax@sfdph.org>; SOTF, (BOS) <sotf@sfgov.org>; Kunins, Hillary (DPH) <hillary.kunins@sfdph.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>; Rykowski, Maggie (DPH) <maggie.rykowski@sfdph.org>; Moore, Jamie (DPH) <jamie.moore@sfdph.org>; IBREF@DHCS.ca.gov

Subject: Medi-Cal fraud by Conard House - San Francisco permanent supportive housing

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Conard House and Lindsey Fish, LMFT -

I want a written response about why you are billing my Medi-Cal insurance for "MH Individual Psychosocial Rehab" and other categories when effectively all of our conversations consist of me begging you for the same information I have been asking you for months, and you abusing me by declining to answer or even be minimally honest. You fail to provide me with critical documentation in writing no matter how many times I ask. You continue to refuse to address threats to my physical safety, emotional safety and welfare.

I am telling you and Conard House to immediately stop billing my insurance for all of the things *you* keep drawing out over dozens of stressful conversations. Me having to remind you over and over exactly what I need help with and you not following through, as if you are a child, is not an appropriate use of billing my Medi-Cal insurance.

I am currently seeking legal support for your insurance fraud and ethical transgressions.

I am also sending this to "the whole group" (though yes, very few likely care) to indicate you and Conard House are abusing my goddamn insurance (and me) by refusing me the critical services I am supposed to be able to expect in my permanent supportive housing case management. You are also abusive by denying the horrifying, health and life-threatening conditions at 988 Howard Street.

CC: Medi-Cal fraud reportage
San Francisco DA's office
Legal aid

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Black Trans Women
Date: Tuesday, July 20, 2021 11:41:00 AM

From: Isabella De Francesca <defrancescaella@gmail.com>
Sent: Tuesday, July 20, 2021 11:33 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Black Trans Women

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To whom it may concern,

The Trans community has been experiencing a rise in homicidal attacks at the hands of transphobic individuals. Transphobia is a real and pressing issue today. Black Trans women are experiencing an alarming crisis at the moment, they are the most killed group of the LGBTQ+ community and this issue needs attention, education, and action. Financially assisting Black Trans women is a positive way to enact change because the stability will help them avoid dangerous situations and land stable jobs. Through the source “Yes! Solutions Journalism” and CNN I have done the research and found lots of information regarding this issue and solutions. Black Trans women lack the financial resources to help themselves against transphobic individuals. Yes! Solutions Journalism says that “trans women are 4.3 times more likely to become homicide victims than all women”(Garg, Anaya). According to the source, Trans women find they are in less danger the more gender-conforming they are. Gender-affirming surgery or hormones are very expensive though. Yes! Solutions Journalism says that a solution to this is financial assistance, if they can have stability perhaps they could avoid these dangerous encounters with transphobic individuals. Of course, not all Trans people want Gender-affirming surgery or hormones, but those who do the financial assistance to do so may just save their life. Another source, CNN, talks about the murder of Muhlaysia Booker. She was a 23-year-old trans woman. This source highlights the danger and urgency of this rising issue. Not only would Black Trans women be able to protect themselves with financial assistance, but it could give them a stable job. They struggle to find stable jobs due to the transphobia of their employers. Financial assistance that may go towards Gender-affirming surgery or hormones could help them land stable jobs. This is extremely important because we all know that financial success comes from stability in one’s job and the ability to move up. Please consider this as an urgent issue.

Thank you.

Sincerely,

Isabella De Francesca

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Crime being politicized by Breed
Date: Tuesday, July 20, 2021 9:05:00 AM

From: Zawadi Keith <zawadikeith@gmail.com>
Sent: Tuesday, July 20, 2021 8:53 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>
Subject: Crime being politicized by Breed

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Mayor Breed is sending extra "protection" to tourists areas, and Chinatown because of news reports and to be political correct.

Yet, there was an African American man murdered two weeks ago at 7th and McAllister, and a teen murdered yesterday at 7th and Mission. Where are the police in that area?

Seniors cannot come and go safely at 7th and McAllister because of tents, mattresses, drug users, drug dealing and debris on the sidewalk. A few steps away at the proper luxury hotel that is 400 to 500 a night, the sidewalk is clear and clean!! Why the difference in treatment of San Francisco tenants in SRO vs tourists.

Finally, the Tenderloin is 60 % Asian...why only give Asian business in Chinatown help but ignore others?

Horrrid!

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Crime 7th Market area
Date: Tuesday, July 20, 2021 9:22:00 AM

From: Zawadi Keith <zawadikeith@gmail.com>
Sent: Tuesday, July 20, 2021 9:08 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Crime 7th Market area

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello

Also the Supervisor on the board for the 7th and Market area mess must be held accountable for the horrid, unsafe conditions in addition to Mayor Breed!

From: Board of Supervisors, (BOS)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Filthiest Storefront in the Castro
Date: Monday, July 19, 2021 10:13:00 AM

From: Francois Arouet <farouete@gmail.com>

Sent: Sunday, July 18, 2021 9:03 PM

To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>

Subject: Filthiest Storefront in the Castro

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Went to the Super Duper in the Castro on Sunday afternoon and immediately walked away. This is a great place for sidewalk dining if you don't mind eating next to an open sewer. This storefront looks like a backed-up toilet. Hands-down the filthiest scum-bag slime-ball store front in the Castro. And don't blame the pandemic for this store front and sidewalk usually look this way. Utterly revolting.

Pandemic? Please! Those recycle bins haven't been cleaned at all during the pandemic or even before the pandemic and I doubt if ever. And guess what: they are stored and wheeled out from under residential units. I'm glad the folks at the Department of Health have jobs but I can't help but wonder what some of them actually DO for a living.

The overflowing filth and garbage are absolutely disgusting. What a disgrace to San Francisco and the Castro. There is not a storefront in the Castro this filthy and many of them are doing a brisk bushiness right now.

This is not what the Community wants to see when we walk down our main street on a Sunday afternoon! This is disgusting. This is a screeching scum-bag, money-sucking, greased-pit, cash-register, business too cheap to provide their workers health insurance so a special tax is added on to every check. The place is revolting. The management is a disgrace to the Community.

This is in a large apartment building. Why do the tenants sit still for it? This is literally on their doorstep.

There can be absolutely NO EXCUSE for this kind of filth!

Frank A.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: FW: Legislation voted yesterday on small business rent
Date: Wednesday, July 21, 2021 10:40:00 AM

From: norma yee <norma.yee@sbcglobal.net>
Sent: Wednesday, July 21, 2021 10:05 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Legislation voted yesterday on small business rent

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF BOS,

A section from the SF Chronicle article:

"San Francisco supervisors unanimously passed a controversial ordinance Tuesday that will give businesses forced to shut down during the pandemic an excuse to not pay back rent.....The ordinance doesn't apply to properties leased from the city or most office spaces. [SFChronicle]

Why does this not apply to the small property owners, who also might be suffering financially?

Why do property owners, who might also be suffering financially, with leased commercial storefront still need to pay their bills and taxes, while the lease's will not have to pay, as contracted?

Best,
Norma

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: It's Time To MANDATE VACCINATIONS, NOT MASKS
Date: Friday, July 16, 2021 11:30:00 AM

From: Jordan Davis <jodav1026@gmail.com>

Sent: Friday, July 16, 2021 11:07 AM

To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; grant.colfax@sfgov.org; susan.philip@sfgov.org; Gabriela Lopez <gabrielalopez@sfsd.edu>; swilliams <swilliams@ccsf.edu>; Gandhi, Monica (UCSF) <Monica.Gandhi@ucsf.edu>

Subject: It's Time To MANDATE VACCINATIONS, NOT MASKS

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors, Mayor, Health Department, School Board, City College Trustees, and Public Health Influencer

I am sickened to hear about Delta threatening to undo our progress, and I am even more sickened to hear about Los Angeles reinstating their mask mandates because unvaxxed people are flooding the hospitals. I DO NOT WANT TO SEE THIS HERE, WE ARE AT HERD IMMUNITY, REINSTATING MASK MANDATES WILL UNDERMINE CONFIDENCE IN VACCINES, AND THIS IS NOT THE CONVERSATION WE SHOULD BE HAVING WHEN VACCINES ARE WIDELY AVAILABLE!!!!

Maybe if the health department was actually bold, they would institution VACCINATION MANDATES. Now, there is a lot of noise and BS about vax mandates being illegal to do, but THE US SUPREME COURT CASE JACOBSON VS. MASSACHUSETTS SPECIFICALLY ALLOWS MANDATORY VACCINATION LAWS. Now, the law that was upheld was of the "get vaxxed or go to jail" variety, but the city can do this in a non-carceral way, especially since California has a new tool to prove vaccination.

To this end, I ask that the City and County of San Francisco please mandate vaccinations for the following situations.

- All employment, public or private (including contracting and gigs)
- All educational settings for age eligible individuals
- Proof of vaccination must be provided for entry to bars, in person dining, and other inessential businesses above a certain capacity level.
- Access to homeless services (I had to have a TB shot in order to get into the Navigation Center)

Now is the time to take a hard line against anti-vaxxers. Although we are at herd immunity, we must lead in ending this horrible, rotten pandemic and making mask rules a thing of the past. I SHOULD NOT HAVE TO CONTINUE WEARING A MASK EVERYWHERE BECAUSE THIS CITY IS APPEASING TUCKER CARLSON AND HIS ACOLYTES!!!

I am angry, I am frustrated, I am depressed, and I am going to quit trusting public health if you don't mandate vax /continue to mandate masks instead. We have the way out of the pandemic, and we must use it instead of trusting in old solutions.

Sincerely,

-Jordan Davis
(she/her)

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Required COVID-19 Vaccination Mandate - Additional Feedback from Concerned Employees
Date: Wednesday, July 21, 2021 9:12:00 AM

From: Sherm Tillman <kingsherm@gmail.com>

Sent: Tuesday, July 20, 2021 8:02 PM

To: Black Employee Alliance <blackemployeealliance@gmail.com>

Cc: Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Bruss, Andrea (MYR) <andrea.bruss@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Airport Commission Secretary (AIR) <airportcommissionsecretary@flysfso.com>; Commission, Fire (FIR) <fire.commission@sfgov.org>; MTABoard@sfmta.com; info@sfwater.org; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; John Doherty <jdoherty@ibew6.org>; cityworker@sfcwu.org; Charles Lavery <clavery@oe3.org>; mbrito@oe3.org; tneep@oe3.org; oashworth@ibew6.org; debra.grabelle@ifpte21.org; kgeneral@ifpte21.org; Jessica Beard <jbeard@ifpte21.org>; tmathews@ifpte21.org; Vivian Araullo <varaullo@ifpte21.org>; ewallace@ifpte21.org; aflores@ifpte21.org; smcgarry@nccrc.org; larryjr@ualocal38.org; jchiarenza@ualocal38.org; SEichenberger@local39.org; Richard Koenig <richardk@smw104.org>; anthonyu@smw104.org; Charles, Jasmin (MTA) <Jasmin.Charles@sfmta.com>; twulocal200@sbcglobal.net; roger marenco <rmarenco@twusf.org>; Peter Wilson <pwilson@twusf.org>; Theresa Foglio <laborers261@gmail.com>; bart@dc16.us; dharrington@teamster853.org; MLeach@ibt856.org; jason.klumb@seiu1021.org; theresa.rutherford@seiu1021.org; XiuMin.Li@seiu1021.org; Hector Cardenas <Hector.Cardenas@seiu1021.org>; pmendeziamaw@comcast.net; mjayne@iam1414.org; raquel@sfmea.com (contact) <raquel@sfmea.com>; christina@sfmea.com; criss@sfmea.com; rudy@sflaborcouncil.org; l200twu@gmail.com; Local Twu <local200twu@sbcglobal.net>; lkuhls@teamsters853.org; staff@sfmea.com; president@sanfranciscodsa.com; SFDPOA@icloud.com; sfbia14@gmail.com; ibew6@ibew6.org

Subject: Re: Required COVID-19 Vaccination Mandate - Additional Feedback from Concerned Employees

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good Evening Mayor Breed, Members of the Board of Supervisors and Distinguished Colleagues,

The San Francisco Black Firefighters Association is against Vaccine mandates toward it's membership or any of our fellow City entities. While we all don't need a history lesson on the Black Communities trepidation toward the medical community. I think it is important to remember one thing which we don't see being discussed on this issue. By threat of termination DHR position is not based on science, laws, or any semblance of common sense. But, what is most disturbing and unforgiving is that at the height of the Pandemic these same employees that you now threatened with termination, showed up to work. There was no vaccine available. Many employees went to work for the citizens of San Francisco not knowing if they would catch something that would kill them or one of their family members. These same extraordinary individuals be they Firefighters, Police Officers, Nurses, Sheriff's, et al you now wish to terminate if they don't follow this edict. Shame on you to put such duress on these great heroes who when faced with the unknown laced up their boots and showed up for this great City of ours.

Sherman Tillman
President
San Francisco Black Firefighters
NAACP Executive Committee
[4936 3rd street](#)
[San Francisco, CA 94124](#)
Phone: (415) 845-2378
Cell : (415) 999-2514
Fax: (415) 822-3456
www.sfbfa.org

On Tue, Jul 20, 2021 at 4:00 PM Black Employee Alliance <blackemployeealliance@gmail.com> wrote:

Good afternoon Mayor Breed, Members of the Board of Supervisors, Health Commission, SF Boards and Commissions, and All Constituents -

Members of the BEA read recently that the FDA is moving forward with the expectation of giving formal/final approval to the Pfizer vaccine in January. This means the City's time clock of requiring employee vaccination will start

to tick, likely in January (10-week timeline).

The BEA remains disturbed by the inconsistency in the City's position re: vaccination.

The City seems to say that their policy of terminating unvaccinated employees is "a decision for the health and safety of our employees" and is necessary to protect "the City as an employer" from "unacceptable risk." - Carol Isen

What is so confusing is how the city is currently managing the "risk". This is confusing and interesting and contradictory: Why? because any risk that exists today is only reasonably higher than it will be 10 weeks after a final approval by the FDA of a vaccine. Why? because today there is a lower overall vaccination rate that we can expect in the future.... 10 weeks after approval. The risk today is higher than it will be with herd immunity rates in January/February 2022. So, since today's risk is higher... it would be some form of justification to fire unvaccinated folks today. But of course, that is not the policy. The policy says termination in the future (with less risk due to higher overall city vaccination rates). This is not only inconsistent but nonsensical.

Next, if the city's policy is to address risk, the city is again inconsistent in addressing risk. Today the city is not even requiring masks indoors for all, even though the vaccines still allow those vaccinated to transmit the virus ... to others. The city should be requiring all employees to wear masks and be physically distant if they are concerned about risks.

Next, the city is currently supposedly concerned about risk, but has no policy requiring the public (we serve) to wear masks in public buildings (without any verification of the public's vaccination status). If the city is concerned about risk of transmission, then require the public to wear a mask and be physically distant in public buildings.

Next, the city's policy is inconsistent with addressing risk, in that it does not

require vaccinated people who come in contact with people with COVID or suspected to have COVID to quarantine (be sequestered alone to protect against spreading COVID). under the city's policy vaccinated people can be in the workplace even after exposure to COVID but unvaccinated people must quarantine/be sequestered. This does not appear to be consistent with concern for risk or managing risk.

Disparate impact discrimination legal rules must be applied in this analysis of the city's policy. Factual analysis and survey data shows that Black people and people of color are not getting vaccinated. Therefore, Under a court's "disparate impact" or "adverse impact" analysis, Black people are correct in arguing that we can establish that the city's policy or practice will affect members of the protected group so disproportionately that the court can infer discrimination from that impact.

If currently unvaccinated people can be accommodated by working remotely, why must the city terminate them rather than accommodating them? The city's policy is not only extreme, but not uniformly justifiable. The city has janitors who work alone (why do they need vaccines?). The city has employees who work in a storage box/room. (why do they have to be vaccinated). the uniform application is unjustifiable and unreasonable.

The city's policy requiring medical services should be scrutinized against a standard that looks at invasive procedures that an employer can require/should require we do not work on a meat packing line such that we need a vaccine in order to perform our job duties. Making termination the penalty means the standard should be that the city can prove that each and every employee cannot perform their job duties without having the vaccine.

Lastly, members of the BEA understand that the City and County of San Francisco, by requiring all of its employees to take the COVID-19 vaccine, assumes liability for all risks concerning employees who experience any adverse symptoms, reactions, and conditions that would require that they take time off from work. We also understand that in the unfortunate event

of death, related to the mandated vaccine and/or its interactions with other known or unknown health conditions, the City and County of San Francisco assumes all legal and civil responsibility. Is this accurate? Please confirm.

Best,

Black Employees Alliance and Coalition Against Anti-Blackness

--

Sherman Tillman

President

San Francisco Black Firefighters

NAACP Executive Committee

[4936 3rd street](#)

[San Francisco, CA 94124](#)

Phone: (415) 845-2378

Cell : (415) 999-2514

Fax: (415) 822-3456

www.sfbfa.org

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: All indoor business/gatherings should enforce Covid vaccine Identification
Date: Wednesday, July 21, 2021 9:14:00 AM

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

From: Jerry Doe <jdandy81@yahoo.com>
Sent: Tuesday, July 20, 2021 9:58 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: All indoor business/gatherings should enforce Covid vaccine Identification

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of supervisors

First, thank you for your leadership in helping SF be one of the safest places to live with regard to the pandemic. What you and the department of public health have done is praise worthy and should be a model for any city to follow.

I am concerned about the non-vaccinated people left in the city, but more so, all the tourists coming to SF from places where the numbers of non-vaccinated people are too high.

Could San Francisco impose the requirement that all people eating or drinking indoors need to show proof of vaccination or wear a mask before coming into enclosed spaces with crowds? Something has to be done to deter non-vaccinated people from spreading the virus. I'm afraid the honor system is not going to work and we will be prolonged in getting through this pandemic.

Thank you for hearing my concerns- please let me know what you think.

Gerard Padilla

San Francisco

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: WARNING! Public Health Warning Relating to Covid19 Force Inoculations (total 9 pages)
Date: Thursday, July 22, 2021 8:41:00 AM

From: Zhou, Ellen (DPH) <ellen.zhou@sfdph.org>
Sent: Wednesday, July 21, 2021 6:52 PM
To: Isen, Carol (HRD) <carol.isen@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; DPH, Health Commission (DPH) <HealthCommission.DPH@sfdph.org>; Press Office, Mayor (MYR) <mayorspressooffice@sfgov.org>; Ethics Commission, (ETH) <ethics.commission@sfgov.org>; CivilService, Civil (CSC) <civilservice@sfgov.org>; Jason Klumb <Jason.Klumb@seiu1021.org>; Gail Byrdsong <Gail.Byrdsong@seiu1021.org>; wendy.frigillana@seiu1021.org; Colfax, Grant (DPH) <grant.colfax@sfdph.org>; PublicRecords, DHR (HRD) <dhr.publicrecords@sfgov.org>; CON, PublicIntegrity (CON) <PublicIntegrity@sfgov.org>
Cc: Fernandez, Alfred (DPH) <alfred.fernandez@sfdph.org>; Bushman, Jennifer (CSC) <jennifer.bushman@sfgov.org>; Lee Ellen <ellenzhou888@yahoo.com>; Henriquez, Lizzette (CSC) <lizzette.henriquez@sfgov.org>; Rutherford, Theresa (DPH) <theresa.rutherford@sfdph.org>; Buick, Jeanne (HRD) <jeanne.buick@sfgov.org>; Eng, Sandra (CSC) <sandra.eng@sfgov.org>
Subject: WARNING! Public Health Warning Relating to Covid19 Force Inoculations (total 9 pages)

TO: Grant Colfax, San Francisco Public Health Department Director
Public Health Management Staff
London Breed, San Francisco Mayor
Board of Supervisors, total 11 supervisors
Health Commission
Ethics Commission
Civil Services Commission
SEIU1021 Staff and Management Staff

FROM: Ellen Lee Zhou, Public Health Worker
Bargaining Team for Government Employees

RE: **Public Health Warning** Relating to Covid19 Force Inoculations (total 9 pages)

DATE: Wednesday, July 21, 2021

BE ADVISED, this information is being shared and submitted as an AFFIDAVIT, and as an official “whistleblower report” by an employee at the San Francisco Department of Public Health; and consequently is protected communication and protected against any kind of “adverse or retaliatory action” pursuant to the whistleblower laws and regulations listed under the U.S. Department of Labor, Occupational Safety & Health Administration, 200 Constitution Ave NW, Washington, DC 20210.
(https://www.whistleblowers.gov/regulations_page), and other laws and regulations pertaining to whistleblower complaints and information. I affirm all of my rights and waive none of

them.

OVERVIEW:

The **Mission** of the San Francisco Department of Public Health is to **protect and promote** the health of all San Franciscans. This report has been created and distributed for the sole purpose of "facilitating the mission of the health department to protect the lives and health of San Franciscans.

CRITICAL HEALTH REPORT RELATING TO COVID 19 AND ITS COUNTERMEASURES:

Recently I have received communications containing information that indicates an impending serious threat to the health and safety of the people of San Francisco, and the larger Bay Area of California. This report is being submitted as a whistleblower report in order to avoid any political bias or influences seeking to limit or restrain or conceal this information.

This information contains medical and scientific analysis of the negative health impact upon people relating to the Covid 19 “virus”, and the purported “Covid 19 vaccine” being distributed and in some cases being forced upon people using threats of employment termination or other negative impact. Medical doctors and professionals have submitted scientific analysis of the potential devastation on public health that could result from forced or coerced vaccinations upon people who have adverse reactions to the long term effects of these substances, since they are technically not vaccines but are in fact experimental substances and not approved by the FDA.

I am receiving emails and telephone calls and letters from Doctors and Scientists that are communicating to me that the "public health of San Franciscans will be endangered and negatively impacted and serious injuries and deaths will inevitably occur if certain substances are taken into the body, and therefore they cannot be mandated or ordered for that would be essentially "aiding and abetting the injury and murder of people in some cases, and a civil rights violation as well as a criminal matter that would be prosecuted by both Federal and State Authorities. 18 USC 241 and 242 apply (deprivation of rights under color of law); and 42 USC 1983 (civil rights violations) apply.

I have received video testimony of medical doctors and professionals (Dr. Tenpenny and Dr. Mikovitz and others) communicating medical information that must be considered as part of the San Francisco Health Office's decision making process relating to Covid 19 and its vaccines.

Some of these materials sent to my office can be reviewed here:

<https://churchofgladtidings.com/media?sapurl=Lyt6ZGhwL2xiL2lpLys5YjNoejdxP2JyYW5kaW5nPXRYdWUmZW1iZWQ9dHJlZQ==>

Lawsuit Filed Against U.S. Federal Government – VAERS Whistleblower States Government Has Covered Up 45,000 COVID-19 Vaccine Deaths ; [Lawsuit Filed Against U.S. Federal Government – VAERS Whistleblower States Government Has Covered Up 45,000 COVID-19 Vaccine Deaths \[Video\] - INDEPENDENT SIDE](#). CDC whistleblower claims vaccine death

toll far greater than VAERS is reporting, says attorney filing federal lawsuit: [CDC whistleblower claims vaccine death toll far greater than VAERS is reporting, says attorney filing federal lawsuit | The Liberty Loft](#).

I find this material not only credible, but extraordinarily important and necessary to protecting the lives of San Franciscans and honoring and fulfilling our mission.

NUREMBURG CODE:

In 1947, this nation asserted this Law of Nature's God again in our adjudication of Nazi medical officers who had engaged in medical experiments on their fellow human beings without their consent. Many of these officers claimed they had moral authority because they were following orders. The claim hinged upon the language of one interpretation of Romans 13:1 which read "Obey the governing authorities." But America was not founded on this text, but another which stated in the same place "Let every soul be subject unto the higher powers." It was this higher power – the Laws of Nature's God – that we called to in asserting our right to be a free and independent nation.

Based on my review of these submitted materials, I find there is a national security interest in bioethics which set a baseline for mandating prerequisite consent before the application of any medical procedure. It therefore should be ordered that the following set of ethical standards shall apply to all San Francisco Health Department decisions:

1. Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior free and informed consent of the person concerned, based on adequate information. The consent should, where appropriate, be express and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice.
2. Scientific research should only be carried out with the prior, free, express, and informed consent of the person concerned. The information should be adequate, provided in a comprehensible form and should include modalities for withdrawal of consent. Consent may be withdrawn by the person concerned at any time and for any reason without any disadvantage or prejudice.
3. In appropriate cases of research carried out on a group of persons or a community, additional agreement of the legal representatives of the group or community concerned may be sought. In no case should a collective community agreement or the consent of a community leader or other authority substitute for an individual's informed consent.

Because there is substantial disagreement in our nation about what is settled science, it is my determination that regardless of the outcome, a robust set of bioethics is necessary that will allow us all to act with the confidence that American freedom has been preserved.

Additionally, a Sheriff in California has issued a legal decision relating to forced mandates because they are not based on science. This material can be seen at: <https://www.rt.com/usa/529500-los-angeles-sheriff-covid19-masks/>

If this report, or its authors, are in any way retaliated against or silenced, this may be construed

by law enforcement as an act of "criminal negligence", "dereliction of duty", or a violation of the Nuremburg Code mandating "informed consent" about vaccines and medical practices and substances given to people.

I request a meeting to discuss this and additional materials being sent to me by medical and scientific professionals.

Sincerely;

Ellen Lee Zhou

Ellen Lee Zhou, Public Health Worker

Bargaining Team for Government Employees

Additional References:

[How the Jab Works, Why It Causes Blood Clots at a Microscopic Level – Forbidden Knowledge TV](#)

Dr Charles Hoffe has been practicing medicine for 28 years in the small, rural town of Lytton in British Columbia, Canada and he has administered about 900 doses of the Moderna experimental mRNA injection and is now coming forward to warn about the severe reactions he's observed in his patients, including death. This resulted in his being fired from his job at the local hospital.

He tells host, Laura Lynne that the core problem he's seeing among these patients is microscopic clots in his patients' tiniest capillaries, of which [Clif High has commented](#), "Blood clots occurring at a capillary level. This has never before been seen. This is not a rare disease. This is an absolutely new phenomenon."

Dr Hoffe explains that these micro-clots are too small to show up on CT scans, MRI, etc and can only be detected using the D-dimer test, of which 62% of his own patients injected with an mRNA shot are positive.

"We now know that only 25% of the 'vaccine' injected into a person's arm actually stays in your arm. The other 75% is collected by your lymphatic system and literally fed into your circulation so these little packages of messenger RNA, and by the way in a single dose of Moderna 'vaccine' there are literally 40 trillion mRNA molecules. These packages are designed to be absorbed into your cells. But the only place they can be absorbed is around your blood vessels and the place where they are absorbed is the capillary networks – the tiniest blood vessels where the blood flow slows right down and where the genes are released. Your body then gets to work reading and then manufacturing trillions and trillions of these spike proteins. Each gene can produce many, many spike proteins. The body then recognizes these are foreign bodies so it makes antibodies against it so your are then protected against COVID. That's the idea.

"But here's where the problem comes. In a coronavirus that spike protein becomes part of the viral capsule. In other words it becomes part of the cell wall around the virus. But it is not in a virus. It is in your cells. So it becomes part of the cell wall of your vascular endothelium. This means that these cells which line your blood vessels, which are supposed to be smooth so that your blood flows smoothly now have these little spikey bits sticking out...

“So it is absolutely inevitable that blood clots will form because your blood platelets circulate round your blood vessels, and the purpose of blood platelets is to identify damaged vessels and stop bleeding. So, when the platelet comes through the capillary it suddenly hits all these COVID spikes and it becomes absolutely inevitable that blood clots will form to block that vessel.

“Therefore, these spike proteins can predictably cause blood clots. They are in your blood vessels (if mRNA ‘vaccinated’) so it is guaranteed. Dr Bahrddi then said to me that the way to prove this is to do a blood test called a D-dimer blood test.

“The blood clots we hear about which the media claim are very rare are the big blood clots which are the ones that cause strokes and show up on CT scans, MRI, etc. The clots I’m talking about are microscopic and too small to find on any scan. They can thus only be detected using the D-dimer test...

“The most alarming part of this is that there are some parts of the body like the brain, spinal cord, heart and lungs which cannot re-generate. When those tissues are damaged by blood clots they are permanently damaged.”

The result, says Dr Hoffe, is that these patients have what is termed Reduced Effort Tolerance (RET) which means they get out of breath much easily than they used to. It is because the blood vessels in their lungs are now blocked up. In turn, this causes the heart to need to work harder to try to keep up against a much greater resistance trying to get the blood through your lungs.

This is called pulmonary artery hypertension – high blood pressure in the lungs because the blood simply cannot get through effectively. People with this condition usually die of heart failure within a few short years.

Dr Hoffe warns sadly, “These shots are causing huge damage and the worst is yet to come.”

Additional Reference:

European Union Vaccine-Injury Database System Reports 18,928 Dead & 1.8 Million Injuries From Experimental COVID-19 Jabs July 21, 2021

The geographical size and populations of the United States and European Union make fair comparisons when analyzing statistics.

While the United States has roughly twice the land area, the European Union has over 100 million more people.

Both the United States and the European Union have vaccine-injury database systems.

In the United States, these are the latest reports that came in today:

[European Union Vaccine-Injury Database System Reports 18,928 Dead & 1.8 Million Injuries From Experimental COVID-19 Jabs \(welovetrump.com\)](#)

The European Union database of suspected drug reaction reports is EudraVigilance, and they are now reporting 18,928 fatalities, and 1,823,219 injuries, following COVID-19 injections.

A Health Impact News subscriber from Europe reminded us that this database maintained at EudraVigilance is only for countries in Europe who are part of the European Union (EU), which comprises 27 countries.

The total number of countries in Europe is much higher, almost twice as many, numbering around 50. (There are some differences of opinion as to which countries are technically part of Europe.)

So as high as these numbers are, they do NOT reflect all of Europe. The actual number in Europe who are reported dead or injured due to COVID-19 shots would be much higher than what we are reporting here.

*The EudraVigilance database reports that through July 17, 2021 there are **18,928 deaths and 1,823,219 injuries** reported following injections of four experimental COVID-19 shots:*

*From the total of injuries recorded, half of them (904,609) are **serious** injuries.*

*“**Seriousness** provides information on the suspected undesirable effect; it can be classified as ‘serious’ if it corresponds to a medical occurrence that results in **death**, is life-threatening, requires inpatient hospitalisation, results in another medically important condition, or prolongation of existing hospitalisation, results in persistent or significant disability or incapacity, or is a congenital anomaly/birth defect.”*

A Health Impact News subscriber in Europe ran the reports for each of the four COVID-19 shots we are including here. This subscriber has volunteered to do this, and it is a lot of work to tabulate each reaction with injuries and fatalities, since there is no place on the EudraVigilance system we have found that tabulates all the results.

That doesn't take into account the experimental COVID-19 vaccine injuries and deaths in the dozens of other European countries.

And it's likely this system underreports the true number of cases similar to the VAERS reporting system in the United States.

Between the shocking numbers being discovered in the [United States](#), [United Kingdom](#), and European Union, it's murder that this medical experiment hasn't stopped yet.

Resources: [European Union Vaccine-Injury Database System Reports 18,928 Dead & 1.8 Million Injuries From Experimental COVID-19 Jabs \(welovetrump.com\)](#)

More information:

CONGRESSMAN MO BROOKS REPORTS ON INTERVIEW WITH DR. LI-MENG YAN REGARDING COVID-19 & COMMUNIST CHINA'S BIO-WEAPONS PROGRAM

July 20, 2021

Press Release

Washington, DC— Congressman Mo Brooks (AL-05) met with Dr. Li-meng Yan, a medical doctor, Ph.D. virologist and renowned independent corona virus expert who defected from Communist China to America.

Congressman Brooks said, “The evidence is overwhelming that the Communist Chinese Party NEGLIGENTLY, RECKLESSLY OR INTENTIONALLY RELEASED COVID-19 on the world. Moreover, China engaged in a massive disinformation and propaganda campaign to cover up their misdeeds. Dr. Li-Meng Yan bravely defected from China to America after DISCOVERING the COMMUNIST CHINESE PARTY’S destructive and evil Wuhan bio-weapons program. I urge America and the world to wake up to the threat posed by an unchecked Chinese Communist Party. It’s time to get tough and hold China accountable for its deadly actions.”

Click [HERE](#) to view Dr. Yan’s report.

Some highlights of the oral interview and Dr. Yan’s report:

- Communist China seeks to develop a race-based bio-weapon that targets and eliminates some human races while leaving other human races unharmed.
- “COVID-19 is a part of a larger, more comprehensive unrestricted bioweapons program of the Chinese military.”
- “Dr. Yan fled Hong Kong to inform and warn the world about China’s virus weaponization program.”
- Communist China seeks to kidnap or kill Dr. Yan in order to silence her.

- “Chinese military scientists suggest that World War III would be fought with biological weapons.” The source for this statement is Communist China’s “People’s Liberation Army’s official bioweapons textbook.”
- “According to the (Communist China) People’s Liberation Army document, modifications to the virus are designed to appear as if they occur in nature. ... The manual then calls for ‘gaslighting with unrelenting misinformation’, obfuscation and denial. According to Dr. Yan, the world is living the intentional modification, release and contrived narrative around what ultimately is an attack by the Communist Chinese Party on the entire world.”
- Dr. Yan “confirms that the (COVID-19) virus is not from nature and that the Chinese made up the nature-origin evidence and coerced the international academic world into spreading a false narrative.”
- “These viruses were part of the military’s curated collection as described in the (People Liberation Army’s) manual, for study as potential unrestricted bioweapons.”
- “SARS-CoV-2 has been adapted in the lab to be able to infect humans using established gain-of-function processes commonly utilized throughout China.”
- Dr. Yan encourages the world to ensure Communist China’s “potential remaining bioweapons can be secured and destroyed.”

Resource: [Congressman Mo Brooks Reports on Interview with Dr. Li-Meng Yan Regarding COVID-19 & Communist China's Bio-Weapons Program | Congressman Mo Brooks \(house.gov\)](#)

This report prepared by Ellen Lee Zhou, Public Health Worker, Bargaining Team for City and County of San Francisco Government Employees. Wednesday, July 21, 2021 End.

The **Mission** of the San Francisco Department of Public Health is to protect and promote the health of all San Franciscans.

CAUTION : THE ATTACHED IS SOLELY FOR THE INTENDED RECIPIENT/PROGRAM ONLY. IT CONTAINS PROTECTED PRIVATE, PRIVILEGED OR PROTECTED HEALTH INFORMATION (PHI). IF YOU ARE NOT THE INTENDED RECIPIENT, ANY DISCLOSURE, COPYING, USE, OR DISTRIBUTION OF THE INFORMATION ATTACHED IS STRICTLY PROHIBITED AND MAY SUBJECT DISCLOSURE TO CIVIL OR CRIMINAL PENALTIES UNDER STATE AND FEDERAL PRIVACY LAWS. IF YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY. THANK YOU.

RECIPIENT, PLEASE NOTE: PER FEDERAL SUBSTANCE ABUSE REGULATIONS [42 C.F.R. PART 2], DOCUMENTS CONTAINING PHI SENT TO YOU FROM A SUBSTANCE ABUSE TREATMENT PROGRAM MAY NOT BE RE–,

DISCLOSED WITHOUT SIGNED AUTHORIZATION FROM THE CLIENT.

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Comments from SFLUC on Housing Element
Date: Thursday, July 22, 2021 2:25:00 PM
Attachments: [2021-07-16 SFLUC Housing Element Comments.pdf](#)

From: Kathy Howard <kathyhoward@earthlink.net>

Sent: Friday, July 16, 2021 7:03 PM

To: CPC.HousingElementUpdateEIR <CPC.HousingElementUpdateEIR@sfgov.org>

Cc: Haddadan, Kimia (CPC) <kimia.haddadan@sfgov.org>; Caltagirone, Shelley (CPC) <shelley.caltagirone@sfgov.org>; Leon-Farrera, Malena (CPC) <malena.leon-farrera@sfgov.org>; Hillis, Rich (CPC) <rich.hillis@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Chan, Deland (CPC) <deland.chan@sfgov.org>; Diamond, Susan (CPC) <sue.diamond@sfgov.org>; Fung, Frank (CPC) <frank.fung@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; Tanner, Rachael (CPC) <rachael.tanner@sfgov.org>

Subject: Comments from SFLUC on Housing Element

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Attached please find comments from the San Francisco Land Use Coalition on the Housing Element. Thank you for your consideration.

Katherine Howard for SFLUC



SAN FRANCISCO LAND USE COALITION

Dolores Heights Haight Ashbury* Midtown Terrace* Miraloma Park* Noe Valley* Richmond District* Russian Hill* Sunset District* Van Ness Corridor*

Date: July 16, 2021
To: Kimia Haddadan, Project manager
Shelley Caltagirone, Senior Planner
Malena Leon-Farrera, Policy Analyst and Outreach Coordinator
Elizabeth White
San Francisco Planning Department
Subject: Housing Element Comments

SFLUC has reviewed much of the proposed Housing Element Survey, a somewhat exhaustive and complex survey. We have also looked over the responses from the Race and Equity in all Planning Coalition (REP) and agree with many of their conclusions. Our particular issues are as follows:

- We are concerned with the survey assumptions about applying different concepts to various parts of San Francisco. 'High Opportunity Neighborhoods,' 'Priority Development Areas,' and 'Geographic Areas' are being designated without local-based community input and information on the impact of the proposed policies on those areas. This kind of input requires more than just conceptual terms; it requires maps and specific illustrations of the impacts on each neighborhood and input from the residents as to those impacts.
- Although singling out support for people to live within "Priority Geographies" sounds beneficial, that concept also appears to make decisions for people about where they should live, instead of leaving it up to the people to decide.
- Evictions and displacement should be addressed all over San Francisco, not just one or two specific areas.
- RHNA goals have been imposed on San Francisco with no regards to community input and the risks of displacement and gentrification. Building even more market rate housing works against racial and social equity. Many of the proposals will promote incentives for market rate development and that will not solve the affordable housing problems in San Francisco. Market rate developments typically increase housing prices, speculation, displacement, and gentrification.
- For all new housing that is to be built, affordable units with deep affordability should be prioritized. We oppose relaxing inclusionary requirements or streamlining the approval process for market rate developments. In addition, streamlining approvals means taking the power of self-determination away from the very communities that many of the policies state they are trying to help.
- In publicly-owned sites and large privately-owned sites, the City needs to do away with top-down planning processes and replace with bottom-up processes which put an emphasis on gathering and implementing public input.
- In particular, public land should have only housing that is 100% affordable.

- We support community infrastructure improvements to transit, parks, streetscape, and neighborhood amenities, but agree that this must be first signed off on by the local residents and also be carefully developed so as not to lead to increased land and housing speculation and displacement of low-income residents.
- Many of the proposals will require extensive funding. The manner of raising the funding and the extent of funding should be worked out with the affected communities and reflect community input into the funding uses and allocations.

In summary, many of the proposal leave out the voices of the community and should be rewritten to include extensive outreach and a serious commitment to real participation and decision-making at the community-level.

Sincerely,

Ozzie Rohm

Ozzie Rohm for SFLUC

cc: Rich Hillis
SF Board of Supervisors
SF Planning Commission

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)
Subject: FW: Second notice: Lawful Notice of Constitutional and Common Law Duty of Government Officers and Employees to enforce applicable Federal and State Law
Date: Thursday, July 22, 2021 2:17:00 PM
Attachments: [Summary+Evidence+Election+2020.pdf](#)
[01042021 CA election fraud 2-21-cv-00032 Complaint-1.pdf](#)

From: Lee Ellen <ellenzhou888@yahoo.com>

Sent: Monday, July 19, 2021 8:13 AM

To: SFPD, Chief (POL) <sfpdchief@sfgov.org>; SFPD Tenderloin Station, (POL) <SFPDTenderloinStation@sfgov.org>; SFPD Central Station, (POL) <sfpdcentralstation@sfgov.org>; SFPD Park Station, (POL) <SFPDParkStation@sfgov.org>; SFPD Taraval Station, (POL) <SFPDTaravalStation@sfgov.org>; SFPD Bayview Station, (POL) <SFPDBayviewStation@sfgov.org>; SFPD Southern Station, (POL) <SFPDSouthernStation@sfgov.org>; SFPD Ingleside Station, (POL) <SFPDInglesideStation@sfgov.org>; SFPD Northern Station, (POL) <sfpdnorthernstation@sfgov.org>; SFPD Mission Station, (POL) <SFPDMissionStation@sfgov.org>; Jean, Michelle (POL) <Michelle.Jean@sfgov.org>; Yick, Robert (POL) <Robert.Yick@sfgov.org>; Woon, Chris (POL) <Chris.Woon@sfgov.org>; Yep, Paul (POL) <Paul.Yep@sfgov.org>; Pedrini, Christopher (POL) <Christopher.Pedrini@sfgov.org>; Falvey, Timothy (POL) <Timothy.Falvey@sfgov.org>; Fabbri, Carl (POL) <Carl.Fabbri@sfgov.org>; Terry C <repealbagfee@gmail.com>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Breed, London (MYR) <london.breed@sfgov.org>; scheduling, Mayor's (MYR) <scheduling@sfgov.org>; Scott, William (POL) <william.scott@sfgov.org>; Press Office, Mayor (MYR) <mayorspressooffice@sfgov.org>; Lee Ellen <ellenzhou888@yahoo.com>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; Press, DEM (DEM) <dempres@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Cc: Teresa Duque <terdq@yahoo.com>; Eva Chao <mhcllc000@gmail.com>; Jonathan RSF <info@revivalsf.com>; Sandra Skover <media@revivalsf.com>; Liz RSF Family <family@revivalsf.com>; Ellen Zhou <ellen@revivalsf.com>; Meina RSF <housing@revivalsf.com>; Westside Observer <editor@westsideobserver.com>; letters@marinatimes.com; newsroom@epochtimes.com; Pji Info <info@pji.org>; Aclj Info <info@aclj.org>; Center for American Liberty Harmeet Dhillon <info@libertycenter.org>; pmatier@sfchronicle.com; editor@worldjournal.com; editors@sfpublishing.org; Editor <editor@singtaousa.com>; mbarba@sfoxaminer.com; Sing Tao USA (newspaper) <sf@singtaousa.com>; DPH - teresaduque <teresaduque@sfcce.org>; Wendy Wong <coalition4goodneighborhoods@gmail.com>; Lou Ann Bassan <louann.bassan@gmail.com>; George Gaboury <gabourystories@gmail.com>; Ethan Lao <ethan.lao@ntdtv.com>; Ilene Eng <ilene.eng@epochtimes.com>; The Salt & Light Council <support@saltandlightcouncil.org>; Peggy / THE HEALTHY AMERICAN <peggy@thehealthyamerican.org>

Subject: Second notice: Lawful Notice of Constitutional and Common Law Duty of Government

Officers and Employees to enforce applicable Federal and State Law

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This is a reminder:

Second notice to Mayor London Breed, 11 Board of Supervisors, 18 elected officials, all Public [officers, Employees and Agents](#) (See previous email and attachment)

**RE: [Lawful Notice of Constitutional and Common Law Duty of Government Officers and Employees to enforce applicable Federal and State Law](#)
[Lawful Petition](#) of Grievances, including Conspiracy to Commit Treason, Fraud, Sedition [and Domestic Terrorism by live agents of federal and state Government](#). (See attachment, evidence of election fraud report and CA court cases)**

From: Ellen Lee Zhou, Revival San Francisco

Date: Monday, July 19, 2021

Revival San Francisco

For identification purpose: Ellen Lee Zhou was a San Francisco mayoral candidate for 2018 and 2019.

Please note: This email may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intent person/people/parties receiving this email, please delete all contents and notify this sender. Your response is greatly appreciated. Thank you. Revival San Francisco Team www.RevivalSF.com

On Wednesday, May 12, 2021, 05:35:45 PM PDT, Lee Ellen <ellenzhou888@yahoo.com> wrote:

[Lawful Notice of Constitutional and Common Law Duty of Government Officers and Employees to enforce applicable Federal and State Law](#)

To: Mayor London Breed, 11 Board of Supervisors, 18 elected officials, all Public [officers, Employees and Agents](#)

From: Revival San Francisco

Regarding: **Lawful Petition** of Grievances, including Conspiracy to Commit Treason, Fraud, Sedition and Domestic Terrorism **by live agents of federal and state Government.**

Whistleblower Report and Official Request for Debriefing

Be advised, you, **joint and several**, are hereby served legal Notice, this **document** and all information and requests presented herein are true, accurate **and materially complete** to the best of our **first-hand** knowledge, are consistent with the Constitution of the United States, and are being presented to you respectfully and in good faith, by **law-abiding Americans freely** exercising their **constitutionally-protected unalienable** Rights; and, in particular their Right to petition (*i.e., instruct*) **their** government **servants** for redress of grievances.

We respectfully **demand** that as soon as possible, you review and acknowledge the evidence and testimony contained in these materials, and then at your next formal meeting declare officially for the record that in your opinion, as a quasi-governmental body, that these materials clearly demonstrate that numerous violations of law and the Constitution have occurred; and consequently no orders, policies, or other instructions from the **so-called “Biden Administration”** can in any way be recognized or accepted as constitutional until after these materials are fully investigated and adjudicated by military and civil courts, as well as the State legislature.

In short, we are presenting you with the simple choice of either accepting the **material** facts and evidence and truth; or rejecting the truth, choosing to believe lies; and, thereby committing treason against the United States **of America**; and, thereby violating your **constitutional** Oath **of Office** and disqualifying yourself from any further public service. The choice is yours.

Overview: _

Be advised, pursuant to 18 U.S.C., Sec. 4 (**misprision of felony**) and 18 U.S.C., Sec. 2382 (**misprision of treason**), and 28 U.S.C. Sec. 1361 you are hereby served lawful and legal **Notice**, of compelling evidence and testimony exposing apparent felonious activities and injuries, which demand your immediate attention and action. These **felony** crimes include, but are not limited to: conspiracy to commit treason, fraud, election fraud, sedition, domestic terrorism.

Notice of Violation of Federal Law: _

18 U.S.C., Sec. 2 (Principals): (a) **Whoever** commits an offense against the United States or **aids, abets, counsels, commands, induces or procures** its commission, is punishable as a principal. (b) **Whoever** willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.

18 U.S.C., Sec. 4: *Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States.*

shall be fined under this title or imprisoned not more than three years, or both.

18 U.S.C., Sec. 2382: ***Whoever**, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.*

28 U.S.C., Sec. 1361: *The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.*

Be advised, this material is hereby submitted to you in your **official and private** capacity, as a “formal request” to testify under oath about national security **matters** involving “election fraud”, and related crimes of treason, misprision of felony, and conspiracy **by both federal and state government officers, employees and agents, with Enemies both foreign and domestic.**

These materials **are** provided to you as a whistleblower report with all legally inviolable whistleblowing protections and immunities.

Be advised, this is a “whistleblower report” of national security **matters** relating to information, and all immunities and protections given under law are affirmed and claimed, according to whistleblower immunity laws.

Notice of Treason, Abuse of Authority and Public Trust, Deprivation of Rights under Color of Law, Obstruction of Justice and denial of Redress by Individuals claiming to be Federal and State Public Officers and Employees

Be advised, you are hereby served Notice that your sworn constitutional **Oath** as an employee, agent, and representative of the United States government is hereby accepted **for the record**, and as such you are henceforth notified of an urgent national security matter and crimes against the U.S. Constitution which requires your immediate official action to resolve.

Be advised, you are hereby served legal notice that this **Notice** and **annexed** exhibits will also provide you with the evidence, witnesses, documents, and timeline needed to understand, investigate, and prosecute the current election fraud and Chinese Communist Party (**CCP**) involvement with Dominion Voting Machines, Union Bank of Switzerland (**UBS**), and other parties. __

All laws, policies, statutes, immunities, privileges, and other rights granted to whistleblowers are hereby affirmed and immunity from any federal or state or military prosecution relating to this Matter; **and, are** also affirmed and accepted, according to military and federal employee whistleblower immunity laws.

Failure to Reply constitutes aiding and abetting Sedition and Treason

Be advised, you are hereby served notice that this report contains significant global national security implications, and that although not anticipated, due to the gravity of the current crisis, failure by your office to acknowledge or respond to this communication and report, or any attempt by *anyone* to “bury” or conceal or cause harm to this report or its author and agents, may be interpreted by authorities as “misprision of treason” and prosecuted (civilly and criminally) to the fullest extent of American and international law; and any failure or insufficient acknowledgement or response to this material, will be interpreted both as a dereliction of duty and as follows:

1. An attempt to “*conceal the nature, location, source, and ownership of material support and resources*” to foreign and domestic enemies of the United States, and as such an intentional violation of national and global security policies and laws; and
2. a willful and reckless disregard and violation of your government oath to “*support and defend the Constitution*”; and
3. an intentional act of misprision of a felony and misprision of treason against the United States of America; and
4. a conspiracy to commit racketeering, fraud, abuse of government authority, and other crimes against the **American People** and the **fifty** sovereign **republic** states.

Be advised, this attack upon the integrity of the United States election process satisfies the legal definition of being both an **act of war** and an **act of treason**.

Legal Notice of Service and Request for Subpoena

Be advised, you are hereby served notice that for legal purposes, this Memorandum serves as both “**official notice**” and “request for subpoena” given to you in your **official and personal** capacity as an employee or representative of the United States government about **this most** urgent U.S. national security information.

Be advised, you are hereby served notice that this memorandum hereby communicates to your office actionable intelligence which must be immediately investigated, acknowledged, and acted upon by refusing to recognize or accept as Constitutional or lawful any candidate, executive order, policy, recommendation, suggestion, or instruction from any party associated with this fraudulent act.

Be advised, you are hereby served notice that all *rights* are reserved for **FOIA** and legal purposes, and is privileged communication under international whistleblower protections, and not to be shared without our express permission.

Be advised, you are hereby served notice that in accordance with contract law (*common law*), and whistleblower laws, acceptance of this communication by your office (which is hereby being hand-delivered) shall for all legal purposes constitute *receipt* and *service given and accepted*.

Upon acceptance of this communication by your Congressional office, it shall be defined and interpreted as the establishment of a *Kastigar* “**immunity agreement**” (*Kastigar v. United States*, 406 U.S. 441 (1972), so that the providers of the information are protected.

Be advised, you are hereby served notice that we **lawfully require** you inform the **Director of U.S. military intelligence** about this Matter as a national security threat, pursuant to 18 U.S.C., **Sections 2381-2384**.

Summary of Findings

Numerous public officers, employees and agents, in all branches of federal, state, county and city governments, have committed conspiracy, sedition, treason, misprision of treason, misprision of felony, obstruction of justice, election fraud, etc., against the American People, in violation of their constitutionally-required Oaths of Office.

Notice of Requirement for Investigation and Prosecution, both Civil and Criminal

Be advised, this document is being presented to you pursuant to the United States Constitution's inviolable rights, privileges, and immunities pertaining to the "petitioning the government for the redress of grievances", freedom of expression, and Article 4, Section 4, guarantee to every state a "republican form of government"; and other laws. The material presented herein suggests the following crimes have been committed: **conspiracy to commit treason, fraud, election fraud, sedition, domestic terrorism.**

Pursuant to these laws and the Constitution for the United States of America, your sworn oath as a public official to the Constitution of the United States is hereby accepted. Furthermore, this Oath demands that you defend the Constitution, the Republic, and the laws against all Enemies, foreign and domestic. We lawfully demand that you act upon this information immediately, in performance of your sworn oath, and defend the integrity of the republic by recognizing and declaring that no results from the 2020 election will be accepted or recognized or implemented by you personally or officially; and that to fail to do this would amount to an act of treason against the United States.

Be advised, you are hereby served notice that since this material is necessary for protecting the national security of the United States, failure by your office or your agents to acknowledge and respond to this report, or provide it to the military authorities, or by your office "leaking" any of this material, will be interpreted as both a criminal act of omission, a violation of whistleblower laws, and a willful commission of:

1. an intentional disregard and violation of the United States Uniform Code of Military Justice, as well as Federal, State, and International law;
2. an intentional disregard and refusal by you to uphold your sworn Oath as a Public Official to "support and defend the Constitution of the United States";
3. an intentional act of "aiding and abetting enemies of the United States" by providing "financial and material support" to terrorists, their operations, and their networks;
4. an intentional "act of misprision of treason", and "act of treason", an "act of misprision of felony" against the United States"; and
5. an intentional violation of the specific policies, laws, codes, and statutes both listed in this report, and not listed herein.

Be advised, you are hereby served notice that we believe this is an urgent national security matter that demands your immediate response. Failure to respond by you will be interpreted as an intentional act of treason, cowardice and corruption, and we will immediately file a request in federal court to investigate this matter *sua sponte*, and prosecute you for violations of 18 U.S.C. Sections 2-4, 18 U.S.C., Sections 2381-2384, and 28 U.S.C., Sec. 1361, *et al.*

Be advised, all information and requests presented herein are true and accurate to the best of our knowledge, are consistent with the laws of the United States, and are being presented to

you respectfully and in good faith by citizens exercising their rights under the U.S. Constitution, and in particular their right to petition the government for redress of grievances.

We request that you acknowledge the evidence and testimony contained in these materials establish that numerous violations of law and the Constitution may have occurred, and that consequently no orders, policies, or other instructions from the [so-called “Biden Administration”](#) can be recognized or accepted as lawful until fully investigated and adjudicated by military and civil courts, and the public.

See [annexed](#) exhibits.

Respectfully [presented by the undersigned Members of](#) the Committee for Constitutional Enforcement,

Ellen Lee Zhou

Revival San Francisco

Cc: President Donald J. Trump

Chairman, House Judiciary and Oversight Committees;

Chairman, House and Senate Armed Services and Intelligence Committees

Chairman, House and Senate Intelligence Committees
San Francisco Community Empowerment Center

San Francisco Coalition for Good Neighborhoods

Center for American Liberty

Pacific Justice Institute

American Center for Law and Justice

Salt and light Council
The healthy American
Media

SUMMARY: SELECT EVIDENCE OF PRESIDENTIAL ELECTION FRAUD 2020



6 EXAMPLES OF VOTER FRAUD

There is now a wide array of empirical evidence that the 2020 election was not like others. Whether you are already believe that there was widespread fraud or you are a skeptic, the purpose of this document is to summarize a snapshot of the most compelling evidence, including: eye-witness accounts and confessions of fraud, technological vulnerabilities, statistical anomalies, voting irregularities, illegal voting, and audits of actual voting machines.

You might be wondering: if there's evidence, why has it not gone through the judicial system? Courts have dismissed the cases without ever hearing the evidence.

This is just a very small set of evidence we have compiled over the course of six weeks, but we are fully convinced that this election was stolen from President Trump and we must do everything possible to defend our Republic. Our weapon is the truth, and our advocate is the Lord.

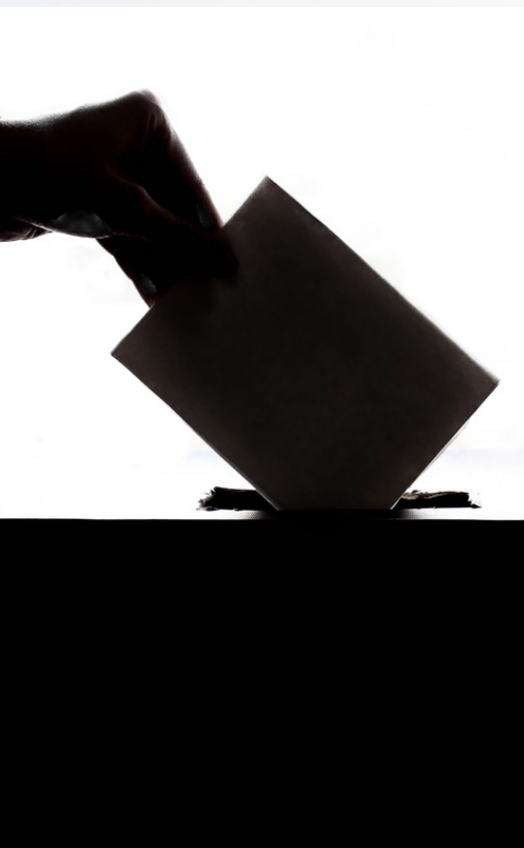
1) THE CASE OF RUBY FREEMAN

There are many examples of election officials directly participating in voter fraud, but perhaps the most notorious example is in the battleground state of Georgia by Ruby Freeman and her daughter.

An October 26th Facebook live by Ruby Freeman in Fulton County, GA reveals that her daughter brought in suitcases of ballots that were counted after observes were told to leave, corroborating affidavits that flagged 8:22AM as the time these suitcases arrived.

Freeman said “Y’all want to know who my new supervisor is? It’s my daughter.” She added that “I just do what she say do and it’s her show baby, it’s her show.”





IT WAS BALLOT TAMPERING!

In a November 3 Facebook post, Freeman wrote “A lady had a problem with me telling her what a supervisor told me to tell her yesterday. This morning, lo and behold, out of nowhere, she came to give me a hug. You already know the end of that story. Judas, I’m not Jesus. Don’t play. I blamed it on Social distancing.”

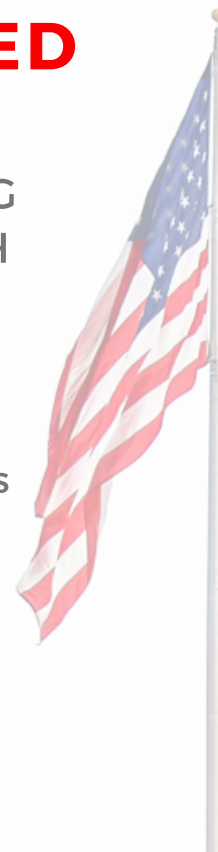
Freeman’s daughter is seen as the first to remove the ballots from the suitcases and issuing instructions to the other vote counters, subsequently retrieving a second suitcase of ballots. Although the lawyers she retained changed her Instagram into a parody account, that was a last ditch effort to cover up the truth and is not historically consistent with her previous posts.

Click to [see the original video](#)

2) FOREIGN ADVERSARIES DIRECTLY INVOLVED

FRAUD BY DOMINION VOTING SYSTEMS, EDISON RESEARCH

Dominion Voter Systems and Edison Research were using an unencrypted virtual private network (VPN) that was penetrated by multiple foreign adversaries. [See the affidavit.](#)



IRAN AND CHINA TAMPERING IN US ELECTIONS

The Department of Homeland Security (DHS) released a report on October 30th, 2020 announcing an Iranian advanced persistent threat actor that was targeting state websites to intimidate potential voters and gain access to voter roll data.

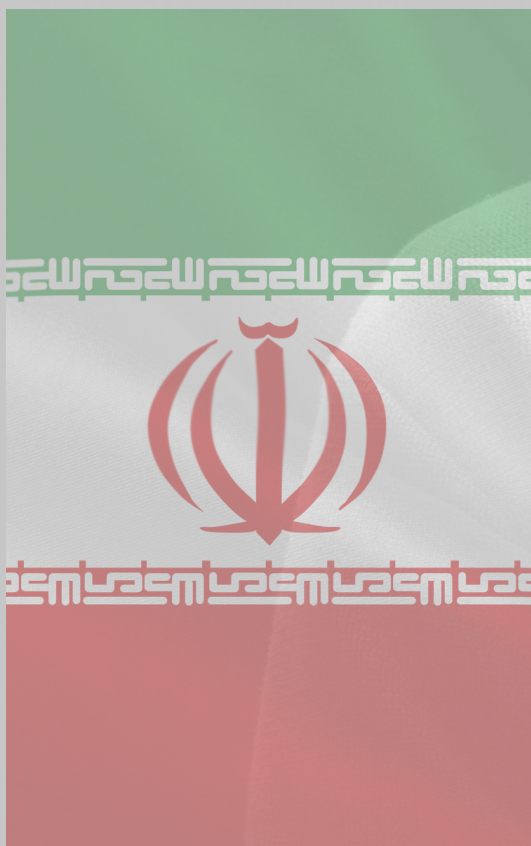
Edison Research was using an unencrypted VPN with login credentials that were easily accessible and used by foreign adversaries to monitor and manipulate votes.

The internet protocol (IP) addresses into the “edisonresearch” host server were sent in both directions, meaning that not only were **Iran and China** (and other adversaries) accessing the server, but also the Edison Research server was communicating back to these adversaries.

Edison Research shares a virtual private server (VPS) with BMA Capital Management, which is a known company that provides Iran access to capital markets.

— “ —
CISA and the FBI are aware of an Iranian advanced persistent threat (APT) actor targeting U.S. state websites—to include election websites. CISA and the FBI assess this actor is responsible for the mass dissemination of voter intimidation emails to U.S. citizens and the dissemination of U.S. election-related disinformation in mid-October 2020. - CISA, Oct. 30, 2020*

— ” —
*Cybersecurity and Infrastructure
Security Agency



3) STATISTICAL ANOMALIES

Statistical analysis of the sudden and sharp vote surges for Biden are highly suspect because of their timing and concentration in vital battleground counties.

01

Publicly available data from the New York Times reveals that Biden's lead over Trump in key battleground states, such as Michigan and Wisconsin, were the result of vote drops that occurred in the early hours of November 4th and nearly exclusively for Biden.

04

Four of the seven most anomalous vote updates — that is, updates in which the margin and ratio are co-extreme — are in election-critical states and occurred during the same five hour period where the circumstances on the ground were contested and highly suspicious.

02

Consider the vote update in Michigan at 3:50AM EST on November 4th that delivered 54,497 ballots for Biden and 4,718 for Trump. Another even more anomalous update at 6:31AM EST delivered 141,258 ballots for Biden and 5,968 for Trump.

05

Approximately 15% of the vote updates in the data set of 8,954 were from Michigan, Wisconsin, and Georgia. If we were to assume that any state could have these extreme vote updates, then there would be a 1.2% chance that three states represented in three out of the top four or four out of the top seven spots and a 0.99% chance that these three states would occupy the five out of the top seven spots.

03

Similarly, a vote update at 3:42AM CST on November 4th in Wisconsin delivered 143,379 to Biden and 25,163 to Trump. While there are a few instances where ballot dumps also went to Trump, these were in significantly smaller magnitudes and less frequent.

06

If all four of these vote updates were extreme — but not as extreme — that the difference in margin would be greater than the margin of victory in all three states. ***The media's proclamation of Biden's victory in these states relied on four of the seven most co-extreme vote updates in the entire data set of the whole 8,954 vote updates.***

4) BATTLEGROUND STATES

A new report by Dr. John Lott in the Department of Justice reveals that precincts that the voting patterns observed in Georgia and Pennsylvania are highly anomalous. While comparisons between counties where voter fraud was alleged versus those where it was not reveal significant leads for Biden in 2020, they reveal no such leads in 2016 between Trump and Clinton.

"The estimates here indicate that there were 70,000 to 79,000 "excess" votes in Georgia and Pennsylvania. Adding Arizona, Michigan, Nevada, and Wisconsin, the total increases to up to 289,000 excess votes." - John R. Lott, DOJ, Dec. 21st, 2020

Biden "won" Fulton County GA by 243,904 votes and 86,309 in absentee ballots.

Even though in 2016, there was less than a percentage point difference in the fraction of absentee ballots that went to Trump cast in Fulton versus bordering and highly similar neighboring counties, Trump had a 7.19 percentage point lower share in 2020. Results are robust to controlling for demographic differences, such as race and age.

Biden "won" Allegheny and Philadelphia Counties by 146,706 and 471,305 votes and 206,505 and 310,553 absentee ballots, respectively.

Just as in Fulton County, GA, Trump's share of votes was 3.4 percentage points lower in Allegheny County in 2020. The differences are even higher when looking at absentee and provisional ballots. Put together, there are at least 55,270 extra ballots that went to Biden.

If these differences in fraudulent ballots are incorporated, Trump would win GA and PA.

5) ILLEGAL VOTING

BALLOTS RECEIVED AFTER
ELECTION DAY IN PA

69,004

“INDEFINITELY CONFINED
VOTERS” IN WI

200,000

FELONS VOTING IN GA

2500

UNDERAGE VOTERS IN GA

66,247

UNREGISTERED VOTERS IN GA

2,423

In Pennsylvania, 69,004 ballots were received after election day, (Nov. 3rd), and 19,660 after the 6th. Moreover, out of 161,774 mail-in ballot records that were changed between the November 10th and December 16th version of the data, 116,840 ballots were given new return dates. 69,004 ballots were marked as “returned” after November 3rd despite Pennsylvania Secretary of State Kathy Boockvar reporting on November 10th (and to the Supreme Court on November 30th) that only 10,00 ballots were received after November 3rd.

In Wisconsin, the number of “indefinitely confined voters” surged from under 70,000 voters in 2019 to over 200,000 in 2020.

Social media profiles showed that these voters actually had active lifestyles. The 130,000 increment is over five times the margin that Biden “won” by in the state.

Many states exhibited abnormal turnout rates. For example, cybersecurity expert Russ Ramsland testified in Wayne County that 46 of the 47 precincts where Dominion machines were used had at least a 96% voter turnout rate and 25 of the 47 had a 100% turnout.

In Georgia, affidavits and testimonies revealed that 2,500 felons with uncomplete sentences registered to vote and cast it, 66,247 underage people were registered to vote and illegally vote, 2,423 unregistered people voted, and 10,315 people who voted had died by the time of the election. Many more examples abound.

6) FORENSIC MACHINE AUDIT REVEALS SIGNIFICANT ERRORS

Despite significant opposition and attacks, election security experts were able to audit Dominion Voter System machines in Antrim County, MI, revealing unusually high error and adjudication rates.

According to the report, Dominion Voting System is intentionally and purposefully designed with inherent errors to create systemic fraud and influence election results. The system intentionally generates an enormously high number of ballot errors. The electronic ballots are then transferred for adjudication. The intentional errors lead to bulk adjudication of ballots with no oversight, no transparency, and no audit trail.

Cybersecurity specialists identified an error rate of 68.05%, which is far above the Federal Election Commission guidelines of 0.0008%. The results of these errors led to tabulation errors and ballots being sent to adjudication, which means that the vote is decided by the election worker using the machine ([see here](#)). For example, in Central Lake Township, there were 1,222 out of 1,491 ballots cast that were reversed, producing an 81.96% rejection rate.

Although vote adjudication logs for prior years were available, all the logs for the 2020 cycle were missing. Moreover, all server security logs prior to 11:03PM on November 4th are missing. These logs are vital for audit trails, forensics, and detecting malicious intruders.

The Election Event Designer Log shows that Dominion ImageCast Precinct Cards were programmed with new ballot programming on October 23rd and again on November 5th. That violates the Help America Vote Act, which includes a 90-day Safe Harbor Period that prohibits changes to election systems, registries, hardware/software updates without undergoing re-certification.

Even if skeptics and critics win that there are limitations of the aforementioned audit, they should offer a random sample of machines in other battleground states for third-party review. In contrast, they have viciously attacked attempts to review machine logs and have even endeavored to wipe the machines in Georgia before the runoff.

WHAT YOU CAN DO

1) FLOOD social media with the truth! They can't stop us all at once! Use hashtags: #HereIsTheEvidence #EveryLegalVote #LetJusticeRoll #StopTheSteal

2) Put pressure on state and local officials. Call and email them to voice your concern and decertify the fraudulent vote.

3) Pray for the President and the team!

**GOD BLESS YOU,
AND GOD BLESS
THE UNITED STATES
OF AMERICA**

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8 Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 ELECTION INTEGRITY PROJECT
12 CALIFORNIA, INC., JAMES P.
13 BRADLEY, AJA SMITH, ERIC
14 EARLY, ALISON HAYDEN,
15 JEFFREY GORMAN, MARK
16 REED, BUZZ PATTERSON, MIKE
17 CARGILE, KEVIN COOKINGHAM,
18 GREG RATHS,

19 Plaintiffs,

20 v.

21 ALEX PADILLA, CALIFORNIA
22 SECRETARY OF STATE, XAVIER
23 BECERRA, CALIFORNIA
24 ATTORNEY GENERAL, GAVIN
25 NEWSOM, GOVERNOR OF THE
26 STATE OF CALIFORNIA,
27 RIVERSIDE COUNTY
28 REGISTRAR OF VOTERS
REBECCA SPENCER, LOS
ANGELES COUNTY REGISTRAR
OF VOTERS DEAN LOGAN,
VENTURA COUNTY REGISTRAR
OF VOTERS MARK A. LUNN,
SAN BERNARDINO COUNTY

Case No. 2:21-cv-32

**COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

PRIMARY LAW GROUP, P.C.
355 South Grand Avenue, Suite 2450
Los Angeles, CA 90071
(213) 677-0856

1 REGISTRAR OF VOTERS BOB
2 PAGE, MONTEREY COUNTY
3 REGISTRAR OF VOTERS
4 CLAUDIO VALENZUELA,
5 SACRAMENTO COUNTY
6 REGISTRAR OF VOTERS
7 COURTNEY BAILEY-KANELO,
8 ALAMEDA COUNTY REGISTRAR
9 OF VOTERS TIM DUPUIS,
10 CONTRA COSTA COUNTY
11 REGISTRAR OF VOTERS
12 DEBORAH R. COOPER, SANTA
13 CLARA COUNTY REGISTRAR OF
14 VOTERS SHANNON BUSHEY,
15 SAN BENITO COUNTY
16 REGISTRAR OF VOTERS JOE
17 PAUL GONZALES, SANTA CRUZ
18 COUNTY REGISTRAR OF
19 VOTERS GAIL L. PELLERIN,
20 FRESNO COUNTY REGISTRAR
21 OF VOTERS BRANDI ORTH,
22 ORANGE COUNTY REGISTRAR
23 OF VOTERS NEAL KELLEY,

24
25
26
27
28
Defendants.

Plaintiffs state for their Complaint against Defendants as follows:

NATURE OF THE ACTION

1. Our Constitutional Republic is founded on the sacred right of every eligible citizen to cast an equal vote to determine who will represent him or her in government. The Constitution of the United States guarantees this right through the Equal Protection and Due Process Clauses of the Fourteenth Amendment and, in the case of Federal congressional elections, through the Elections Clause (Art. I, § 4, cl. 1). It also “guarantee[s] to every State . . . a Republican Form of Government, and protect[ion] . . . against Invasion. (Art. IV, § 4.)

2. Over the past three decades in California, however, these rights have been intentionally eroded by an onslaught of unconstitutional statutes, regulations and executive orders, which, taken together, are designed to create an environment in which elections could be manipulated and eligible voters disenfranchised. Among other things, they have:

- A. Eliminated absentee ballots and massively expanded vote-by-mail (“VBM”) through which even voters who could vote in person receive less-secure VBM ballots;
- B. Legalized unrestrained and unrestricted ballot harvesting by removing mandates of “chain of custody”, unleashing the exploitation of vulnerable populations such as non-citizens, college students and senior citizens;
- C. Eviscerated protections on in-person voting;
- D. Implemented laws and procedures that automatically add non-citizens to voter rolls and protect against detection and prosecution of non-citizen voting; and
- E. Failed to comply with federal laws requiring maintaining accurate voter rolls, allowing deceased persons, non-citizens, non-residents, and other ineligible voters to remain on rolls and receive ballots.

1 3. These efforts culminated in new “emergency” regulations and executive
2 orders put into place without public comment or legislative authority of the State and
3 many of its counties, often under the pretext that they were necessary due to COVID-
4 19.

5 4. Under Defendant Padilla’s “emergency” regulation 2 CCR § 20991,
6 virtually any piece of paper received in a VBM envelope could be counted as a ballot,
7 multiple ballots could be stuffed into a single VBM envelope, and the information
8 provided by the voter(s) on a VBM ballot envelope no longer needed to be provided
9 under penalty of perjury. The passage of California Assembly Bill 860, meanwhile,
10 provided for every active registered voter on California’s voter rolls to be mailed a
11 VBM ballot, greatly expanding the effect of Defendant Padilla’s “emergency”
12 regulations and increasing opportunities for fraud.

13 5. In contradiction of statutory law, Counties across the state prevented citizen
14 observers from meaningfully observing vote counting and ballot processing in the
15 November 2020 election cycle. Observers were prevented from entering voting
16 locations; kept 30, 40 or 50 feet back from vote counting operations, or even outside
17 the counting rooms altogether; obstructed by having screens placed between observers
18 and election workers so that observers could not see what election workers were doing;
19 and many other instances of obstruction and concealment.

20 6. California’s use of voting machines supplied by Dominion and Smartmatic
21 provided opportunities for registrars, election workers and others to tamper with
22 results. The proprietary nature of these systems and the secrecy of the companies that
23 make them prevent observers from observing and challenging how votes are tallied
24 and whether fraud or irregularities are taking place. Courts, state registrars, academic
25 researchers and nonpartisan security experts have found vulnerabilities significant
26 enough to change the results of elections throughout California. These include the
27 ability of election officials to modify, add and delete votes, the inability to verify that
28 votes recorded match ballot images without an audit, the ability to access and modify

1 information on the system remotely through the internet or locally via a flash drive,
2 and the companies' secrecy regarding the software processes used to process ballots
3 and tabulate votes.

4 7. The potential for result-changing fraud and irregularities became actuality
5 in November 2020. Plaintiffs have gathered evidence establishing that citizen
6 observers were denied access to ballot processing facilities and barred from observing
7 the remaking of military, damaged or defective ballots, and that validation of
8 signatures on VBM ballots was either not done or done so quickly that it could not
9 have been effective. They also show votes being changed, ballots being left
10 unsecured, and in at least one instance, unsealed boxes of ballots being loaded into an
11 election official's car.

12 8. In Ventura County, a Dominion employee was observed inserting a flash
13 drive into a Dominion machine while it was tallying votes, after which the Dominion
14 system was rebooted. The Dominion employee then removed the drive from the
15 Dominion machine, placed it into his own laptop, and performed operations on the
16 laptop. He then removed the drive from the laptop and provided it to the Ventura
17 County election official who was operating the Dominion system.

18 9. In another instance, election workers screened themselves off from
19 observers while they "remade" ballots (i.e., filled in votes on blank ballots that
20 purportedly cured defects in VBM ballots they had received), then ran these secretly
21 marked ballots through vote machines. These election workers could have entered any
22 candidates that they wished on these remade ballots while purposefully unobserved
23 like this.

24 10. In Contra Costa County, poll data tapes from Dominion machines show
25 inconsistencies between votes as recorded by the machines, and later tabulation of
26 those votes in the vote for President. In multiple cases, votes were added to the tally
27 for Biden but not for Trump. Only an audit can show whether the same is true for
28 other counties and other candidates.

11. EIPCa has collected hundreds of sworn affidavits from citizen observers and witnesses across the state attesting to irregularities. This is only the tip of the iceberg. Significant additional potential irregularities and fraud were hidden by preventing EIPCa and all citizen observers from exercising their observation rights under California law to effectively observe vote casting, processing and counting.

12. What is desperately needed now is an audit of the original and remade/duplicated paper VBM ballots (including Remote Access VBM (RAVBM) ballots used to allow persons with disabilities to use their assistance technology at home), the original damaged ballots that were electronically adjudicated with their adjudicated electronic copies, as well as the Dominion and Smartmatic machines and software, to determine the extent to which the election was compromised. State and county officials are moving quickly to deny access to or wipe stored information from these machines, software and materials so that no such audit can be carried out.

13. Injunctive relief must be immediately ordered to prevent the destruction of evidence and provide for an audit. In addition, the statutes, regulations and orders that gave rise to the intentionally unlawful and chaotic situation in California and disenfranchised its voters must be declared unconstitutional, so that they do not cause similar disenfranchisement in future elections. Finally, the California election results, which Defendant Padilla certified on December 4 and 11, 2020 must be decertified.

PARTIES

I. Plaintiffs

14. Plaintiff Election Integrity Project California, Inc. (“EIPCa”) is a California non-profit public benefit corporation committed to defending, through education, research, and advocacy the civil rights of U.S. citizens to fully participate in the election process under Federal and state law. EIPCa is a non-partisan organization qualified under § 501(c)(3) of the Internal Revenue Code. As a non-partisan organization, EIPCa does not participate in any political campaign, nor does it endorse any candidate for public office. EIPCa focuses on the voting process, so that every

1 lawfully cast vote is accurately counted. EIPCa believes that the electoral process is
2 the cornerstone of self-governance and the preservation of our Constitutional Republic.
3 EIPCa takes no position on which candidate should prevail in a fair and honest
4 election. Candidates for public office, regardless of their political party affiliation,
5 who seek genuine election integrity in our Constitutional Republic could cooperate
6 with EIPCa in questioning and investigating election procedures. That cooperation
7 does not constitute an endorsement by EIPCa of any particular candidate. Findings of
8 defects or illegalities in election procedures have independent nonpartisan significance,
9 whether or not any particular findings ultimately affect the outcome of an election.
10 Volunteer citizen observers for EIPCa agree to exercise their civil rights to observe
11 election procedures under the guidance and for the benefit of EIPCa. Volunteers
12 generally undergo extensive training on California election procedures and issues.
13 Volunteers then schedule their time to observe with their county coordinator.
14 Volunteers agree that what they observe is confidential for the benefit of EIPCa, and
15 may be used for legal procedures. Because of their commitment of time and attention,
16 EIPCa does not require membership dues. Of course, many volunteers also donate
17 funds to EIPCa. Overall, these volunteers are dedicated to EIPCa, and anticipate that
18 EIPCa will use their observations to advocate for greater election integrity. Their
19 personal connection and commitment are far more profound than those of most
20 “members” of nonprofit organizations, such as a recreational hiker who pays annual
21 dues to become a “member” of the Sierra Club.

22 15. Plaintiff James P. Bradley (“Bradley”) is a resident and registered voter of
23 the State of California. Bradley was one of the final two Congressional Candidates in
24 the November 2020 election for California’s 33rd Congressional District, which is
25 located in Los Angeles County. Plaintiff Bradley intends to run in the November 2022
26 election for United States Senate.

27 16. Plaintiff Aja Smith (“Smith”) is a resident and registered voter of the State
28 of California. Smith was one of the final two Congressional Candidates in the

1 November 2020 election for California's 41st Congressional District, located in
2 Riverside County.

3 17. Plaintiff Eric Early ("Early") is a resident and registered voter of the State
4 of California. Early was one of the final two Congressional Candidates in the
5 November 2020 election for California's 28th Congressional District, located in Los
6 Angeles County.

7 18. Plaintiff Alison Hayden ("Hayden") is a resident and registered voter of the
8 State of California. Hayden was one of the final two Congressional Candidates in the
9 November 2020 election for California's 15th Congressional District, which is located
10 in Alameda and Contra Costa Counties.

11 19. Plaintiff Jeffrey Gorman ("Gorman") is a resident and registered voter of
12 the State of California. Gorman was one of the final two Congressional Candidates in
13 the November 2020 election for California's 20th Congressional District, which is
14 located in San Benito, Santa Cruz, Monterey and Santa Clara Counties.

15 20. Plaintiff Mark Reed ("Reed") is a resident and registered voter of the State
16 of California. Reed was one of the final two Congressional Candidates in the
17 November 2020 election for California's 30th Congressional District, which is located
18 in Los Angeles and Ventura Counties.

19 21. Plaintiff Buzz Patterson ("Patterson") is a resident and registered voter of
20 the State of California. Patterson was one of the final two Congressional Candidates in
21 the November 2020 election for California's 7th Congressional District, which is
22 located in Sacramento County.

23 22. Plaintiff Michael Cargile ("Cargile") is a resident and registered voter of
24 the State of California. Cargile was one of the final two Congressional Candidates in
25 the November 2020 election for California's 35th Congressional District, which is
26 located in San Bernardino and Los Angeles Counties.

27 23. Plaintiff Kevin Cookingham ("Cookingham") is a resident and registered
28 voter of the State of California. Cookingham was one of the final two Congressional

1 Candidates in the November 2020 election for California's 16th Congressional District,
2 located in Fresno, Merced and Madera Counties.

3 24. Plaintiff Greg Rath ("Rath") is a resident and registered voter of the State
4 of California. Rath was one of the final two Congressional Candidates in the
5 November 2020 election for California's 45th Congressional District, located in Orange
6 County.

7 **II. Defendants**

8 25. Defendant Alex Padilla ("Padilla") is the Secretary of State of the State of
9 California. Defendant Padilla is named in his official capacity.

10 26. Defendant Xavier Becerra ("Becerra") is the Attorney General of the State
11 of California. Defendant Becerra is named in his official capacity.

12 27. Defendant Gavin Newsom ("Newsom") is the Governor of the State of
13 California. Governor Newsom is named in his official capacity.

14 28. Defendant Rebecca Spencer ("Spencer") is the Registrar of Voters for
15 Riverside County, California. Defendant Spencer is named in her official capacity.

16 29. Defendant Dean Logan ("Logan") is the Registrar of Voters for Los
17 Angeles County, California. Defendant Logan is named in his official capacity.

18 30. Defendant Mark A. Lunn ("Lunn") is the Registrar of Voters for Ventura
19 County, California. Defendant Lunn is named in his official capacity.

20 31. Defendant Bob Page ("Page") is the Registrar of Voters for San Bernardino
21 County, California. Defendant Page is named in his official capacity.

22 32. Defendant Claudio Valenzuela ("Valenzuela") is the Registrar of Voters for
23 Monterey County, California. Defendant Valenzuela is named in his official capacity.

24 33. Defendant Courtney Bailey-Kanelos ("Bailey-Kanelos") is the Registrar of
25 Voters for Sacramento County, California. Defendant Bailey-Kanelos is named in her
26 official capacity.

27 34. Defendant Tim Dupuis ("Dupuis") is the Registrar of Voters for Alameda
28 County, California. Defendant Dupuis is named in his official capacity.

35. Defendant Deborah R. Cooper (“Cooper”) is the Registrar of Voters for Contra Costa County, California. Defendant Cooper is named in her official capacity.

36. Defendant Shannon Bushey (“Bushey”) is the Registrar of Voters for Santa Clara County, California. Defendant Bushey is named in her official capacity.

37. Defendant Joe Paul Gonzalez (“Gonzalez”) is the Registrar of Voters for San Benito County, California. Defendant Gonzalez is named in his official capacity.

38. Defendant Gail L. Pellerin (“Pellerin”) is the Registrar of Voters for Santa Cruz County, California. Defendant Pellerin is named in her official capacity.

39. Defendant Brandi Orth (“Orth”) is the Registrar of Voters for Fresno County, California. Defendant Orth is named in her official capacity.

40. Defendant Neal Kelley (“Kelley”) is the Registrar of Voters for Orange County, California. Defendant Kelley is named in his official capacity.

JURISDICTION AND VENUE

41. This Court has subject matter jurisdiction under 28 U.S.C. 1331, which provides, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”

42. This Court also has subject matter jurisdiction under 28 U.S.C. 1343 because this action involves a federal election for President of the United States and the United States Congress. See *Bush v. Gore*, 531 U.S. 98, 113 (2000) (Rehnquist, C.J., concurring); *Smiley v. Holm*, 285 U.S. 355, 365 (1932).

43. Jurisdiction to grant declaratory relief is conferred by 28 U.S.C. 2201 and 2202 and by Rule 57 and 65, Fed. R. Civ. P. 7.

44. Jurisdiction to grant injunctive relief is conferred by 28 U.S.C. § 1343(a).

45. This Court has jurisdiction over the related California Constitutional claims and state law claims under 28 U.S.C. 1367.

46. Venue is proper under 28 U.S.C. 1391 because “a substantial part of the events or omissions giving rise to the claim occurred” within the Central District of California, where multiple plaintiffs and defendants reside. In addition, EIPCa’s

1 volunteer citizen observers include citizens who reside and vote within the Central
2 District of California.

3 **FACTUAL ALLEGATIONS**

4 **III. California's Voting Practices Are Systematically Undermined Through** 5 **Decades of Unconstitutional Laws and Regulations.**

6 47. For the past three decades, California's election integrity laws and
7 regulations have been under systematic attack under the guise of increasing voter
8 participation. In truth, changes have been made to allow widespread fraud and election
9 interference to proceed unchecked. These changes have massively expanded VBM,
10 legalized unrestrained and unrestricted ballot harvesting and exploitation of vulnerable
11 populations and undermined protections on in-person voting. Cumulatively, these
12 changes in the law and other administrative neglect have allowed voter rolls to
13 encompass large numbers of deceased persons, non-citizens, non-residents, and other
14 ineligible voters who, nonetheless, receive VBM ballots and who state elections data
15 show have often voted in elections.

16 48. The expansion of VBM ballots and the changes in the law to send VBM
17 ballots to all registered voters created a process where known ineligible voters
18 (including deceased persons, non-citizens, and non-residents) were sent live ballots. As
19 past elections have shown, deceased persons, non-citizens and non-residents are often
20 recorded as having voted in elections, and that appears to have taken place in the
21 November 2020 election as well, impacting Plaintiffs Bradley, Smith, Early, Hayden,
22 Gorman, Reed, Patterson, Cargile, Cookingham and Raths, and all of the citizens in
23 each of the Congressional Districts at issue, including EIPCa's citizen observers.

24 49. In 1993, Congress enacted the National Voter Registration Act ("NVRA")
25 52 U.S.C. § 20501, et seq. with the stated purposes of: (1) "increase[ing] the number of
26 eligible citizens who register to vote"; (2) "enhance[ing]" their "participation ... as
27 voters in elections for Federal office"; (3) "protect[ing] the integrity of the electoral
28 process"; and (4) "ensur[ing] that accurate and current voter registration rolls are

maintained.” *Id.*, § 20501(b). Goals 1 and 2 were to be realized, in part, by allowing voter registration through state departments of motor vehicles (“DMVs”). Goals 3 and 4 were embodied in Section 8, which requires each state to “conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of” death or a change in the residence of the registrant, and specifies a procedure for doing so.

50. California, however, has failed to comply with Section 8 of the NVRA, interpreting its requirement to remove ineligible voters from voter rolls as permissive, rather than mandatory. In other words, California massively expanded its voter rolls through DMV registration, but failed to remove ineligible voters.¹

51. In 1998, California exacerbated the problems created by ineligible voters on its rolls by eliminating the absentee ballot, converting what at the time was a one-time VBM ballot that had to be applied for prior to each election, to a permanent VBM ballot that would be sent to voters prior to every election, without further action on their part, and without verification that the voters were eligible to vote, still residents of California, or even still living. As a result, approximately 75% of voters in California regularly received permanent VBM ballots even before the most recent “emergency” orders. In many cases this was not the voter’s choice. Two Presidential Election Commissions (2001 and 2005) have determined that VBM ballots do not satisfy five requirements for fair and honest elections, and facilitate election manipulation and fraud.

52. In 2002, the Federal government passed the Help America Vote Act (HAVA), which required the establishment of a statewide voter database. California was the one of the last states to come into compliance with this mandate, only doing so in 2016. Even then, there were issues with California’s compliance with HAVA,

¹ In 2018, EIPCa entered into a settlement with Los Angeles County Registrar Dean C. Logan and Defendant Padilla that, among other things, required removal of 1.5 million ineligible persons from the voter list due to their failure to comply with Section 8 of the NVRA. That settlement is not at issue in this case.

1 including the manner in which the contract was awarded (no-bid, non-competitive
2 award), the poor reputation of the company awarded the contract, the lack of public
3 transparency with regard to the database certification, and EIPCa's revelations of
4 serious and potentially disqualifying defects in the database (which continue even
5 now).

6 53. In 2012, SB 397 was passed in California, allowing online voter registration
7 without effective controls against ineligible registrations. In its first month, 6,080
8 duplicate registrations were recorded.

9 54. In 2012, California Proposition 14 established a top-two primary system in
10 California. In a top-two primary, the top two vote-getters, regardless of their partisan
11 affiliations, advance to the general election. Under this system, voters affiliated with
12 political parties other than the two major parties are effectively prevented from having
13 a candidate reflective of their values on the general election ballot.

14 55. In 2013, California passed AB 817, which allowed up to five non-citizen
15 residents of California to work as a member of any single precinct board (i.e., poll
16 worker). AB 817 was flawed because: a) though it required specific qualifications for
17 non-citizen workers, it provided no method other than self-affirmation to enforce those
18 requirements; and b) non-citizens cannot legally take the poll worker oath because they
19 have not relinquished allegiance to their native countries, relinquished allegiance to
20 their foreign leaders and sworn allegiance to the United States. In essence, AB 817
21 facilitates foreign intervention in California's election process.

22 56. In 2014, California began issuing driver licenses to undocumented
23 immigrants pursuant to AB 60, thereby providing a direct path to voter registration for
24 them. In 2015, California exacerbated this issue further with the passage of AB 1461,
25 pursuant to which voter registration became automatic through the DMV unless the
26 driver (be they citizen or non-citizen) proactively requests not to be registered. The
27 difficulty presented by confusing computer software and, in many cases, language
28 barriers continue to cause many individuals to effect unwanted (and illegal)

1 registrations or registration changes such as party affiliation and preferred method of
 2 voting. Through AB 1461, non-citizens would become registered with or without their
 3 knowledge. Moreover, there is no way to ascertain citizenship status of a registrant
 4 other than self-identification because California election officials are barred from
 5 accessing DMV and DHS information regarding non-citizens. (EC § 2263(d).) In
 6 fact, the law specifically states that the DMV is not required or expected to determine
 7 eligibility for voter registration and voting. (EC § 2262(b).) EIPCa has also
 8 documented thousands of instances in which California's online and DMV voter
 9 registration systems change registrants' reported place of birth, including many
 10 foreign-born registrants, to "California" or "United States." These changes may
 11 conceal foreign-born non-citizens who are registered to vote, and exacerbate the state's
 12 inability to maintain accurate lists since the changes can create mismatches in critical
 13 databases such as death and felon records.

14 57. In addition, AB 1461 allows pre-registration of 16 and 17-year-olds with
 15 the promise they will not be activated until their 18th birthday. EIPCa analysis
 16 indicates that minors are showing up on the active voter rolls.

17 58. In 2016, California passed SB 450, the "Voter's Choice Act," which
 18 eliminated neighborhood precinct voting and sent VBM ballots to every registered
 19 voter in participating counties. The bill also did away with the requirement that a voter
 20 who had received a VBM ballot but wished to vote in person was required to surrender
 21 that ballot at the voter's home precinct, to be clearly marked "surrendered." Instead,
 22 an electronic system was put in place keeping track of invalidated VBM ballots
 23 belonging to in-person voters. In 2020, this caused many election workers to tell in-
 24 person voters to simply throw their VBM ballots and envelopes into trash cans with no
 25 invalidating markings. This produced distrust among voters, causing potential voter
 26 suppression. It is also unclear whether any of these discarded ballots could have been
 27 subsequently removed from the trash, filled out and counted in the vote totals. The
 28 possibility that this happened is heightened by intermittent power outages at certain

1 election locations that appears to have affected the electronic tracking system for
2 surrendered ballots.

3 59. Also in 2016, California passed AB 1921, allowing an unlimited number of
4 VBM ballots to be turned in by anyone, regardless of relationship to the voter. This
5 bill eliminated chain of custody and legalized wholesale ballot harvesting, by which
6 one person can collect an unlimited number of ballots and turn them in, and even be
7 paid to do so. Because of the extreme potential for fraud, this practice is restricted or
8 prohibited in most other states, and considered a felony in many. In states where ballot
9 harvesting is allowed, massive voter fraud operations have been uncovered, including
10 cash payments for votes and ballot harvesters preying upon and deceiving vulnerable
11 populations like the elderly, indigents, non-citizens and young voters.

12 60. In 2017, California further eroded election integrity by passing SB 286,
13 under which voters are no longer required to state their name and address aloud and
14 have it repeated when voting in person as was previously required under California
15 Elections Code § 14216, further facilitating voter impersonation.

16 61. In 2018, California passed SB 759 as urgency legislation (*i.e.*, effective
17 immediately), requiring counties to contact all voters whose VBM ballots are
18 considered for rejection so they can “cure” their signatures. This law has significant
19 unintended consequences. For example, verification by a voter is done by
20 downloading a form online or responding with a form sent in the mail; a voter may
21 therefore never see the original ballot envelope and may “verify” a fraudulent
22 signature. Although the law requires the curing notice to be sent no later than 8 days
23 prior to certification and be returned no later than 2 days before certification,
24 Defendant Padilla violated California law and issued an advisory in November 2018
25 that the practice can and should continue up to the date of certification. These
26 extensions could cause fraudulent ballots to be counted while the voters’ responses are
27 pending.

28 62. AB 216 required VBM envelopes to be postage paid. This provides an

1 incentive for voters to use USPS to return their ballots, rather than returning them to a
 2 precinct or drop box, or using another shipping provider. USPS is one of the least
 3 secure ways to submit a VBM ballot.

4 63. AB 306 further facilitated ballot harvesting by prohibiting disqualification
 5 of a ballot solely because the person returning it does not provide their name,
 6 relationship to the voter or signature.

7 64. In 2019, California passed a raft of new voting legislation, including: AB
 8 963 and AB 1036, which instituted complex and expensive programs on high school
 9 and college campuses with the goal of increasing registration and voting by students,
 10 whether eligible to vote or not; SB 72 instituting same-day voter registration at all
 11 polling places, placing undertrained, under-supervised and at times overwhelmed
 12 election workers in the position of determining voter eligibility; and SB 523, extending
 13 the “curing” process for missing or challenged VBM ballot envelope signatures from 8
 14 days after election day to two days before certification, which, in conjunction with the
 15 processing of VBM and provisional ballots, could cause fraudulent ballots to be
 16 counted while the voters’ responses are pending.

17 **IV. In the Run-up to the 2020 Election, Unconstitutional Urgency Legislation**
 18 **and Emergency Orders and Regulations Bypass Normal Legislative**
 19 **Processes and Introduce Massive New Problems with VBM Ballots.**

20 65. Efforts to unlawfully compromise California elections accelerated in the
 21 run-up to the 2020 election. On May 8 and June 3, 2020, Defendant Newsom issued
 22 Executive Orders N-64-20 and N-67-20, directing that “every Californian who is
 23 eligible to vote in the November 3, 2020 General Election shall receive a vote-by-mail
 24 ballot.” On June 18, 2020, California passed AB 860, incorporating this requirement
 25 into California law for all voters in active status.

26 66. As a result, every active registered voter on California’s voter rolls was
 27 mailed a VBM ballot. Millions of VBM ballots for the 2020 general election were
 28 placed in the U.S. Mail with no means to ensure that a particular ballot was actually

1 received by the intended recipient, or that the intended recipient was still living in
 2 California and eligible to vote. EIPCa data research shows that hundreds of thousands
 3 or ballots were sent to the last known address of individuals showing no electoral
 4 activity for 12-40 years, some never, and who are therefore likely deceased or moved
 5 out of state.

6 67. Emergency regulations issued by Defendant Padilla for the 2020 general
 7 election further eviscerated the standards for the vetting of VBM ballots.

8 68. On September 28, 2020, after an unpublicized public comment period of
 9 only 5 days, defendant Padilla adopted new “emergency” regulations. *See CC/ROV*
 10 20226 (Sept. 29, 2020). These regulations include 2 *California Code of Regulations*
 11 (“CCR”) §§ 20910, 20960-20962, 20980-20985, and 20990-20993. These emergency
 12 regulations are in effect through July 28, 2021, and may be renewed.

13 69. These emergency regulations not only gut the signature verification process
 14 required by statute [EC §§ 3009, 3019], they also directly contradict a number of state
 15 statutes intended to ensure that VBM ballots are legally cast.

16 70. The new regulations virtually eliminate the possibility of meaningful
 17 standards being applied in the verification of signatures on VBM ballot return
 18 envelopes. This begins with subsection (b) of 2 CCR § 20960, which provides that the
 19 “comparison of a signature shall begin with the basic presumption that the signature on
 20 the petition or ballot envelope is the voter’s signature.”

21 71. Subsection (g) of 2 CCR § 20960 also dictates criteria for evaluation of
 22 signature matches that would justify finding a match of two signatures that clearly do
 23 not match. Particularly egregious is the justification that the voter’s signature style
 24 might have changed over time. 2 CCR § 20960 subsection (g)(4). This provision
 25 legitimizes acceptance of virtually any signature without subjecting clear mis-matching
 26 signatures to the safeguard of the curing process.

27 72. The effect of the foregoing provisions in nullifying any possibility of
 28 meaningful signature verification is compounded by subsection (j) of 2 CCR § 20960,

1 which requires that a signature match “shall only be rejected if two different elections
 2 officials unanimously find beyond a reasonable doubt that the signature differs in
 3 multiple, significant, and obvious respects from all signatures in the voter’s registration
 4 record.” This standard cannot be justified by reference to the provision of the
 5 *California Election Code* requiring signature verification for VBM ballots. EC §§
 6 3009, 3019. When combined with the standards of 2 CCR § 20960(g) set forth above,
 7 the beyond a reasonable doubt standard of § 20960(j) justifies the acceptance of
 8 virtually any signature on a VBM ballot return envelope, again without subjecting
 9 clearly mis-matching signatures to the safeguard of the curing process.

10 73. The adjustment of standards for signature matching of VBM ballot return
 11 envelopes is patently gratuitous given that the *California Elections Code* § 3019(d)
 12 provides a meaningful opportunity for a voter to cure the rejection of a signature match
 13 by requiring notice to the affected voter and the opportunity to submit verification of
 14 the rejected signature match.

15 74. The newly enacted emergency regulations also nullify rejections based on
 16 computer signature recognition technology, requiring that any rejection based on such
 17 technology be evaluated manually under the virtually nonexistent standards of 2 CCR
 18 §20960. 2 CCR §20961.

19 75. The newly enacted emergency regulations also promote fraud by allowing
 20 the submission of multiple ballots in a single VBM ballot return envelope. Subsections
 21 (b)(11) and (b)(12) of 2 CCR § 20991 allow multiple ballots to be stuffed into a single
 22 VBM return envelope, provided there is an equal number of signatures on that
 23 envelope. This conflicts with the requirement that the signature and other information
 24 included by the voter on the outside of a VBM envelope be confirmed by a declaration
 25 under penalty of perjury. § 3011.

26 76. The acceptance of multiple ballots in a single VBM return envelope
 27 authorized by 2 CCR § 20991(b)(11) and (12) also eliminates the protection provided
 28 by the barcode on the envelope, which is used to track whether a particular voter has

1 submitted a VBM ballot. Moreover, without the barcode to scan for the extra
2 signatures, the already harried reviewers have no reasonable means of summoning
3 each voter registration affidavit signature for purposes of comparison.

4 77. Even if it were practicable to conduct signature comparisons for multiple
5 signatures on a single VBM return envelope -- which for the reasons set forth above it
6 is not -- the signature reviewer has no means of knowing if there is a signature for each
7 ballot included in the envelope. Signatures are verified before the envelope is opened.

8 78. The acceptance of multiple ballots in a single VBM return envelope also
9 creates intractable practical problems for determining which votes have been legally
10 cast. If after opening a VBM ballot return envelope there are more ballots in the
11 envelope than signatures on the envelope, there is no means of determining which of
12 the multiple ballots is to be rejected, assuming any effort were made to make this
13 comparison. The same would hold true if one or more signatures on the VBM
14 envelope were rejected (which for the reasons set forth above, would never occur
15 under the standards set forth in 2 CCR §§ 20960 and 20961); there would be no way to
16 determine which ballot should not be counted.

17 79. The emergency regulations also dispose of state law requirements for what
18 may be considered a valid ballot. Subsection (b)(9) of 2 CCR § 20991 allows the voter
19 to submit virtually any piece of paper as a VBM ballot. Subsection (b)(10) of 2 CCR §
20 20991 allows the voter to submit votes for a VBM ballot on a sample ballot. These
21 regulations contravene EC § 13200, which provides that ballots not printed according
22 to statutory specifications cannot be cast or counted and EC § 13002, which requires
23 watermarking of printed ballots. The required use of official ballots is further
24 reinforced by EC § 14299, which requires strict procedures to be followed for
25 alternative ballots when a polling place exhausts its supply of ballots.

26 80. The fundamental dishonesty of the foregoing regulations and the clear
27 intent of the State to allow the counting of illegal votes is demonstrated by statements
28 made by defendant Padilla to assure voters that the mass mailing of VBM ballots

1 would not lead to voter fraud. On August 18, 2020, defendant Padilla published an
 2 opinion piece on the editorial pages of the San Francisco Chronicle. It stated that,
 3 “vote-by-mail ballots use specific paper types and watermarks to prevent forgery and
 4 fabrication,” and that “Each vote-by-mail ballot return envelope has a unique barcode
 5 that elections officials utilize to ensure a voter has not already cast a ballot.”
 6 [https://www.sfchronicle.com/opinion/article/Vote-by-mail-Yes-we-can-do-it-securely-](https://www.sfchronicle.com/opinion/article/Vote-by-mail-Yes-we-can-do-it-securely-in-15485395.php)
 7 [in-15485395.php](https://www.sfchronicle.com/opinion/article/Vote-by-mail-Yes-we-can-do-it-securely-in-15485395.php). These safeguards are intentionally discarded by subsections (b)(9)
 8 and (b)(10) of 2 CCR § 20991.

9 81. The emergency regulations also require the acceptance of VBM ballot
 10 envelopes with no reliable indication that the ballot was cast on or before election day.
 11 This is reflected in subsection (b)(8) of 2 CCR § 20991, which provides that a VBM
 12 ballot must be accepted when a “vote-by-mail ballot identification envelope has no
 13 dated postmark, the postmark is illegible, and there is no date stamp for receipt from a
 14 bona fide private mail delivery service, but the voter has dated the vote-by-mail ballot
 15 identification envelope or the envelope otherwise indicates that the ballot was executed
 16 on or before Election Day.”

17 82. Moreover, the legislature amended EC § 3020 to provide that, "for the
 18 statewide general election to be held on November 3, 2020, any vote by mail ballot
 19 cast under this division shall be timely cast if it is received by the voter’s elections
 20 official via the United States Postal Service or a bona fide private mail delivery
 21 company by the 17th day after election day . . ."

22 83. Thus, under the *California Elections Code* and the emergency regulations,
 23 VBM ballots that cannot reliably be determined to have been cast on or before election
 24 day are nevertheless required to be accepted up to 17 days after election day. This
 25 creates an open invitation to submit illegal ballots after election day to overturn
 26 reported election results, especially election contests decided by margins of very few
 27 votes.
 28

V. EIPCa Warns Defendant Padilla of Serious Irregularities with Voter Rolls Prior to the 2020 Election, but They Go Unremedied.

84. On March 1, 2020, prior to the primary election, EIPCa sent a letter to Defendant Padilla warning him that “[w]e have identified in the [State of California’s voter registration] file over 22,000 Californians that appear to be registered twice, some registered three or four times. Of these, we estimate that almost 5,000 duplicated registrants have been mailed two or more VBM ballots this election.” EIPCa noted that duplicate voting was likely to result.

85. On April 28, 2020, EIPCa sent Defendant Padilla statutory notice pursuant to 52 U.S.C. § 20510(b) of violations of Section 8 of the NVRA, 52 U.S.C. § 20507. The notice highlighted over 458,000 likely ineligible registrants who would be mailed ballots for the November election and an additional 24,000 duplicated registrants who would each be mailed two or more ballots unless corrected. The notice included supporting evidence that the state has over 1 million more registered voters than eligible citizens, per official government data.

86. On July 11, 2020, EIPCa warned Defendant Padilla that EIPCa had identified large numbers of ineligible voters on California’s voter rolls, including “13,456 California registrants who match a California Department of Public Health (CDPH) Death Index record” (327 of whom were 105+ years old), and 106,315 other voters who appear to be ineligible for a variety of reasons, such as having moved out of the state or being below the minimum age to vote. California’s failure to comply with the NVRA’s requirement to cancel registrations of ineligible voters is a major contributor to these issues.

87. EIPCa’s estimates of ineligible voters are conservative and significantly underestimate the full extent of the problem. For example, if a name and birthdate appearing on the voter roll is shared by both a deceased and a living person, EIPCa assumes the name belongs to the living person and does not include that name within its count of deceased voters, even though it is possible that the name on the voter roll

1 refers to the deceased person. Further, EIPCA does not include in its analysis names
 2 that are particularly common within the population (e.g., John Smith, Jose Gonzalez).
 3 An audit would likely find many times more ineligible voters than EIPCa is able to
 4 estimate with the information available to it.

5 88. EIPCa received responses to its letters downplaying EIPCa's concerns and
 6 refusing to remedy the identified problems.

7 89. EIPCa's concerns, however, would prove to be well-founded when massive
 8 irregularities and opportunities for fraud occurred during the November 2020 election.

9 **VI. Predictably, the Conduct of the 2020 Election Eviscerates Citizen**
 10 **Oversight, Causes Mass Irregularities and Opportunities for Fraud, and**
 11 **Violates the Rights of Lawful Voters, Citizen Observers and Candidates.**

12 **A. Citizen Observers Were Obstructed from Meaningfully Observing**
 13 **Vote Collection and Tabulation**

14 90. California citizens have the right to observe the entire election process,
 15 including vote collection, signature verification, the remaking of "damaged" and
 16 military ballots, and tabulation. These rights are codified in California Election Code
 17 §§ 2300 ((a) (9)(A)(B), (a)(10) and 15100 – 15105.

18 91. However, for observer rights to be effectuated, observers need to be close
 19 enough to ballot processing and vote tabulation activities to see what is actually taking
 20 place. The Code explicitly authorizes observers to see the voter's signature on each
 21 ballot that is processed, and the legislative history of the code notes that observers
 22 must receive "sufficiently close access" to examine ballots, as well as signatures on
 23 VBM ballot envelopes and ballots being remade (duplicated).

24 92. EIPCa provides non-partisan training to citizen observers across the State
 25 of California regarding how to observe the election process at polling locations and
 26 vote centers, as well as ballot processing and vote tabulation consistent with their
 27 rights under California law. These citizen election process observers provide Incident
 28 Reports to EIPCa, signed under penalty of perjury, regarding any irregularities they

1 witness. Other citizens also report irregularities to EIPCa.

2 93. In relation to the November 2020 election, EIPCa received hundreds of
3 Incident Reports signed under penalty of perjury establishing that EIPCa observers
4 were not allowed sufficiently close access to see the signatures on VBM ballots with
5 sufficient clarity to determine if established procedures were being followed.
6 Observation distances were too great. Observers were limited, at times, to a few
7 minutes of observing. In some cases, observation was provided through remote video
8 access which precluded the ability of observers to challenge whether established
9 procedures were being followed. In some counties, observers were not allowed to
10 observe the remaking of military, damaged or defective ballots. In others, they were
11 denied effective viewing of voting machines. In many cases, COVID-19 was used as
12 cover for these unreasonable and unlawful restrictions, yet county employees and
13 contractors, as well as employees of the companies that supplied and operated the
14 voting machines, were generally not subjected to these same restrictions.

15 94. Below is a sampling of the ways in which observation was obstructed on a
16 county-by-county basis:

17 **95. Alameda County:**

18 F. An EIPCa citizen observer was informed by multiple county
19 employees that no observers were allowed to observe vote processing
20 and counting at all due to COVID-19.

21 **96. Fresno County:**

22 G. Throughout Fresno County, citizen observers were kept in confined
23 areas too far from vote processing and counting activities to effectively
24 observe them. Defendant Orth told citizen observers at the Orange
25 Cove Library that they “needed to stay in [their] area and Observe!” It
26 was her interpretation that observers did not need to be close enough to
27 hear what was going on, as she informed the observer.

28 H. At Reedley Precinct 13, citizen observers were forced to remain in an

observer area which was approximately 35 feet back from check-in and in the back of the room. It was difficult to see and hear. A vote center supervisor would stare at observers if they moved from the designated observation area.

- I. At Orange Cove Precinct 14, citizen observers were required to stay in a confined area behind tables approximately 50 feet from vote processing and counting activities. It was difficult to see or hear.

97. Los Angeles County:

- J. A citizen observer was told by a head poll worker at Vasquez High School that “it was illegal for [her] to be [there]” as a poll observer after the polls closed. Because of this the citizen observer was forced to leave five minutes before the doors to the voting center closed.

98. Monterey County:

- K. Citizen observers were separated from election officials processing ballots by thick glass, making it impossible to hear the process, and more than ten feet away from the election officials’ desks, making it virtually impossible to see what they were doing.

99. Orange County:

- L. In Orange County, citizen observers were provided with computer “observation screens” on which to view ballot processing activities. However, observers were kept far away from these screens, making observation of details like signatures impossible to verify. One citizen observer resorted to viewing the screens with binoculars, but was still too far away to see signatures clearly.
- M. Observation screens were also turned off with varying or no explanation while the count continued. Citizens were unable to view or object to signature matches and the processing of conditional ballots because these screens were off.

1 N. The Registrar of Voters informed citizen observers that it had halted
 2 “first pass” ballot counting at 5:00 p.m. However, counting took place
 3 again later in the evening without the knowledge or observation of
 4 citizen observers. This would never have been discovered but for a
 5 citizen observer who logged into the Remote Observing System at
 6 6:30 p.m. and was “stunned” to see the video “was an active and live
 7 viewing of ‘first pass’ signatures” going on.

8 **100. Riverside County:**

9 O. Citizen observers were prevented from seeing ballots being remade in
 10 Riverside County. When an observer raised this with an election
 11 official, he told the observer there would be no changes to the process
 12 to enable observers to see ballots being remade. A temporary
 13 Elections Assistant in Riverside who took part in the remaking of
 14 ballots reported that she observed no method of accountability for the
 15 remaking of ballots that would ensure the voter’s original choice was
 16 accurately marked on the new ballot. The employees sat across from
 17 each other without view of what the other was doing and this occurred
 18 in the back of the room, far from where citizen observers could see
 19 because tall carts obstructed the view.

20 **101. Sacramento County:**

21 P. A citizen observer in Sacramento County was positioned more than 6
 22 feet from the counting desks which were also surrounded by
 23 plexiglass, making it nearly impossible to see ballot marks.

24 **102. Santa Clara County:**

25 Q. A citizen observer in Santa Clara reported “Observers were not
 26 allowed into the tabulation room to observe counting. Observers
 27 watched from conference room over zoom link, but camera was
 28 filming from the doorway/outside the room.” As such, observers had

1 limited view on the operation and could not readily object.

2 **103. Ventura County:**

3 R. Ventura County allowed only a limited number of citizen observers to
 4 observe ballot processing and vote tabulation in person, and they were
 5 directed to stand outside the vote tabulation center in the hall and
 6 observe through the window, approximately 20 feet away from the
 7 process. Ventura County also set up a limited number of streaming
 8 cameras to allow citizen observers to observe remotely, but they
 9 provided limited view of the facility and did not show the activity on
 10 computer screens.

11 **B. EIPCa Observes Widespread Irregularities and Evidence of**
 12 **Opportunities for Fraud in Hundreds of Sworn Declarations, Despite**
 13 **Obstruction of Election Observers**

14 104. Even with all of the measures put in place by Defendant County Registrars
 15 to disrupt citizen observers, citizens still observed a vast number of irregularities,
 16 which are documented in hundreds of sworn affidavits collected by EIPCa.

17 105. These affidavits demonstrate that signature verifications for VBM ballots
 18 for the November 2020 election were not meaningfully conducted statewide. As
 19 massive numbers of VBM ballots flooded vote counting centers, their signatures were
 20 visually checked at the rate of one signature pair every one to four seconds. In some
 21 cases, four signature comparisons were conducted simultaneously using images
 22 projected on computer monitors, at the rate of one to four seconds per screen. This
 23 cursory review is patently inadequate to ensure that the VBM ballots were properly
 24 vetted as legal votes as required by EC § 3019.

25 106. Observers noted widespread additional irregularities and potential for fraud
 26 across many counties:

27 **107. Contra Costa County:**

28 S. In Contra Costa County, poll data tapes from Dominion machines

show inconsistencies between votes as recorded by the machines, and later tabulation of those votes in the vote for President. In multiple cases, votes were added to the tally for Biden but not for Trump. The data tape from one poll center tabulator shows 95 votes for Biden and 147 for Trump, but the Dominion report released by the County shows 96 (an additional vote) for Biden and the same 147 for Trump. The same thing happened in at least three other cases. In each instance, Trump's votes remained constant while votes were added for Biden:

Poll Data Tapes		County Registrar's Report	
Biden	Trump	Biden	Trump
95	147	96	147
115	118	117	118
81	252	82	252
131	160	132	160

Only an audit can show whether the same irregularities hold true for other counties and other candidates.

- T. A voter had his ballot envelope signed by another person with a different name, and the County accepted the signature because no signature matching was taking place.
- U. A citizen who was voting observed a poll worker who instructed another voter how to vote on certain ballot items that voter had left blank because the voter knew nothing about them, per her own admission. The poll worker provided her this guidance without solicitation.

108. Fresno County:

- V. At Fresno County's Clovis Center, a supervisor informed a citizen observer that the ballots for the first day of early voting (10/31/2020)

had been left inside a vote tallying machine “unattended in a locked room overnight,” and that it was his understanding this practice would continue every night until the final closing of the voting center.

109. Los Angeles County:

- W. A citizen at Los Angeles County’s Pasadena Victory Park center witnessed a machine change a voter’s vote.
- X. Multiple observers at voting centers saw “many workers with open bags, big purses and other stuff around desks” in violation of security procedures, noting that “[b]allots could easily have been taken.”
- Y. An observer at Los Angeles County’s Claremont center witnessed two different women drop off multiple ballots without voter signatures. Nevertheless, the ballots were counted by election officials.
- Z. Even where signature matching was done, it was not done effectively. One observer watched a worker matching signatures four at a time (as in other counties) and spending five seconds or less per each set of four. The observer saw over 40 signatures that did not match, and three with no reference signature to match whatsoever, but only one was flagged. Another observed 95 signatures that should have been challenged but were not. Including “[m]any [that] had no signature or a total mismatch.” (Emphasis added.)

110. Monterey County:

- AA. Voters in Salinas who voted in person were advised that a provisional ballot must be used. A mail carrier in the Salinas Post Office informed a voter that his superiors had instructed him to “cram all the ballots into a mailbox” even if he knew many of the voters at the address did not live there.

111. Orange County:

- BB. Election officials did not perform meaningful signature matching of

signatures on VBM ballot envelopes with those on record. Signatures were displayed four at a time on computer screens and remained on the screen for only a few seconds, leaving no actual time for signature matching to occur or for observers to object. Ballots with signatures that did not appear to match were allowed to be counted. Incredibly, an election official informed a citizen observer that “they do not verify signatures for provisional ballots” at all. Another election official informed a citizen observer that Defendant Kelley had modified a ballot processing rule that previously required signature pairs to be examined for 12 seconds each.

CC. The status of VBM envelope signatures that were challenged by citizen observers was changed from “challenged” to “good” without meaningful review by election officials. During ballot processing, an election official announced over the public address system that citizen observers were challenging too many signatures and that the election officials would not have time to get to all of them.

DD. At the meeting of the League of Women Voters of Central Orange County on November 16, Defendant Kelley expressed surprise about the changes regarding signature verification because the new instruction essentially amounted to a directive that “basically all ballots were to be considered valid unless there was substantial proof otherwise.” He elaborated the Registrars were notified of the changes to the CCRs on September 28 in relation to the Emergency Regulation passed down by Secretary of State Padilla.

112. **Riverside County:**

EE. An observer witnessed ballots put into boxes that were never sealed, and were put into an election official’s car in which another unidentified individual was riding.

1 FF. A temporary assistant at the Registrar of Voters was assigned to accept
 2 drive-in VBM ballots curbside. She “observed temp. employees taking
 3 ballots without checking for signatures or if the person was dropping
 4 off for others. NO effort was made to check for their signature and
 5 their relationship to the person.”

6 **113. Sacramento County:**

7 GG. A citizen observer reported that he saw on multiple occasions a ballot
 8 marked for both Biden and Trump, but with the Trump indicator
 9 having an “x” through it. The observer mentioned this to the
 10 adjudicators, who refused to elevate the issue to supervisors,
 11 concluding, without evidence, the voter had just changed his or her
 12 mind. On another date, the same citizen observer again saw a ballot
 13 marked for both Trump and Biden, with the Trump indicator having an
 14 “x” through it, and the ballot being counted for Biden.

15 **114. San Bernardino County:**

16 HH. An election official at the San Bernardino Registrar of Voters
 17 informed a citizen, “not all of the ballots will be counted, because
 18 California is such a Democrat state,” in response to the citizen’s
 19 inquiry as to why her in-person ballot had not already been counted.

20 II. A citizen observer observed that there were 400+ more registered
 21 voters on the rolls than there had been the night before (after polls had
 22 closed). No explanation was found for this increase.

23 JJ. A citizen observer witnessed voters being registered to vote
 24 provisionally without providing ID.

25 **115. Santa Clara County:**

26 KK. On November 2, a citizen observer arrived at the Santa Clara Registrar
 27 of Voters at 7:02 a.m. and found the double entrance doors and side
 28 doors leading to ballot processing area open and unattended. An

employee arrived at 7:08 a.m. and said that the area was not supposed to be open. No supervisor or other employee was found in the area and the unopened doors were not explained.

116. Ventura:

LL. In Ventura County, a Dominion employee was observed inserting a flash drive into a Dominion machine while it was tallying votes, after which the Dominion system was rebooted. The Dominion employee then removed the drive from the Dominion machine, placed it into his own laptop, and performed operations on the laptop. He then removed the drive from the laptop and provided it to the Ventura County election official who was operating the Dominion system.

C. Voting Machines Used to Collect and Tabulate Votes Contain Known Vulnerabilities Allowing Miscounting and Vote Manipulation

117. Most California counties processed ballots and tabulated votes in the November 2020 election using computerized voting machines supplied by either Dominion or Smartmatic. The software that runs on Dominion and Smartmatic machines is substantially the same, with the Dominion system deriving from the Smartmatic system.

118. Both Dominion and Smartmatic consider their software proprietary and refuse to share the full source code with the public. This means that the system used to process ballots and tabulate votes is secret.

119. Even with this secrecy, there are well-established vulnerabilities in Dominion and Smartmatic systems.

120. Both systems classify ballots into two categories, 1) normal ballots and 2) adjudicated ballots. Ballots sent to adjudication can be altered by election officials, and adjudication files can be moved between different Results Tally and Reporting (RTR) terminals with no audit trail of which election official actually adjudicates (i.e., votes) the ballot batch. This demonstrates a significant and fatal error in security and

1 election integrity because it provides no meaningful observation of the adjudication
2 process or auditable trail of which election official actually adjudicates a ballot.
3 Without an audit to show how many ballots are “adjudicated,” it is impossible to tell
4 how many votes election officials are given access to manipulate. In an audit of votes
5 in Michigan Central Lake Township in Antrim County, there were 1,222 ballots
6 reversed out of 1,491 total ballots cast, resulting in an 81.96% rejection rate, meaning
7 the vast majority of all ballots cast were sent to adjudication for a decision by election
8 officials. Even a much smaller percentage of adjudicated ballots would allow election
9 officials to modify votes to change the outcome of nearly any race in the State of
10 California.

11 121. Dominion and Smartmatic also allow election officials to generate reports
12 as vote counting is ongoing. Such reports could be used by a malicious party to
13 determine how many votes would need to be changed in order to manipulate the
14 outcome of an election. These reports, however, are deleted after they are run and are
15 not available to the public, concealing any such misuse of the software.

16 122. Ballot images, ballot totals and ballot envelopes processed by Dominion
17 and Smartmatic systems are not available to the public, so the accuracy of the systems’
18 vote processing cannot be validated without an audit.

19 123. Ballots and envelopes are separated during VBM ballot processing, leaving
20 no audit trail. If a signature on a VBM envelope is later determined to have been
21 invalid, the ballot or ballots from that envelope cannot be identified and removed from
22 the vote count.

23 124. Dominion and Smartmatic systems can be connected to the internet while
24 processing ballots and tabulating votes. This creates the opportunity for unlawful
25 remote manipulation of election results.

26 125. Information can also be moved to and from systems locally using flash
27 drives, as was apparently done in Ventura County (*supra* ¶ 116). This too creates the
28 opportunity for unlawful manipulation of election results.

D. Concerns Regarding Dominion and Smartmatic Systems Have Been Raised by Many Other Credible Entities, Including Federal and State Courts, State Registrars, Security Experts and Academic Publications

126. There is widespread concern across institutions at the State and Federal levels, as well as in academia and the security industry, regarding the systemic problems and vulnerabilities with Dominion and Smartmatic voting system.

127. An industry expert, Dr. Andrew Appel, Princeton Professor of Computer Science and Election Security Expert has recently observed, with reference to Dominion Voting machines, “I figured out how to make a slightly different computer program that just before the polls were closed, it switches some votes around from one candidate to another. I wrote that computer program into a memory chip and now to hack a voting machine you just need 7 minutes alone with it and a screwdriver.” *See* Andrew W. Appel, et al., “Ballot Marking Devices (BMDs) Cannot Assure the Will of the Voters” at (Dec. 27, 2019) (“Appel Study”).

128. A Penn Wharton Study from 2016 concluded that “Voters and their representatives in government, often prompted by news of high-profile voting problems, also have raised concerns about the reliability and integrity of the voting process, and have increasingly called for the use of modern technology such as laptops and tablets to improve convenience.” *See* Matt Caufield, *The Business of Voting*, July 2018.

129. In 2018, Jill Stein was in litigation with Dominion Voting Systems (“DVS”) after her 2016 recount request pursuant to WISCONSIN STAT. § 5.905(4) wherein DVS obtained a Court Order requiring confidentiality on information including vote counting source code, which Dominion claims is proprietary – and must be kept secret from the public. (*See* unpublished decision, Wisconsin Court of Appeals, No. 2019AP272 issued April 30, 2020). Rather than engaging in an open and transparent process to give credibility to Wisconsin's Dominion-Democracy Suite voting system, the processes were hidden during the receipt, review, opening, and

1 tabulation of those votes in direct contravention of Wisconsin's Election Code and
2 Federal law.

3 130. The same Dominion Democracy Suite was denied certification in Texas by
4 the Secretary of State on January 24, 2020, specifically because the “examiner reports
5 raise concerns about whether Democracy Suite 5.5-A system ... is safe from fraudulent
6 or unauthorized manipulation.” *See* State of Texas Secretary of State, Elections
7 Division, Report of Review of Dominion Voting Systems Democracy Suite 5.5-A at 2
8 (Jan. 24, 2020).

9 131. Substantial evidence of this vulnerability was discussed in Judge Amy
10 Totenberg's October 11, 2020 Order in the USDC N.D. Ga. case of *Curling, et al. v.*
11 *Kemp, et. al*, Case No. 1:17-cv-02989 Doc. No. 964. See, p. 22-23 (“This array of
12 experts and subject matter specialists provided a huge volume of significant evidence
13 regarding the security risks and deficits in the system as implemented in both witness
14 declarations and live testimony at the preliminary injunction hearing.”); p. 25 (“In
15 particular, Dr. Halderman's testing indicated the practical feasibility through a cyber
16 attack of causing the swapping or deletion of specific votes cast and the compromise of
17 the system through different cyber attack strategies, including through access to and
18 alteration or manipulation of the QR barcode.”)

19 132. Similarly, a District Judge in Georgia found that Dominion's ballots are not
20 voter verifiable, and they cannot be audited in a software independent way. The
21 credibility of a ballot can be no greater than the credibility of Dominion's systems,
22 which copious expert analysis has shown is deeply compromised. Similar to the issues
23 in Wisconsin, Judge Totenberg of the District Court of Georgia Northern District held:

24 Georgia's Election Code mandates the use of the [ballot marking
25 device] BMD system as the uniform mode of voting for all in-person
26 voters in federal and statewide elections. O.C.G.A. § 21-2-300(a)(2).
27 The statutory provisions mandate voting on “electronic ballot
28 markers” that: (1) use “electronic technology to independently and

1 privately mark a paper ballot at the direction of an elector, interpret
 2 ballot selections, ... communicate such interpretation for elector
 3 verification, and print an elector verifiable paper ballot;" and (2)
 4 "produce paper ballots which are marked with the elector's choices in
 5 a format readable by the elector" O.C.G.A. § 21-2-2(7 1); O.C.G.A. §
 6 21-2-300(a)(2). Plaintiffs and other voters who wish to vote in-person
 7 are required to vote on a system that does none of those things.
 8 Rather, the evidence shows that the Dominion BMD system does not
 9 produce a voter-verifiable paper ballot or a paper ballot marked with
 10 the voter's choices in a format readable by the voter because the votes
 11 are tabulated solely from the unreadable QR code
 12 *See Order*, pp. 81-82.

13 133. This case was later affirmed in a related case, in the Eleventh Circuit in
 14 2018 related to Georgia's voting system in *Common Cause Georgia v. Kemp*, 347 F.
 15 Supp. 3d 1270 (11th Cir. 2018). The Court found:

16 In summary, while further evidence will be necessary in the future,
 17 the Court finds that the combination of the statistical evidence and
 18 witness declarations in the record here (and the expert witness
 19 evidence in the related Curling case which the Court takes notice of)
 20 persuasively demonstrates the likelihood of Plaintiff succeeding on its
 21 claims. Plaintiff has shown a substantial likelihood of proving that the
 22 Secretary's failure to properly maintain a reliable and secure voter
 23 registration system has and will continue to result in the infringement
 24 of the rights of the voters to cast their vote and have their votes
 25 counted.

26 *Id.* at 1294-1295.

27 134. The expert witness in the above litigation in the United States District Court
 28 of Georgia, Case 1:17-cv-02989-AT, Harri Hursti, specifically testified to the acute

1 security vulnerabilities, see Ex. 107, wherein he testified or found:

2 A. “The scanner and tabulation software settings being employed to
3 determine which votes to count on hand marked paper ballots are
4 likely causing clearly intentioned votes not to be counted” “The
5 voting system is being operated in Fulton County in a manner that
6 escalates the security risk to an extreme level.” “Votes are not
7 reviewing their BMD printed ballots, which causes BMD generated
8 results to be un-auditable due to the untrustworthy audit trail.” 50% or
9 more of voter selections in some counties were visible to election
10 workers. Dominion employees maintain near exclusive control over
11 the EMS servers. “In my professional opinion, the role played by
12 Dominion personnel in Fulton County, and other counties with similar
13 arrangements, should be considered an elevated risk factor when
14 evaluating the security risks of Georgia's voting system.” *Id.* ¶26.

15 B. A video game download was found on one Georgia Dominion
16 system laptop, suggesting that multiple Windows updates have been
17 made on that respective computer.

18 C. There is evidence of remote access and remote troubleshooting
19 which presents a grave security implication.

20 D. Certified identified vulnerabilities should be considered an
21 “extreme security risk.”

22 E. There is evidence of transfer of control the systems out of the
23 physical perimeters and place control with a third party off site.

24 F. USB drives with vote tally information were observed to be
25 removed from the presence of poll watchers during a recent election.

26 G. “The security risks outlined above – operating system risks, the
27 failure to harden the computers, performing operations directly on the
28 operating systems, lax control of memory cards, lack of procedures,

and potential remote access, are extreme and destroy the credibility of the tabulations and output of the reports coming from a voting system.” *Id.* ¶49.

135. A forensic audit of Antrim County, Michigan vote tabulation found that the Dominion system had an astonishing error rate of 68%. *See* Ramsland Jr., Russell. “Antrim Michigan Forensics Report.” *William Bailey v. Antrim County*, Michigan, December 13, 2020. [https://depernolaw.com/uploads/2/7/0/2/27029178/antrim_michigan_forensics_report \[121320\] v2 \[redacted\].pdf](https://depernolaw.com/uploads/2/7/0/2/27029178/antrim_michigan_forensics_report_[121320]_v2_[redacted].pdf)

136. By way of comparison, the Federal Election Committee requires that election systems must have an error rate no larger than 0.0008%. *See* “Excerpts from the 2002 FEC Voting System Standards – 3.2.1 Accuracy Requirements.” Michigan Secretary of State. <https://www.michigan.gov/sos/0,4670,7-127-1583-130621-,00.html>

137. Also, in Michigan Central Lake Township County, there were 1,222 ballots reversed out of 1,491 total ballots cast, resulting in an 81.96% rejection rate. All reversed ballots are sent to adjudication for a decision by election personnel, a process that invites human error and fraud into the voting process.

E. 100% of Ballots Used in the November 2020 Election Were Invalid Due to Failure to Conform to State Law

138. California Elections Code § 13205(b) and (c) requires specific instructions be printed on all ballots used “[i]n elections when electors of President and Vice President of the United States are to be chosen. Upon information and belief, all ballots used in the November 2020 election, lacked either the information mandated by EC § 13205(b) or (c).

139. California Elections Code § 13200 states, “[b]allots not printed in accordance with this chapter shall not be cast nor counted at any election.” Based on this clear California law, none of the ballots cast in the November 2020 election should

1 have been “cast” or “counted.”

2 **VII. An Audit is Necessary to Identify the Full Extent of the Fraud and**
 3 **Irregularities, and the Effects of the California’s Unconstitutional, Laws,**
 4 **Regulations and Orders.**

5 140. In spite of an election marred by lack of citizen oversight, and policies and
 6 procedures that created massive opportunities for both error and fraud, California has
 7 provided no meaningful access to the VBM ballots and envelopes, the voting machines
 8 used to record, tabulate and report votes, or additional infrastructure that was
 9 implicated in election irregularities, including laptops and flash drives used by
 10 Dominion employees. The entire process of receiving, tabulating and reporting votes
 11 remains effectively hidden from citizens.

12 141. This situation is intolerable in light of widespread evidence of vote
 13 irregularities, which shows that election outcomes could have been changed and
 14 citizens disenfranchised throughout the state.

15 142. Evidence must be preserved and made available to Plaintiffs’ qualified
 16 experts, so that an audit can be conducted to determine the extent and effect of the
 17 irregularities and fraud reported.

18 143. Emergency action is needed due to the imminent possibility of evidence
 19 tampering, further upcoming elections scheduled to take place as early as March 2021
 20 that will be similarly affected (including because Defendant Padilla’s emergency
 21 regulations will still be in effect then), and the likelihood that unconstitutional
 22 emergency orders and restrictions will be extended beyond their current sunset dates.

23 **FIRST CAUSE OF ACTION**

24 **Violation of Elections Clause: Art. I, § 4, cl. 1 of U.S. Constitution; 42 USC 1983**

25 144. Plaintiffs repeat and incorporate by reference the allegations set forth in
 26 Paragraphs 1 through 143 of this Complaint as if fully set forth herein.

27 145. The Elections Clause of the U.S. Constitution states that “[t]he Times,
 28 Places, and Manner of holding Elections for Senators and Representatives, shall be

1 prescribed in each State by the Legislature thereof.” Art. I, § 4, cl. 1 (emphasis added).

2 146. The Legislature is “the representative body which ma[kes] the laws of the
3 people.” *Smiley v. Holm*, 285 U.S. 355, 365 (1932). Regulations of congressional and
4 presidential elections, thus, “must be in accordance with the method which the state
5 has prescribed for legislative enactments.” *Id.* at 367; *see also Ariz. State Legislature v.*
6 *Ariz. Indep. Redistricting Comm’n.*, 135 S. Ct. 2652, 2668 (2015).

7 147. Defendants have violated the Elections Clause by usurping the California
8 State Legislature’s constitutional authority to set the manner of elections.

9 148. Plaintiffs have suffered damage by reason of the diminishment of the value
10 of their votes and the votes of their supporters by reason of defendants’ violation of the
11 Elections Clause.

12 149. Plaintiffs have no adequate remedy at law and will suffer irreparable harm
13 unless the court enjoins defendants’ violation of the Elections Clause.

14 150. Plaintiffs are entitled to declaratory relief and temporary, preliminary and
15 permanent injunctive relief invalidating or restraining the defendants’ violations of the
16 Elections Clause.

17 **SECOND CAUSE OF ACTION**

18 **Denial of Equal Protection: 14th Amendment of U.S. Constitution; 42 USC 1983**

19 151. Plaintiffs repeat and incorporate by reference the allegations set forth in
20 Paragraphs 1 through 150 of this Complaint as if fully set forth herein.

21 152. The Fourteenth Amendment of the United States Constitution provides “nor
22 shall any state deprive any person of life, liberty, or property, without due process of
23 law; nor deny to any person within its jurisdiction the equal protection of the laws.”
24 *See also Bush v. Gore*, 531 U.S. 98, 104 (2000) (having once granted the right to vote
25 on equal terms, the State may not, by later arbitrary and disparate treatment, value one
26 person’s vote over the value of another’s); *Harper v. Virginia Board of Elections*, 383
27 U.S. 663, 665 (1966) (“Once the franchise is granted to the electorate, lines may not be
28 drawn which are inconsistent with the Equal Protection Clause of the Fourteenth

Amendment.”).

153. Defendants have violated the Equal Protection Clause by diminishing the value of votes legally cast by and for the individual Plaintiffs and EIPCa’s citizen observers by intentionally failing to ensure that only legally cast VBM ballots were included in the canvass for the 2020 general election in California.

154. Defendants have further violated the Equal Protection Clause by applying disparate rules in different counties, causing the votes of some California citizens to be treated differently from those of others.

155. Plaintiffs have suffered damage by reason of the diminution in value of votes by reason of Defendants’ violation of the Equal Protection Clause.

156. Plaintiffs have no adequate remedy at law and will suffer irreparable harm unless the court enjoins defendants’ violation of the Equal Protection Clause.

157. Plaintiffs are entitled to declaratory relief and temporary, preliminary and permanent injunctive relief invalidating or restraining the defendants’ violations of the Equal Protection Clause.

THIRD CAUSE OF ACTION

Denial of Due Process: 14th Amendment of U.S. Constitution; 42 USC 1983

158. Plaintiffs repeat and incorporate by reference the allegations set forth in Paragraphs 1 through 157 of this Complaint as if fully set forth herein.

159. The right of qualified citizens to vote in a state election involving federal candidates is recognized as a fundamental right under the Fourteenth Amendment of the United States Constitution. *Harper*, 383 U.S. at 663. *See also Reynolds v. Sims*, 377 U.S. 533, 554 (1964) (The Fourteenth Amendment protects the “the right of all qualified citizens to vote, in state as well as in federal elections.”). Indeed, ever since the *Slaughter-House Cases*, 83 U.S. 36 (1873), the United States Supreme Court has held that the Privileges or Immunities Clause of the Fourteenth Amendment protects certain rights of federal citizenship from state interference, including the right of citizens to directly elect members of Congress. *See Twining v. New Jersey*, 211 U.S.

1 78, 97 (1908) (*citing Ex parte Yarbrough*, 110 U.S. 651, 663-64 (1884)); *See also*
 2 *Oregon v. Mitchell*, 400 U.S. 112, 148-49 (1970) (Douglas, J., concurring) (collecting
 3 cases).

4 160. The fundamental right to vote protected by the Fourteenth Amendment is
 5 cherished in our nation because it “is preservative of other basic civil and political
 6 rights.” *Reynolds*, 377 U.S. at 562. Voters have a “right to cast a ballot in an election
 7 free from the taint of intimidation and fraud,” *Burson v. Freeman*, 504 U.S. 191, 211
 8 (1992), and “[c]onfidence in the integrity of our electoral processes is essential to the
 9 functioning of our participatory democracy.” *Purcell v. Gonzalez*, 549 U.S. 1, 4
 10 (2006) (*per curiam*).

11 161. “Obviously included within the right to [vote], secured by the Constitution,
 12 is the right of qualified voters within a state to cast their ballots and have them
 13 counted” if they are validly cast. *United States v. Classic*, 313 U.S. 299, 315 (1941).
 14 “[T]he right to have the vote counted” means counted “at full value without dilution or
 15 discount.” *Reynolds*, 377 U.S. at 555, n.29 (*quoting South v. Peters*, 339 U.S. 276, 279
 16 (1950) (Douglas, J., dissenting)).

17 162. “Every voter in a federal . . . election, whether he votes for a candidate
 18 with little chance of winning or for one with little chance of losing, has a right under
 19 the Constitution to have his vote fairly counted, without its being distorted by
 20 fraudulently cast votes.” *Anderson v. United States*, 417 U.S. 211, 227 (1974); *see*
 21 *also Baker v. Carr*, 369 U.S. 186, 208 (1962). Invalid or fraudulent votes “debase[]”
 22 and “dilute” the weight of each validly cast vote. *See Anderson*, 417 U.S. at 227.

23 163. The right to an honest [count] is a right possessed by each voting elector,
 24 and to the extent that the importance of his vote is nullified, wholly or in part, he has
 25 been injured in the free exercise of a right or privilege secured to him by the laws and
 26 Constitution of the United States.” *Anderson*, 417 U.S. at 226 (*quoting Prichard v.*
 27 *United States*, 181 F.2d 326, 331 (6th Cir.), *aff’d* due to absence of quorum, 339 U.S.
 28 974 (1950)).

1 164. Practices that promote the casting of illegal or unreliable ballots or fail to
 2 contain basic minimum guarantees against such conduct, can violate the Fourteenth
 3 Amendment by leading to the diminution in value of validly cast ballots. *See Reynolds*,
 4 377 U.S. at 555 (“[T]he right of suffrage can be denied by a debasement or dilution of
 5 the weight of a citizen’s vote just as effectively as by wholly prohibiting the free
 6 exercise of the franchise.”).

7 165. Defendants have violated the Due Process Clause by diminishing the value
 8 of votes legally cast by Plaintiffs and their supporters by intentionally failing to ensure
 9 that only legally cast VBM ballots were included in the canvass for the 2020 general
 10 election in California.

11 166. Plaintiffs have suffered damage by reason of the diminution in value of
 12 their votes and the votes of their supporters by reason of Defendants’ violation of the
 13 Due Process Clause.

14 167. Plaintiffs have no adequate remedy at law and will suffer irreparable harm
 15 unless the court enjoins defendants’ violation of the Due Process Clause.

16 168. Plaintiffs are entitled to declaratory relief and temporary, preliminary and
 17 permanent injunctive relief invalidating or restraining the defendants’ violations of the
 18 Due Process Clause.

19 **FOURTH CAUSE OF ACTION**

20 **Violation of Guarantee Clause: Art. IV, § 4 of U.S. Constitution; 42 USC 1983**

21 169. Plaintiffs repeat and incorporate by reference the allegations set forth in
 22 Paragraphs 1 through 168 of this Complaint as if fully set forth herein.

23 170. The Guarantee Clause of the U.S. Constitution states that “[t]he United
 24 States shall guarantee to every State in this Union a Republican Form of Government,
 25 and shall protect each of them against Invasion. . . .” (Art. IV, § 4.)

26 171. Defendants have violated the Guarantee Clause by implementing laws,
 27 regulations and orders, and conducting elections, so as to deny California and its
 28 citizens, including Plaintiffs, a republican form of government.

172. Defendants have further violated the Guarantee Clause by implementing laws, regulations and orders, and conducting elections, so as to allow foreign interference in California elections, denying California and its citizens, including Plaintiffs, from protection against invasion.

173. Plaintiffs have suffered damage by reason of the diminishment of the value of their votes and the votes of their supporters by reason of defendants' violation of the Guarantee Clause.

174. Plaintiffs have no adequate remedy at law and will suffer irreparable harm unless the court enjoins defendants' violation of the Guarantee Clause.

175. Plaintiffs are entitled to declaratory relief and temporary, preliminary and permanent injunctive relief invalidating or restraining the defendants' violations of the Guarantee Clause.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray judgment against Defendants as follows:

- A. An immediate order directing Defendants to preserve in their current state all voting machines, software, peripherals (including flash drives and other memory storage), computers, reports generated, and other data and equipment used to cast, examine, count, tabulate, modify, store or transmit votes or voting data in the November 2020 elections in California for inspection by Plaintiffs' experts;
- B. An immediate order directing Defendants to preserve all VBM ballots, VBM ballot envelopes, RAVBM ballots, remade or duplicated ballots, adjudicated ballots and other documents used to cast votes in the November 2020 elections in California for inspection by Plaintiffs' experts;
- C. An order directing Defendants Newsom and Padilla to de-certify the election results;
- D. A declaratory judgment that the following are unconstitutional:

- a. California Assembly Bill 860
 - b. Governor Newsom's Executive Orders numbers N-64-20 and 67-20;
 - c. California Code of Regulations §§ 20910, 20960, 20961, 20962, 20980, 20981, 20982, 20983, 20984, 20985, 20990, 20991, 20992, and 20993;
 - d. California Elections Code § 3020;
 - e. The restrictions imposed on citizen observers by Defendant County Registrars during and after the November 2020 election;
- E. Plaintiffs' costs of suit;
 - F. Reasonable attorneys' fees; and
 - G. Such other relief as is just and proper.

DATED: January 4, 2021

PRIMARY LAW GROUP, P.C.

/s/ Joshua Kroot

By: Joshua Kroot
Attorneys for Plaintiffs