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Mud Pies at Lake Merced

By Thomas K. Pendergast

The entire San Francisco Public Utilities Commission visited Lake Merced for the first time on March 26, 2013 to discuss what should be done about the City's largest natural fresh-water lake and its many problems.

They got more than an earful from a variety of stakeholders, including members of the Pacific Rod and Gun Club, dragon-boat racers, and some calling for the SFPUC to remove San Francisco's Recreation & Parks Department (RPD) as the managing bureaucracy for recreational activities at the lake.

They also found out that this same department was just awarded a grant of half a million dollars from California's State Department of Boating and Waterways to fix a dock, gangway, and anchoring system on the lake's north side.

Plus only a couple of days before this meeting the lake was stocked with trout, so now the RPD can once again offer a fishing program.

Steve Ritchie, an assistant general manager at the SFPUC, started by giving a presentation to the standing-room-only crowd packing the upper floor of the Harding Park golf course clubhouse, reviewing the challenges to revitalizing the lake.

There is the problem of drainage from nearby Daly City, which dumps some of its extra storm water into the Lake Merced area through a canal and tunnel that goes around the lake.

"That is a real bottleneck right now," said Ritchie. "So we're working with Daly City right now to improve the drainage .



The standing room only crowd at the SFPUC's only Lake Merced hearing (ever). Many were gun club members. Missing? The students who actually use the lake.

planning there and hopefully provide for treatment of storm water so we can have some of that storm water go into the lake. ... It really revolves around Lake Merced as part of the solution for flood control in Daly City, as well as providing a stable water source for San Francisco."

Cont. p. 8

Laguna Honda Hospital's Whistleblower Retaliation

Terminally Wrong: Is Laguna Honda's \$750,000 Misstep Business as Usual?

By Patrick Monette-Shaw

Three years after jointly filing three whistleblower complaints with his colleague Dr. Maria Rivero, Dr. Derek Kerr's wrongful termination settlement agreement was finally approved on second reading by San Francisco's Board of Supervisors on March 26, awarding him \$750,000 in monetary damages and other non-monetary awards.

Kerr's settlement is one of the largest pre-trial (out-of-court) settlements in San Francisco history, although post-trial settlements have been larger.

Like all great mysteries, the great Laguna Honda Hospital Patient Gift Fund scandal of



Retaliation against Laguna Honda Doctors reveals how the City does business

2010 started with some curiosity, ethical concerns, and a compelling public-interest question: If the fund was nearing "bankruptcy," what happened to the money?

When former Laguna Honda physicians Kerr and Rivero put on their detective hats, neither expected that the age old question "show us the money" would quickly result in prompt retaliation, harassment, and wrongful termination.

The sordid patient gift fund mystery started with a classic example of mismanagement over a small issue — reimbursement to Dr. Rivero for a mere \$100 she had spent for tacos for LHH's Spanish Focus ward in September 2009. Told that the \$2 million gift fund was nearing insolvency and couldn't reimburse her, Rivero and Kerr became gumshoes when they requested and began researching 10 years of gift fund public records on October 31, 2009.

After examining thousands of pages of public records and placing serial records requests, the pair filed an Ethics complaint on March 2, 2010, which clearly documented mismanagement of the patient gift fund. Just hours after submitting copies of their whistleblower gift fund complaint with the Ethics Commission on March

...they believed the law ... which clearly prohibits termination, demotion, or suspension of City employees as retaliation for reporting waste, fraud, and inefficiencies in City government to the Ethics Commission, City Controller, District Attorney, or City Attorney.

Kerr and Rivero were wrong."

4, it reached the District Attorney, and retaliation against them was set in motion, after they had simply exercised their First Amendment right to free speech.

When Dr. Kerr and Dr. Rivero filed a trio of Ethics complaints, they believed the First Amendment and Fourteenth Amendment right to due process would protect them for exposing fraud, waste, and corruption. They believed 42 U.S.C. §1983, which provides protections for citizens injured by deprivation of Constitutional rights, and which provides redress for violations of due process, would protect them, along with the federal Whistleblower Protection Enhancement Act of 2012.

They believed that California Government Code §53298, California Health and Safety Code §1432, and California Labor Code §1102.5 — which each provide separate prohibitions against employee retaliation — would protect them.

Cont. p. 1

SFTA Takes Charge

Cash Erodes CEQA's Auto Congestion Standards

By George Wooding

San Francisco's Transportation Authority wants to stop utilizing car congestion and delays as a traffic measurement.

Cars are constantly blamed for high greenhouse gas emissions by San Francisco transit agencies and the Department of Environment (DOE). Yet according to the DOE's ... study by ICF International, gasoline-using cars represent only 9% of green house gas emissions."

Buried deeply inside the California Environmental Quality Act (CEQA) transportation regulations is a traffic measurement called "Level of Service" (LOS). LOS was developed in 1970 as the fundamental building block of SF's transportation. Now the Transportation Authority is advocating for a change to CEQA regulations.

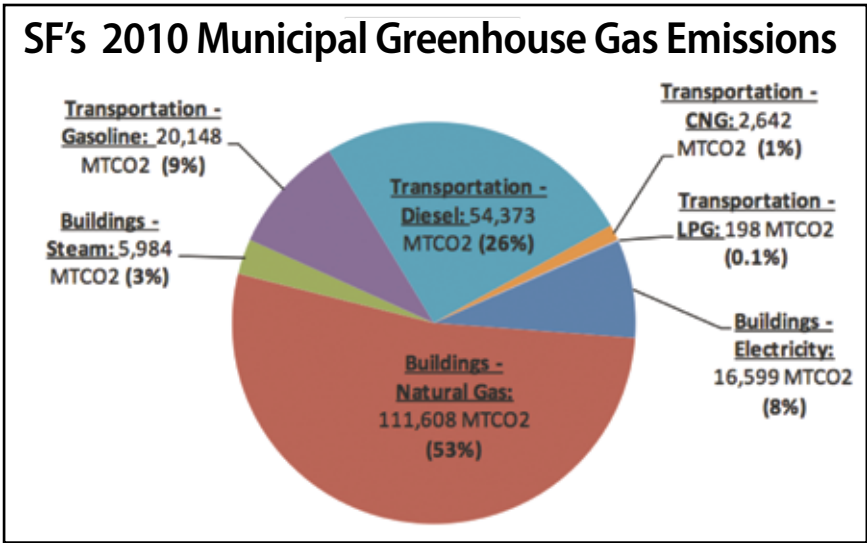
The chief function of LOS is to measure the delay each car experiences at a particular intersection.

LOS is a simple measuring system of how new real estate developments and transportation plans impact car usage in SF. Car congestion and delay measurements are rated on a scale of "A," being good traffic flow, to a low of "F," which means unacceptable congestion.

Under current CEQA interpretations, LOS is a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver,

Cont. p. 2





CEQA Emissions (Cont. from p. 1)

traffic interruptions, and comfort and convenience of transportation.

The City, its Transportation Authority, Planning Department, San Francisco Municipal Transportation Agency, and the Department of Energy all complain that LOS does not do a good job measuring environmental impacts.

These agencies believe that the LOS-based system needs to be replaced, as it supposedly will cause roads to be widened, sidewalks to shrink, crosswalks removed, dangerous bicycle lanes added, traffic lights to be retimed, and greenhouse gas (GHG) emissions levels increased.

In 1973, the City adopted a “Transit First” policy that gave planning priority to modes of transportation other than the automobile. The City’s Transit First policy expressly states that decisions related to streets and sidewalks “shall encourage the use of public rights-of-way by pedestrians, bicyclists, and public transit.”

The “Transit First” policy was the first step toward demonizing car usage, blaming cars for GHG emissions, and for steeply increasing fees to own cars.

Now that the Transportation Authority will be trying to replace the LOS system in the November 2014 general election, car congestion and delay will become a second-tier priority. Greater car congestion and delay is inevitable, and the City doesn’t care.

The San Francisco Transportation Authority — the City department that serves as the designated Congestion Management Agency (CMA) for San Francisco under

state law — is trying hard to get rid of the old LOS system used by CEQA by creating a new CEQA transportation measurement system: Automobile Trips Generated (ATG). ATG is based on measuring:

- 1) The number of *new* auto trips a new real estate development *might* generate, and
- 2) Charging developers throughout the City an arbitrary Transportation Sustainability Fee (TSF).

According to the Transportation Authority’s data, automobile travel still represents 56% of San Francisco’s daily trips, bicycles and pedestrians represent 26%, and public mass transit represents 18%. Further analysis shows that automobile usage would be even more dominant if the length of trips were taken into consideration, because motorized trips are longer on average than bike and pedestrian trips.

The TSF used to apply primarily to just large downtown developers to help subsidize the huge transportation costs of bringing workers downtown. Now, every developer throughout the City gets to pay an extra transportation fee.

For example, residential builders of housing and condominiums will now be charged a TSF of \$5.53 per square foot for residential buildings. Over a 20-year period, the Transportation Authority hopes to collect \$138.8 million in residential fees and \$493.8 million in nonresidential fees, for a grand total of \$632.6 million in TSF fees.

The current LOS system requires an Environmental Impact Report (EIR) in cases when an initial study of a project indicates that removing an automobile lane in favor of a bicycle lane, or a transit lane, would likely delay private automobile traffic below a specific threshold. These EIRs are very costly and time consuming.

The many potential lawsuits from changing from a LOS system to an ATG system will represent substantial legal and cost risks.

The new ATG system will almost never require an EIR, because the TSF money collected by the Transportation Authority is considered to be a traffic *mitigation* charge. How clever: The Transportation Authority is abandoning environmental impacts on car congestion and delays, so

Cont. p. 6

GREASE

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Laguna Honda (Cont. from p. 3)

And they believed the letter of the law in San Francisco Administration Code §4.115, *Protection of Whistleblowers*, which clearly prohibits termination, demotion, or suspension of City employees as retaliation for reporting waste, fraud, and inefficiencies in City government to the Ethics Commission, City Controller, District Attorney, or City Attorney.

Kerr and Rivero were wrong. Kerr was forced to sue after being wrongfully terminated.

"I didn't want to sue the City," Kerr testified to the Board of Supervisors Rules Committee on March 7, 2013. "But

LHH must provide Kerr, within 10 business days of the final settlement approval, a commendation letter signed by defendant Colleen Riley, MD, and LHH's Chief of Staff, Steven Thompson, MD, stating that Kerr was a physician in good standing and widely respected by his LHH colleagues.

LHH's CEO, Mivic Hirose, must announce at both the next scheduled meeting of the Health Commission and the next meeting of LHH's 40-member Senior Staff/Leadership Forum, both the pending installation of Kerr's plaque and read into the minutes the letter signed by Riley and Thompson.

The City must provide training to LHH's Executive Committee regarding

This has so many themes that reverberate throughout City Hall – the influence of private money, the misapplication of purpose of the money, the automatic defense of incompetent administrators, and most of all the acceptance of corruption as “business as usual” all the way to the top.
James Chafee

Dr. Maria Rivero and I stumbled upon wrongdoing involving Laguna Honda Hospital's CEO that we couldn't ignore," he testified. [Editor's Note: Kerr was diplomatically referring to Mivic Hirose, LHH's then- and current-CEO.]

**A Public Spanking:
Kerr's Settlement Award**

In addition to Kerr's \$750,000 settlement award, there were a number of non-monetary concessions that amount to a public spanking and public apology that are important to him, including:

A retraction of the "Statement Concerning the Laguna Honda Gift Fund" posted on LHH's website by Katz and Hirose on September 2, 2010 alluding to Kerr and Rivero as "detractors" who had intentionally made false or inaccurate statements regarding the patient gift fund, since the September 2010 letter presented incorrect representations of the two doctors.

LHH must install a plaque as soon as practicable in a clearly visible location, recognizing Kerr's contributions to the hospital generally, and his contributions to LHH's Hospice and Palliative Care Program in particular, in either LHH's new Hospice or the gazebo/garden area, once it is completed.

whistleblower rights, and First Amendment rights, of City Employees.

For the two doctors, the monetary and non-monetary awards help convey that their complaints had all along been valid.

Depositions: Discovery Mountain

During depositions and discovery, one defendant after another was crushed.

Eventually, the City realized how bad their case looked for Laguna Honda and the Department of Public Health after its own witnesses performed poorly during depositions.

The City stonewalled Kerr's lawsuit for two years, until his case was finally scheduled for jury trial on November 13, 2012. In mid-summer 2012, the City submitted a *Motion for Summary Judgment* that would have effectively dismissed Kerr's case had the motion succeeded.

Judge Claudia Wilken denied the City's *Motion for Summary Judgment* in part and approved it on other parts in a 47-page ruling dated September 6, 2012. Wilken's *Order* — which kept Kerr's lawsuit alive and headed to jury trial

Cont. p. 7

RUMINATIONS FROM A FORMER SUPERVISOR By Quentin Kopp



Photo: fogcityjournal.com

Sugarcoated Taxes/Walesa-Out/Chavez-In

It's of course income tax time, both federal and state. The income tax's history surpasses 150 years. In 1861, Congress enacted the Revenue Act, which included a tax on personal incomes. Its purpose, obviously, was to pay the cost of the Civil War. That tax was repealed by the Congress in 1871, but in 1913 the Sixteenth Amendment to the United States Constitution was ratified by the last requisite state and certified as adopted on February 25, 1913, granting Congress "power to lay and collect taxes on incomes, from whatever source derived without apportionment among the several states, and without regard to any census or enumeration."

...here's President Franklin D. Roosevelt in his annual State of the Union speech to Congress on January 4, 1935: "To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit. It is inimical to the dictates of sound policy. It is in violation of the traditions of America. Work must be found for able bodied but destitute workers. The federal government must and shall quit this business of relief."

The current Congressional disputes about the taxing percentage on regular personal income, and separately on income from capital gains (meaning the sale of a tangible asset like common stock or real estate), neglects for the most part twentieth century history of federal income tax rates. Until approximately 1932, the United States income tax rates weren't fodder for general complaint or commentary. Beginning after the 1932 election of Franklin Delano Roosevelt as President, however, income tax rates rose. In 1944 and 1945, the highest income tax rate federally was 94%. After World War Two and from 1951 through 1963, the highest such rate was 91% or 92%. The reason for lack of disputatiousness about the U.S. income tax until World War Two was that the U.S. income tax applied to less than 10% of the population. It's been estimated that the personal exemptions of \$3,300.00 for a family of four in 1939 would equal in excess of \$100,000 in 2013. (According to one tax historian, 1935's highest rate of 79% applied to only one person in the United States, John D. Rockefeller Jr., commencing at an income of \$5,000,000 annually!)

In that era, the income tax rate on capital gains peaked at 25%. That motivated an industry of accountants and other financial operators to calculate methods to effectuate capital gain treatment of income and consequent exemptions. The tax-shelter industry was born.

After Ronald Reagan was elected President in 1980, the highest federal income tax rate declined to 50%. In 1986, it decreased additionally. In more recent times, the highest capital gains percentage was lowered to 15% and the highest income tax rate to approximately 35%. Last December, the President and the Congress effectuated an increase in the highest income tax rate to about 39% (it is almost 41% with surtaxes) and the highest capital gains percentage is nearly 25%.

Once upon a time, federal income tax returns needed to be filed by March 15. In 1954, the filing date was changed to April 15. The California state income tax individual rate is about 13% now and the corporate income tax rate is 8.84% (States such as Florida, Texas and Nevada levy no state income tax, individually or otherwise) and, as you mail your income tax return for 2012, recall FDR's pronouncement about the Federal Revenue Act of 1942 as "the greatest tax bill in American history." (I kid you not.) Contemplate also perhaps that California possesses the highest state sales tax rate in the country, 7.5%, which does not include local sales tax. On the other hand, as the national deficit debate continues between the President and Congress, here's President Franklin D. Roosevelt in his annual State of the Union speech to Congress on January 4,


1935: "To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit. It is inimical to the dictates of sound policy. It is in violation of the traditions of America. Work must be found for able bodied but destitute workers. The federal government must and shall quit this business of relief." (He also declared respecting a potential U.S. Post Office employees strike in 1935 that public employees have no right to strike against the sovereign people anytime or anyplace!)

Incidentally, an entity named Public Policy Polling, noting the unpopularity of the U.S. Congress, tested Congress' popularity against dislikable aspects of life early this year and learned that lice were disliked by 60% of those polled compared to 19% disliking Congress, brussel sprouts were disliked by 69% of the responders compared to 23% disliking Congress, cockroaches were disliked by 45% compared to 43% for Congress (a close one), traffic jams were disliked by 56% of those polled compared to 34% regarding Congress, and Genghis Khan was disliked by 41% compared to 3% disliking Congress. (In today's educational world, I wonder how many people can even identify Genghis Khan.) The poll also found that Congress was more popular than North Korea, methamphetamine laboratories, Communism, the Kardashians, lobbyists, and telemarketers, in that order.

One wonders about the popularity of supervisors, especially after one of our "heroes," Supervisor John Avalos, mourned publicly at a Board of Supervisors meeting the death of Hugo Chavez, President of Venezuela, characterizing Chavez' domineering methods as "...a great beacon of hope for a lot of countries around Latin America that were able to bring forward new forms of government that would actually look at self-determination, free of U.S. imperialism." Even the U.S. monarch of liberalism, the *New York Times* on March 8 stated editorially that Chavez' "legacy is stained by the undermining of democratic institutions and the embrace of malevolent foreign leaders like Bashar al-Assad of Syria and Mahmoud Ahmadinejad of Iran." The *New York Times* identified "... shocking levels of corruption, shoddy construction, chronic shortages of basic goods, and neglect in the investment needed to maintain and increase oil production (in Venezuela)." It noted that Chavez' "government weakened judicial independence, intimidated political opponents and *human rights defenders*, and ignored rampant, and often deadly, violence by the police and prison guards." It concluded: "Billions have been squandered (by Chavez) through inept and careless management." Another local weekly (*j weekly*) remarked that Chavez "leaves behind a country wrecked by violent crime and mired in economic

Cont. p. 6

San Francisco
Public Health



Edwin M. Lee
Mayor

Laguna Honda Hospital and Rehabilitation Center
Mivic Hirose, RN, CNS, Executive Administrator

29, 2013

President Sonia Melara, MSW
And Honorable Members of the Health Commission

ROUGH: Barbara Garcia, MPA
Director of Health

FROM: Mivic Hirose, RN, MS, CNS
Executive Administrator

RE: Laguna Honda Updates

This memo is to provide updates about Laguna Honda's Hospice and Palliative Care Program.

First, the Board of Supervisors last Tuesday approved a settlement in the lawsuit brought against the City by Dr. Derek Kerr. As part of the settlement, the hospital will install a plaque on the South 3 Hospice and Palliative Care neighborhood. The plaque will say, "In recognition of Derek Kerr, MD, for his contributions to Laguna Honda and its Hospice and Palliative Care Program (1989-2010)." Also, as part of the settlement, Laguna Honda's Medical Director, Dr. Colleen Riley, and Chief of Staff, Dr. Steven Thompson, provided Dr. Kerr a letter stating, "This letter serves to memorialize that (1) Dr. Derek Kerr was respected by his colleagues at Laguna Honda for his skills and accomplishments as a hospice and palliative care physician and for his work in establishing and running the hospital's Hospice and Palliative Care Program; and (2) when Dr. Kerr retired from City service in June 2010, his clinical privileges as a member of the Laguna Honda medical staff expired by operation of the Medical Staff By-Laws and not for reasons related in any way to the quality of medical care he provided to hospital residents."

Join me in congratulating the Laguna Honda Hospice and Palliative Care Program.
Laguna Honda was awarded the California Coalition for Compassionate Care.
Laguna Honda was awarded the California Coalition for Compassionate Care.
Laguna Honda was awarded the California Coalition for Compassionate Care.

Official Apology from Laguna Honda to Dr. Derek Kerr: Buried in an update to the Health Commission, the apology, rarer than hen's teeth and even more valuable, possibly saved the City more than a million dollars. Had they refused to apologize and continued through with the lawsuit, so many laws were broken that a jury would probably have awarded considerably more.

Bit by the Development Bug

By Steve Lawrence

The Westside has yet to be hard bit, but the development bug has struck San Francisco.

Nearly seventy-four thousand housing units are “in the pipeline.” Since April 1906, has the number ever been so large? At an average of two persons to a household, that is nearly 150,000 more San Franciscans.

If the program bombs, the City has \$19.5 million at risk, payable, ironically, to a “big evil energy company.”



Of the nearly twenty large development projects, only two are on the west side, and one of those, Balboa Park, might to some seem not west side. At 1780 housing units, Balboa is one of the smaller big developments.

Big developments include Candlestick-Hunters Point 10,500 housing units, Treasure Island 7000, 5M 7500, and Transbay Center 4500, all comfortably removed from the quieter west side. (5M is at 5th and Mission-Howard, and is to be an art community.)

Also big: Eastern Neighborhoods 9000, Central Corridor 8500, and Market and Octavia 5500.

On the west side, Park Merced is to have 5700 new housing units, replacing most of the low-rise with more high-rise buildings. There’s talk of moving and extending MUNI.

Fortunately the city is rehabbing its sewer system over the next twenty years; hopefully planners won’t be caught short of facilities. As for water, the city is expected to use no more than it has been using. That means the average user must use less and less over the next decade.

Will city streets accommodate the wave of new residents? Let’s hope that bicycles, MUNI, and walking are the means of transit for most. Otherwise traffic may be a real challenge.

Go East (side) young techie!

Green Car Spoiler Alert

If you love your eco-green electric car, read no further. Your warm buzz of virtue might run low.

Turns out that when electric cars, like the Leaf, are analyzed, they’re not quite so green after all. When you take delivery of the car, with its lithium ion battery, it arrives responsible for about twice the carbon emission that a comparable gas powered car has generated during its manufacture. You’ve got to drive it 50,000 miles before it breaks even. Of course it depends some on where the electricity with which you charge it comes from. Could be Hetchy power (not considered renewable, but clean), nuclear, natural gas, or, especially on the East Coast, coal.

Don’t crash that car! It arrived having emitted the carbon equivalent of 80,000 miles of driving; that’s carbon emitted in its manufacture.

Over its whole life span the typical

electric car will be responsible for 8.7 tons of carbon dioxide less than the average conventional car. Now that sounds pretty good, doesn’t it? On the European market, where carbon emissions are priced, 8.7 tons goes for under \$50. Government, being the rational actor it isn’t, subsidizes the electric car up to \$7500. That doesn’t count San Francisco’s subsidy, where you can plug in your electric car and recharge it for free.

Remember, the electric car has a short range. At first you should be able to drive it 73 miles before you’ve got to plug it in. (Well, maybe not in San Francisco, with its hills and traffic.) But after a while the battery will be not as good, and your range will drop. Watch your tows! No carbon has been allowed for those.

Assuming you drive your electric car 90,000 miles, and you’ve stayed away from coal generated electricity (your range pretty much guarantees you’ll not crest the Rockies), you will have generated 24% less carbon than a traditional gasoline powered car.

CleanPowerSF

By the time you read this, CleanPowerSF will probably have been “blessed” and will be getting ready to plug-in this autumn. A survey of potential customers—the third such survey—has shown that enough customers say they will pay for “100% renewable power.” Larger users are less willing to pay the premium.

Under the program Shell Energy will buy “renewable power” for CleanPowerSF in amounts equal to what customer-enrollees use. PG&E must continue to distribute this power, and bill the customers. CleanPowerSF will put away a portion of receipts to later build its own renewable power generation facilities here locally. The City already funds GoSolar, as well as energy conservation; this new fund will add to that. The speed of the “local build out” of energy generation remains contentious, with greens insisting on a robust effort at major expense, and others, including seemingly the SFPUC Commission, wishing to “walk before running.”

If the program bombs, the City has \$19.5 million at risk, payable, ironically, to a “big evil energy company.”

Steve Lawrence is a Westside resident and SF Public Utility Commission stalwart. Feedback: lawrence@westsideobserver.com

My Two Cents / Will Durst

EQUAL IS AS EQUAL DOES

The nation held its collective breath and turned not just blue but a veritable rainbow of colors as the Supreme Court spent a goodly part of two days hearing oral arguments on gay marriage. Well, at least they were in the same room as arguments about gay marriage were oralled. In a position to eavesdrop on a series of gay marriage arguments; if they were of a mind to.



You can never really pin down which of the 9 Phat Ebony Robes is hearing what. Court watchers long have presumed Justice Scalia underwent a powdered-wig strict constructionist-filter installation years back that insures nothing post-18th Century funnels through to his cognitive cells. And if Antonin can’t hear it, as far as Clarence Thomas is concerned, it doesn’t exist. The others hear what they want to hear. Proving they do indeed represent America.

The Supremes will weigh in on the Defense of Marriage Act and the legality of California’s Proposition 8 sometime in June. Until then the suspense is killing us—thrillingly. Although the fact they’re using “opposite-sex marriage” to describe heterosexuality should already be counted as a victory. And like every thing else that comes before the court, final disposition probably depends on which side of the bed Justice Kennedy wakes up.

Don’t tell the Berobed Ones, (musn’t allow deeper insecurity complexes to develop) but it doesn’t really matter how they rule, because gay marriage is on the fast track to be permanently woven into the fabric of our national diversity quilt. The handwriting is on the wall. And the penmanship is stunning.

Across the country, same-sex marriage polls have risen faster than property taxes in a tulip bubble. Pollster Nate Silver, of the NYT, the nation’s soothsayer, expects national support to increase 1½ percentage points each year. And let us lay thanks at the remote of the one-eyed HD beast, television.

Familiarity breeds tolerance. Gay celebs such as Ellen DeGeneres and Anderson Cooper have encouraged kids of today to live their lives openly. Allowing middle America enough interactive glances to realize the gay community doesn’t devote most of its waking hours attempting to engorge the Armies of Sodom brandishing pitchforks and sporting horns. Like we were told. Over and over.

When you say gay people, the emphasis is on the people and the only real difference between gay and straight is which way your head faces during sex. That’s it. And an uncanny ability to assemble amazing appetizer trays. Grilled asparagus wrapped in goat cheese and prosciutto? Yes! Fist bump. Blow it up. Now talk about it.

And forget the malevolent clowns of the Westboro Baptist Church, who make God laugh so hard he spits milk through his nose. Casual bigotry is dying off. Literally. Old people and their parents with a life radius of 30 miles. Oh sure, there will always be prejudice, stupidity and fear but society is rapidly realizing that “gay” is just another adjective; like blonde or buff or stinky.

Whether its generational shifts, enlightened minds or disco going mainstream, the tide of tolerance is proving inexorable. Only a matter of time before gay marriage is universally accepted, and then it will seem perfectly routine until eventually it becomes mandatory. Dibs on Clooney!

5 time Emmy-nominee Will Durst’s new one-man show “BoomerAging: From LSD to OMG” opens previews at **the Marsh, San Francisco on April 16th**. Go to themarsh.org or willdurst.com for more info. More Durst: willdurst.com

Twinkle, twinkle little stars, we all wonder WHERE you are?

Astronomy Tourism is a growing business worldwide because of the loss of the night sky in cities due to light pollution. (see March Westside Observer). What if San Francisco had a great star-gazing location right here in the City, that people could reach easily by public transportation? What if the area were naturally dark, because years ago, a group of dedicated park advocates saved the surrounding land from development? What if the area had been used for years for star-gazing by all ages — including amateur astronomers as well as parents showing the stars to their kids? Wouldn’t this be a great resource for the City’s kids, and wouldn’t we want to protect it for future generations?

In fact, there is such a place, and it is called Land’s End. This special corner of our city has uniquely dark skies, because it faces the Pacific

Cont. p. 6



WESTSIDE OBSERVER

San Francisco’s Award Winning News for the Neighborhood

— Society of Professional Journalists



Letters to the Editor

Starless Nights

I read Kathy Howard’s letter about the misfortune of not being able to see many stars in our cities. Luckily, we have some dark skies on the western edge of San Francisco which allows us to enjoy the night skies. Unfortunately, the proposed Beach Chalet Soccer Fields project with stadium lighting will destroy this situation. Let’s not let Rec and Park take star gazing away from us. It is a wonderful respite from the hustle and bustle of daily life in a city.

Kathleen Stern

Thank you Ms. Howard for a great article. I would like to add to your information on light pollution on the disastrous effects on the wildlife and birds that live in Golden Gate Park and Ocean Beach. Many of the animals in the park come out in the dark to live their lives.

They are a very important part to the cycle of life. We, our children and future generations of the City of St. Francis deserve to keep what little part of nature we have.

Shawna McGrew

Remembering When

Yes I remember when. When I was a kid my brothers and I would play in the open hillside, located on the left side middle of the photo. There was a dirt road from 6th Ave. above Kirkham St. that we had access to the area. This was before the Mt. Sutro Terrace Apartments were built. The year was 1950.

Also check out my home movies of Playland At The Beach 1960 (Original Film) and the

Sutro Cliff House Tram Ride 1960. on online YouTube.

Ron Biagini

Cont. p. 4

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SPEAKING FREELY / Former Supervisor Tony Hall

Big Time Development

In a recent article by our local gossip columnists (see Matier and Ross column in the *Chronicle*, March 11) it was divulged that Mayor Lee along with Willie Brown, Rose Pak, Lennar Development Corporation and a representative of the Chinese investment interests all met to try and finalize a 1.7 Billion dollar deal that would allow the construction of 12,500 new homes in Hunters Point and a string of high rises on Treasure Island.

As I have mentioned to you many times before in past articles regarding Treasure Island, the pre-development costs associated with any large scale development on Treasure Island are so astronomical that virtually no local investment group, Bank or developer is willing to get involved with that project because they would never realize a return on their costs. That is precisely why no project has been undertaken to date. And so, the “Treasure Island Fantasy” continues, and you, the public, are once again

is the present all time high rate of parking “scofflaws” who ignore fines for meter violations. I don’t really think our outside contractors are too interested in pursuing them for collection because there are costs associated with that effort. They would much rather just take their cut from the local residents who are easy to identify, pay the fines, and have no alternative but to drive their automobile and hope that they can get back to the meters in time to avoid another price for living in San Francisco.



... as Mr. Kopp pointed out, Yee’s hiring of Ms. Olivia Scanlon as his third aide really is astonishing, considering her background and record of attendance under former Supervisor Elsbernd’s employ, but more importantly her role as a stooge in the phony ethics charges that were leveled against me during the Newsom Administration because I exposed the truth about the Treasure Island fiasco.”

expected to believe that our civic leaders are really making big things happen!

I seriously doubt that the Chinese are unaware of this underlying problem, but the prospect of controlling the Island, a strategically located former military base with existing facilities ideal for the warehousing of marketable goods, is attractive enough for them to play along with the scheme. We wish Lee and his entourage all the best in their upcoming trip to China. Oh yes, there is also the mention in the Matier and Ross article that Willie is working to bring in Chinese citizens whose investments here will earn them green cards. Somehow, I thought this was a function of the U.S. government, but maybe that is up for negotiations also!

Sunday Parking Meters

Once again another SF tradition bites the dust. Since 1947, when parking meters were first installed on our City’s streets, the meters were free on Sundays. The decision to not charge on Sundays was made then to encourage Sunday shopping, Church attendance, and the relaxed visitation of suburbanites and tourists alike.

Today, however, such lofty reasoning is cast aside because the City’s cash strapped, or should I say cash hungry, ill-managed Municipal Transportation Agency needs more money.

It is estimated that the Sunday parking meter charges, along with increased public garage rates, will bring in an additional \$2 million a year. The City’s meters generate at present about 47 million per year. If I am not mistaken, that is down about 20 % from prior years because meters were not as expensive as they are now; not all downtown streets were converted to non-used yellow-striped zones; and because of costs associated with the current practice of contracting with an outside agency to handle the processing of meter violations. When I worked for the then-Municipal Court in the 90’s, The City itself handled all processing of violations, but today a special interest contractor charges an arm and a leg to do what the City could easily be doing itself.

Apparently the geniuses in charge of our parking operations have never heard of the phenomena of “diminishing returns,” whereby the more you charge, the less people use, the harder you make it for people to shop, the less they buy, the more you contract out, the less you have for yourself. As a result of all this foolishness, I might add here that there is another phenomena at work, and that

District 7

Kudos to former Supervisor, State Senator and Judge Quentin Kopp for his last article in the Observer in which he eloquently laid out the excesses of “slush funds” incorporated in the City Budget. As he stated, each supervisor can now spend an extra \$100,000 of taxpayer money to ingratiate himself/herself to voters, and also make use of additional funds to hire a third aide for their district.

Now Senator Kopp and I, both as former Supervisors, wish the new incumbent Norman Yee nothing but the best in his tenure as the representative for District 7. Yee, however, should heed a warning from those who have gone before him. Politics is indeed brutal enough when you are trying to do what is best for those you represent, but don’t get off to the wrong start by employing people who have a proven record of questionable and unethical self-serving behavior. In this case, as Mr. Kopp pointed out, Yee’s hiring of Ms. Olivia Scanlon as his third aide really is astonishing, considering her background and record of attendance under former Supervisor Elsbernd’s employ, but more importantly her role as a stooge in the phony ethics charges that were leveled against me during the Newsom Administration because I exposed the truth about the Treasure Island fiasco. For those of you who may not remember, she was the person who took the Fifth Amendment in order to not incriminate herself while providing the Newsom- controlled ethics commission with a falsified check stub that was the basis of its trumped up charges against me. When it became obvious that the check was both forged and altered, the specific charge against me was dismissed, but the press of course never reported that. I was never quite sure what her motivation was, other than the stupidity of not knowing how justice works in America, or possibly revenge for my not hiring her as an assistant at Treasure Island after I reviewed her education and qualification. She was successful, however, in guaranteeing her employment with Elsbernd and now Yee, so I can only assume a city pension at the taxpayers’ expense was her pay-off.

Anyway, life goes on. To Norman Yee, you represent a great district; treat the people well and be careful with whom you associate. Not everyone may have the same goals as you.

Tony Hall served twice as Supervisor for District 7

Regulatory Failure

By Brian Browne

The San Francisco Municipal Transportation Agency (SFMTA) is failing to properly regulate the taxi cab industry. This must change immediately, otherwise the current cab model, with its many positive externalities for San Francisco, will disappear.



A recent agreement by the California Public Utilities Commission (CPUC) with an e-hail (Lyft) provider of ride-sharing (taxi surrogate) has potentially made every private car in California a taxi ... San Francisco taxicabs face incredible competition from these transit-alternatives ... Taxis are already required to have many public safeguards such as high-levels of insurance, workers-compensation, redundant systems, qualified and police-vetted drivers etc, attributes not yet quantified with its ad hoc competitors.

A recent agreement by the California Public Utilities Commission (CPUC) with an e-hail (Lyft) provider of ride-sharing (taxi surrogate) has potentially made every private car in California a taxi. The CPUC states that it has transportation jurisdiction over public highways and streets connecting points in California that do not cross interstate borders. The SFMTA assumed regulatory control over San Francisco taxis on March 1, 2009 when it took over the functions of the former Taxicab Commission.

San Francisco taxicabs face incredible competition from these transit-alternatives. Some are legal under the permissive CPUC umbrella and many are illegal, mainly because there is insufficient enforcement. The SFMTA has no discernible regulatory process. SFMTA reaction to this competitive tsunami is usually counter-productive for the cab industry. Taxis are already required to have many public safeguards such as high-levels

of insurance, workers-compensation, redundant systems, qualified and police-vetted drivers etc, attributes not yet quantified with its ad hoc competitors.

Every time the SFMTA forces the cab industry to accept an additional mandate it is taxing the industry by adding to the cost of doing business. Economists tell us that at each price, these additive marginal costs decrease supply, just like any tax on doing business. These taxes seem to be aimed more at transferring revenues from the taxis to the SFMTA for debt relief than enhancing the efficiency of the cabs.

On Tuesday March 19, 2013 the SFMTA legislated that all taxis must provide instantaneous (six seconds) data to the SFMTA. The SFMTA will develop and run a centralized database and cab-application (app). This app and data base will be 100 percent under the control of the SFMTA. The SFMTA state they will seek competitive bids from vendors to

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CEQU Emissions (Cont. from p. 2)

they can charge developers for transportation money.

The Transportation Authority now believes that *any* reasonable measurement of transit sustainability will satisfy CEQA requirements.

If ATG replaces LOS, the Transportation Authority has the right to do whatever it wants with San Francisco's streets. There is no person or agency in City government fighting for the rights of automobile drivers and their passengers. Slower car speeds, delays, and congestion will not be as important as wider bus lanes, bicycle lanes, sidewalks, and limited parking.

There are currently 379,898 cars registered in San Francisco, 61,755 trucks, 20,144 motorcycles and 8,536 trailers, for a grand total of 470,333 registered vehicles. And — no surprise here — only 320,000 legal parking spaces, and that's *before* vehicles registered in other jurisdictions flood into San Francisco daily, competing for parking spots. Will developers next be required to pay Transportation Sustainability Fees for the cars from other jurisdictions that flood into San Francisco annually?

Cars certainly cause their share of congestion and delay, but they have been unfairly maligned and blamed for San Francisco's GHG levels.

Cars are constantly blamed for high greenhouse gas emissions by San Francisco transit agencies and the Department of Environment (DOE). Yet according to the DOE's own commissioned 2010 Municipal GHG Emissions study by ICF International, gasoline-using cars represent only 9% of San Francisco's GHG.

DOE Director Melanie Nutter stated in a November 19, 2011 Mayor Lee press release (which announced that San Francisco's GHG reductions were 15% lower in 2010 than in 1990) that "*our citywide carbon reductions are the equivalent of taking 128,000 cars off the road, or avoiding the burning of 1.5 million barrels of oil every year.*"

The reason that the 128,000 cars Nutter refers to is so high is because the 9% greenhouse gas emissions for cars is so low.

Additionally, why was Nutter so quick to blame cars for the reduction in City-wide GHG emissions? According to DOE records, when the fossil fuel plants at Hunters Point closed in 2006, and the Potrero plant closed in 2010, the City's GHG level plummeted by 11.6%.

As a corollary, if 11.6% — fully three-quarters, or 77.3% — of the 15% GHG

reduction over a 20-year period that Nutter boasted of is attributable to the closure of the two power plants, this suggests that only 3.4% of the GHG reduction came from other efforts across those 20 years, including curtailment driving. Is this the best San Francisco, and Nutter, can do without further punishing car owners?

Adam Stern, the DOE's Climate Program Manager, forwarded another transportation graph which shows that DOE creatively combined cars and trucks into one category, and stated that the two combined categories represented 40% of San Francisco's GHG. Stern conveniently stated

Averaging only 8.5 miles per hour, MUNI is already one of the slowest transit systems in the United States. Remember, the 8.5 mph is a blended average between MUNI light rail and surface buses. How slow is a surface bus really going? As MUNI maintenance funds are constantly being siphoned-off by the Board of Supervisors for social projects such as free rides for children, the bus system is deteriorating rapidly."

that the DOE couldn't delineate between the percentages of cars vs. trucks using gas until 2014. Does this mean that car owners are going to be scapegoated and bear the brunt, since the City won't know until 2014 how much trucks are contributing to San Francisco's GHG?

At a recent Transportation Authority meeting regarding the 19th Avenue Corridor, one citizen declared "that he did not care that cars would be delayed."

San Francisco Municipal Transportation Agency Director (SFMTA) Director, Ed Reiskin recently stated, "While I think most San Franciscans believe in the principles of the transit-first policy, when you start talking about changing traffic, parking, or transit, it quickly becomes very personal for people."

Car owners and local businesses are already starting to fight the SFMTA's transit first proposals. The SFMTA's plan to add bike lanes and eliminate 320 parking places between Union and McAllister streets was opposed by hundreds of outraged citizens who live in the Polk Street area. The SFMTA has shelved the plan for the time

being.

Before the 30% of non-car-owning citizens rejoice at the proposed attempt to replace LOS with ATG, let's take a look at the good things that gas powered automobiles give San Francisco:

- Approximately 33% of MUNI's revenue is generated by car fees. Transit First and MUNI could not even function without the supportive revenue from cars. Can either Nutter, or the Board of Supervisors, seriously believe it's prudent fiscal planning to cut out 128,000 cars on the street — fully 27.2% of San Francisco's 470,333 vehicle licenses — and doing so will actu-



ally help Muni's budget woes? Is the Board of Supervisors prepared to cut nearly 30% of Muni's car fee-generated revenue (which represents 33% of its budget)?

- Cars reliably transport people to and from their destinations.
- Cars give us the ability to cheaply travel long distances.
- Cars provide jobs for the local economy.
- Cars allow families more mobility.
- Car fees are the driving force [no pun intended] behind almost every attempt to keep MUNI well-maintained and solvent. There are currently 28,063 parking meters in San Francisco. The SFMTA has an option to purchase an additional 10,000 parking meters. Sunday parking was just implemented.

The SFMTA will issue over \$100 million in parking tickets in 2013. [Another corollary is that chopping 27.2% — 128,000 cars — may chop \$27 million from Muni's income (27% of the \$100 million) generated by parking ticket revenue. Just saying.]

In 2011, Joy Houlihan, Deputy Director of Enforcement for the MTA, stated

publically that MUNI revenues were down, so parking officers should issue more citations and bring in more money.

State Senator Mark Leno's SB1492 became effective on January 1, 2013. This bill will allow San Francisco to increase its vehicle license tax (VLT) by 2%. The Board of Supervisors is desperate to pass the VLT, since it will increase San Francisco's general fund revenue by \$72 million annually.

Under the new VLT rules, a motorist with a vehicle valued at \$30,000 will see their annual license fee increase from \$195 to \$600 if the 2% VLT is approved.

Now let's take a look at what MUNI is giving us:

Averaging only 8.5 miles per hour, MUNI is already one of the slowest transit systems in the United States. Remember, the 8.5 mph is a blended average between MUNI light rail and surface buses. How slow is a surface bus really going?

As MUNI maintenance funds are constantly being siphoned-off by the Board of Supervisors for social projects such as free rides for children, the bus system is deteriorating rapidly. Just look at all the broken and inoperable escalators to Muni underground the length of Market Street. Apparently it's better to have broken escalators so children can ride free.

A recent Transportation Agency report said MUNI was on time on just 59% of its runs in October, which falls far below (by almost 25%) the 1999 voter-mandated goal of an 85% on-time rate.

MUNI's slow service and unreliable scheduling make San Franciscans want to get off of the bus, not on the bus. Meanwhile, San Francisco's mainstream media recently reported that Muni's plan to reduce passenger congestion inside its own vehicles is to encourage riders to walk, instead, which any sixth grader can calculate will reduce Muni's revenue. It appears Muni's own advice to its riders is to get off the bus, lost revenue be damned.

Cars are one of San Francisco's biggest cash-cow sources of revenue. If the Transportation Authority replaces LOS with ATG, car drivers' reward for living in the City will be higher costs, more congestion, slower ride times, and less parking. For the price they are paying, drivers deserve a much better deal.

Car owners should strongly oppose changing CEQA from a LOS-based to an ATG-based transportation measurement system by contacting your elected legislators and representatives.

George Wooding, Coalition for San Francisco Neighborhoods

Kopp (Cont. from p. 3)

turmoil." All is well, however, because we have a supervisor who believes obviously in the concept of "U.S. imperialism" and that Chavez' conduct, in Avalos' words, "has been a blessing for a lot of places around the world."

While San Franciscans are treated to supervisorial extolling of an authoritarian anti-American, another "hero", Supervisor Jane Kim, introduces a resolution to change the name of Lech Walesa Street. For those who didn't know San Francisco possesses a street named after the 1983 Nobel Peace Prize winner and the person usually credited with initiating actions leading to the liberation of Poland from the then-Union of Soviet Socialist Republics, the one block street runs east and west from Van Ness Avenue. I personally recall the 1986 honoring of Walesa in my

final year on the Board of Supervisors. Then-supervisor Carol Ruth Silver, one of the doyennes of liberalism in San Francisco civic affairs, introduced the legislation, which was enacted by the Board and signed by then Mayor Art Agnos, another emphatic progressive. In Kim's view, however, Walesa is now evidently politically "incorrect" after television comments inimical to non-heterosexual Polish parliamentarians. Fame is indeed fleeting in San Francisco and infamy lurks around media interviews. Political history certainly isn't safe as supervisors ignore taxpayer-costing enterprises such as the Americas' Cup "deal" (more next month) and a multi-million dollar giveaway to professional basketball billionaire owners, while trying to rename structures to fit contemporary political fads and biases.

Retired former Supervisor, State Senator and Judge Quentin Kopp lives in District 7

Starry Skies (Cont. from p. 4)

Ocean to the west and the undeveloped coast of Marin County to the north. To the south, the long, dark strip of Golden Gate Park provides for some protection for this dark sky resource.

Most of the night sky that is important for star-gazing is to the south of Land's End, in the direction of Ocean Beach and Golden Gate Park. Many people also go to Ocean Beach to look at the stars.

impacts of the proposed sports lights on Ocean Beach and the sky overhead!

However, according to independent experts, the EIR is wrong about a lot of facts to do with artificial lighting in general, and with the Beach Chalet project in particular.

Here's why. The Beach Chalet field lights would include 100 bright 1,500-watt lamps. They would be as bright as if over 16,000 60-watt light bulbs were installed. And this is just the sports lighting. Combined with 60 additional pole lights, this would turn the western end of Golden Gate Park into a brightly-lighted, suburban sports complex.

The City thinks that because the lights would be shielded (that means a hood hangs down over part of the light), there would be no light pollution. Wrong! Why? Because light reflects! You can do a simple experiment to demonstrate this. Take a small box, with a dark cloth on the inside bottom, and a small flashlight into a dark room. Since the sports light poles would be twice as tall as the Park trees along the Ocean Beach side, hold the flashlight up a little above the edge of the box and point it towards the bottom of the box. Now turn on the flashlight. Wow! The walls and ceiling of your room are glowing, furniture can be seen, shadows dance on the walls! And all from one small flashlight. Imagine the impact of

150,000 watts and more!

Actually, one expert has already calculated this impact, and stated that at least 20%, and maybe more, of the 150,000 watts of light would be reflected off of the fields.

You are going to want to sit down for the next fact. On foggy nights, the reflected light would be scattered by the marine layer, and the clouds could be 10 to 20 times brighter than what we all see now. We are talking about a bright, glowing mushroom cloud over Golden Gate Park and Ocean Beach.

So if the Beach Chalet fields are built with sports lighting, when you go to Ocean Beach to see the stars, to watch the sunset, or to sit by a fire ring, foggy or not, glowing sky is what you are going to see.

Is it really worth destroying our night sky resources for this one project? Especially when there are feasible alternatives for other locations that could easily replace it?

We await a hearing at the California Coastal Commission, possibly as early as May 2013. Please write a letter! Attend the hearing! Ask the Commissioners to protect the coast! Let's protect our night sky, for the benefit of both current and future generations of children, who deserve to be able to see the stars.

Katherine Howard, ASLA, www.sfoceanedge.

Laguna Honda (Cont. from p. 3)

— suggests the City then knew it had to settle with Kerr or risk a jury’s outcome.

Acting Under “Color of Law”: A Federal Crime

42 U.S.C. §1983 provides that every person acting under the “color of law” who causes any United States citizen to be deprived of any Constitutional rights shall be liable to the party injured. “Color of law” involves actions taken that superficially appear to be within an individual’s lawful power, but are actually in contravention of the law. Acting under “color of law” is misuse of power, since it involves acting under real or apparent government authority by people who misuse their authority to violate rights guaranteed by federal law. Depriving a person of his or her federal civil rights under color of law is illegal and grounds for a cause of legal action.

The City acted under the color of law when it deprived Dr. Kerr of his First Amendment rights to freedom of speech. He was terminated, in part, because he had spoken out on various matters of public concern; he had spoken as a private citizen, not as a public employee; and his protected speech was a substantial or motivating factor in the City’s termination of him.

“Dr. Rivero testified, “What is the message you send when a CEO ... is still in office? It shows that you condone whistleblower retaliation and violations of laws that protect whistleblowers.” Rivero added, “It shows that you will accept executives who pilfer public funds donated to the poorest of the poor, violating a sacred trust.”

By reaching a settlement agreement with Kerr for monetary and non-monetary damages, the City has effectively acknowledged that city department authorities had engaged in misuse of their power and authority, depriving Kerr of his Federal civil rights. Despite this, two of them are still employed at Laguna Honda Hospital.

During the Board of Supervisor’s Rules Committee meeting on March 7, 2013 at which it recommended approval of Dr. Kerr’s settlement agreement, Dr. Rivero testified, “What is the message you send when a CEO [such as Hirose] who retaliated against a whistleblower is still in office? It shows that you condone whistleblower retaliation and violations of laws that protect whistleblowers.” Rivero added, “It shows that you will accept executives who pilfer public funds donated to the poorest of the poor, violating a sacred trust.”

Lightning Strikes Twice

The wrongful termination of Kerr in 2010 follows on the heels of Laguna Honda Hospital’s wrongful termination of Dr. John Ulrich, Jr. in 1998. Ulrich — who had also spoken up in 1998 about patient care during a Laguna Honda medical staff meeting and called the health department’s decision to cut two medical staff positions “an injustice to patients” — was summarily terminated by Laguna Honda Hospital, just as was Dr. Kerr.

Ulrich, whose case had advanced to jury trial, won a \$4.3 million judgment in federal court in 2004, subsequently reduced to a \$1.5 million negotiated settlement.

Strikingly, the then San Francisco City Attorney spokesperson, Matt Dorsey, claimed in 2004 that Ulrich’s dismissal was “not an instance of reprisal.” Dorsey went on to claim there was “not a shred of credible evidence to indicate wrongdoing on the part of the City.” Dorsey foamed, “We

consider this outcome [Ulrich’s award] an aberration.”

A decade later, Dorsey is still the City Attorney’s spokesperson. Given Kerr’s settlement, it’s clear Dorsey may be unable to distinguish an aberration from a clear pattern, given Kerr’s precedent-setting settlement award.

The Costs of 100% Retaliation

The Ethics Commission did nothing to protect Kerr’s career after he submitted his patient gift fund whistleblower complaint with Dr. Rivero. Instead, he was told to get a lawyer, and Ethics took two years to complete investigating Kerr’s complaint.

“In retrospect, a lawsuit was our only hope, because Ethics hasn’t sustained a single whistleblower retaliation claim since it was founded, not one,” Kerr laments. “Many studies show that reprisals against whistleblowers are common, with retaliation rates up to 90%. But with San Francisco’s Ethics Commission, the retaliation rate is always zero,” Kerr says.

Kerr was referring to the fact that in November 2012 the City Attorney’s Office reported that between 2007 and 2012, the City settled 103 cases involving prohibited personnel practices for a total of \$11 million, including wrongful termination; racial-, age-, and disability-

discrimination; sexual harassment; and other prohibited personnel practices.

Despite the City Attorney having concluded that at least 13 wrongful termination settlement cases have cost the City \$1.3 million since 2007, San Francisco’s Ethics Commission has dismissed every whistleblower retaliation complaint filed at Ethics, claiming that zero retaliation occurred.

Drs. Kerr and Rivero, for their part, hope some public benefit will come from the delayed justice they have endured. As William Bennett Turner, a faculty member who teaches courses on the First Amendment at U.C. Berkeley noted in his book “*Figures of Speech: First Amendment Heroes and Villains*” published last year, First Amendment heroes are those who say what they believe, and have the courage to face the consequences.

Villains — such as the defendants in Kerr’s lawsuit — are those who want to suppress free speech with which they disagree.

Kerr and Rivero accidentally became First Amendment heroes. We owe them a debt of gratitude for risking their careers exposing fraud and corruption, and for advocating on behalf of LHH’s patients, who are often the destitute.

Kerr’s monetary and non-monetary settlement awards don’t begin to adequately reimburse him for the damage to his and Rivero’s careers. But there’s a vast community grateful for his and Rivero’s courage to speak out.

Monette-Shaw is an open-government accountability advocate, a patient advocate, and a member of California’s First Amendment Coalition. Feedback: monette-shaw@westsideobserver.com.

The print edition of this article is a condensed version, the expanded version will be available on-line at westsideobserver.com soon.

Hidden Gems of SF

Explore San Francisco: The Mission

By Alice Jurow

Any exploration of the Mission starts with, well, the Mission—Mission Dolores, which gave its name, ethos and style to this sunniest part of San Francisco. Our most ancient continuously used structure, Mission Dolores is always worth a visit, for its deep sense of history and tranquil gardens. The Mission basilica also holds a secret, a true buried treasure: murals painted in 1791 by enslaved Ohlone artists, on a wall which was subsequently covered by an altarpiece and hidden from view for the next 200-plus years...but that’s another story.



Within a few blocks of Mission Dolores, it’s possible to see two surprisingly excellent examples of what happened when Mission Style met the Jazz Age: Mission High School, which opened in 1927 (3750 18th Street), and Everett Middle School, from 1928 (450 Church Street).

You know all about the 1920s, right? Speakeasies, Model A Fords, the Charleston, silent movies...and the golden age of public

school building in San Francisco. After all, the adorable children of the post WWI baby boom (the smaller precursor to our current Boomer generation) needed classroom space, as well as new schools to embody new ideas about education. To cope with this demand, San Francisco was lucky to have the talents of John Reid, Jr., who served as City Architect from 1919 to 1927, and was the designer of twenty schools, including Parkside School, Commodore Sloat, Galileo High and Horace Mann. Reid’s approach was to be “solely concerned with making schools supremely fit for children.” He was also particularly known for his understanding of how to design buildings to resist earthquakes; it’s notable that none of the buildings he designed have been destroyed or significantly damaged by subsequent quakes.

Another of John Reid’s signature qualities was his ability to produce buildings appropriate to their cultural and historical context. Each of his schools is different, designed with its environment in mind. Naturally, Mission Dolores would color Reid’s approach to these nearby projects; in addition, the Spanish Colonial Revival style was sensationally popular in California, and eventually far beyond, from 1915 on through the ‘30s. So, when they opened in the late 1920s, these two schools were carefully planned, lovingly crafted, appropriate to their location and also extremely trendy. Doubtless there were at least a few bob-haired “baby flappers” among the student body.

Whether you see any ghosts or not, Mission High and Everett are well worth a walk-by. You’ll need some distance to see Mission High’s Spanish Baroque tower with its mini-dome covered in glazed tile, but you’ll want to come closer too, to see the details of the cast terra cotta ornament emphasizing the entry and highlighting the upper windows, in an ornate style known as Churrigueresque.

Everett offers a more intimate experience, with a design influenced by the romantic Moorish element of Spanish architecture. Viewed from across the street, the building’s massing and zigzag cornice suggest its Art Deco-era provenance. Its close-up details offer a series of colorful, exotic delights: leafy column capitals, lantern-like filigreed light fixtures, painted rafters and most spectacularly, a tiled entry that resembles a series of matching, exquisite Persian carpets.

Happy exploring!

Explore San Francisco is a locally owned co-op of guides who help us explore and discover the City’s “hidden gems”. For more information on touring SF, check out their website at ExploreSanFrancisco.biz or call them at 415.793.1104

San Francisco Groundwater Supply Project.

The project is located in the Westside Groundwater Basin, project facilities would be constructed in the Sunset District of San Francisco and in Golden Gate Park. SF Public Utilities Commission (415) 487-5201, yzhang@sfgov.org Staff Contact: Tim Johnston (415) 575-9035 timothy.johnston@sfgov.org

A draft environmental impact report (EIR) has been prepared by the San Francisco Planning Department

Project Description: The SFPUC is proposing a project that seeks to provide an average of four million gallons per day (mgd) of groundwater to San Francisco’s municipal water supply. Groundwater would be blended with SF’s existing municipal water supply system for distribution within SF. The project consists of the construction and operation of six potable groundwater well facilities—two that would be converted from existing irrigation well facilities in Golden Gate Park and four that would be newly constructed adjacent to Lake Merced, at South Sunset Playground, at West Sunset Playground, and in Golden Gate Park. Each facility would include a groundwater production well and a pump station. The SFPUC would also construct a distribution system (including pipelines and connection points) that would connect five of the well facilities to Sunset Reservoir; the sixth well would connect to the existing Lake Merced Pump Station, and would require a short length of distribution piping to make this connection. The groundwater would be pumped from the Westside Groundwater Basin and underlies parts of San Francisco and San Mateo Counties.

The Draft EIR found that the proposed project would not lead to significant unavoidable impacts.

A public hearing on this draft EIR City Planning Commission

April 18, 2013, in Room 400, City Hall, 1 Dr. Carlton B. Goodlett Place (call 415 558-6422 the week of the hearing for a recorded message giving a more specific time).



MONEY MATTERS • By Brandon Miller and Joanne Jordan

Estate Planning

When It's Just the Two of You

Planning for the future can take a different shape when children aren't involved. With no braces to pay for or tuition bills to finance, couples don't have many of the financial obligations that require resources and can impact an estate. On the other hand, these couples must plan for a future that will not include adult children to give them a helping hand — physically, emotionally or financially — as they age.

Estate planning is important regardless of your parental status. A well-crafted estate plan assigns decision makers, designates heirs and specifies who gets what after you and your partner pass away. It allows couples to create contingencies for individual survivorship and can help minimize taxes. It also can help ensure your mutual wishes are respected as health or cognitive abilities decline.

Assign decision makers.

Couples without children can each execute a power of attorney naming their spouse to act on their behalf. Each can also designate an alternate attorney-in-fact to act on your behalf in the event you both become unable to make decisions regarding your finances and property. This person may also be assigned the responsibility of executor of your estate. If you have no children to name, you might consider asking a trusted family member or friend (generally someone younger) or a professional in the estate planning business to take on these responsibilities.

A living will—also called an advance healthcare directive—is another important legal document both of you should have on file. It specifies your wishes in the event of an incapacitating illness and enables your assigned designee to make decisions about your health care on your behalf.

Decide how your assets will be distributed.

An attorney can help you draw up a will that specifies how and to whom your assets will be distributed when one or both of you pass away. Without a will in place, your estate will be handled according to the statutes of the state in which you reside. Often, when there are no children or designated heirs identified in a last will and testament, the surviving spouse is the primary heir, then other living relatives, which could include parents and/or grandparents, siblings and siblings' children. If this is what you intend, you can make that clear in your will; if not, determine how you want to split your assets among your relatives, loved ones and causes that are important to you.

Your estate plan can include strategies for giving financial gifts before or after your death. Under current federal tax law for 2013, an individual may gift up to \$14,000 per person to as many people as he or she would like without gift tax

consequences. You can also pay college tuition for anyone without being subject to gift taxes or using any of your annual or lifetime gift tax exclusions, as long as you pay the institution directly.

Create avenues for charitable giving.

If you don't plan to leave a significant amount of your assets to family, you may choose to give charitably to causes you're passionate about. There are other ways to be generous in a tax-efficient way while you and your partner are both still living. You can donate to a donor-advised fund and receive tax benefits upfront, while suggesting how the funds should be invested and later distributed to your chosen nonprofit organization. With a charitable lead trust, the charity receives payments for a period of time after which you or your heirs receive any remaining assets in the trust. A charitable remainder trust operates in the reverse, giving you or your heirs a stream of payments for a period of time (not exceeding 20 years) or for life, and leaving any remaining amount to the selected charity.

Plan for the unexpected.

Your estate plan should include adequate insurance coverage for unexpected events. Be sure to name the appropriate beneficiaries, including one another, on your respective policies. Since moving in with a child isn't an option, you may wish to purchase long-term care insurance policies that help cover assisted living services or nursing home care as needed later in life.

Consult the experts to create a comprehensive estate plan.

A financial advisor can help you and your spouse or partner make plans for the handling of your estate. In conjunction with legal and tax advisors who understand state and federal tax and estate planning laws, you can take steps to ensure you both have sufficient means to live well after the other passes and that your mutual wishes are respected regarding the legacy you leave.

Brandon Miller, CFP and Joanne Jordan, CFP are financial consultants at Jordan Miller & Associates, A Private Wealth Advisory Practice of Ameriprise Financial Inc. in San Francisco, specializing in helping LGBT individuals and families plan and achieve their financial goals.



Lake Merced (Cont. from p. 1)

He mentioned the Pacific Rod and Gun Club, a shooting range that has been there since 1928 that is now slated for a cleanup of environment contaminants, and its future there is uncertain.

The boathouse used by rowing clubs has fallen into disrepair and isn't being used right now. It's in the process of being fixed up enough to use again.

There were long-abandoned docks that have only recently been removed, and plenty of random debris still around the lake to be removed.

Another program likely to impact the lake is the San Francisco Groundwater Project, which will tap into its groundwater feed to supplement the City's water supply, and could be used as an emergency source of water in the event of a major earthquake.

At this time management of the lake is ultimately the responsibility of the SFPUC, and they are focused on water level and quality, wildlife habitat, environmental cleanup, and the gun club's lease.

SFPUC gives the RPD \$300,000 annually to fund gardening and maintenance staffing, said Ritchie. The RPD contributes another \$150,000 of its funds for the same.

RPD General Manager Phil Ginsburg said a "big piece" of the budget picture is the recent Harding Park public golf course renovation.

"The elephant in the room or the driver in the bag, as it were, is management of the golf course," said Ginsburg. "This recreation asset, Harding Park golf course, is a nine-million dollar investment."

Ginsburg said the total tab for the renovations, including money chipped in by the SFPUC, was about \$20 million.

"We just recently replaced the dock and ramp that are used by a number of the rowing clubs on south lake," he also noted. "There are still ramps that need work and we look forward to taking those on."

"Our big current focus is the Lake Merced boathouse. Thanks to the (SFPUC's) support and investment, we're able to partner on this \$2 million renovation of the existing boathouse. The plans are to renovate the boathouse include renovations to the restrooms, which have already been completed, a concession area, a new rowing exercise room and a community room."

Ginsburg said the parks bond recently passed in the last election set that amount aside for spending at this lake.

Cleaning up the Pacific Rod and Gun Club and dealing with clay remnant, lead and steel shot in the 10-acre area is projected to cost the SFPUC (the public) about \$12.7 million.

Probably the largest group that showed up at the workshop were supporters of the shooting range, maybe a dozen people, one of which included Ali Chiang. She joined several others in asking the commission to bring the club back after the cleanup.

Dick Allen, describing himself as a user of the lake for "water related purposes," took to exception to Ginsburg's assertion that that Rec and Park replaced the dock and ramp since "the cost was funded by the rowing clubs and RPD on a 50/50 split."

Allen and his entire family have been rowing the lake for over 20 years.

"The SFPUC and Rec and Park has ignored the major capital recommendation in the Watershed report published in 2011," he said. "The \$588,000 PUC report strongly endorsed building a new boathouse to provide additional storage space for the overcrowded rowing clubs."

The biggest concern now is how the recently passed city bond that allocates two million for Lake Merced will be allocated. This money is separate from the 2 million being spent on the old boathouse that did not include increasing boat storage."



Mary Allen, at 76, uses the boating facilities almost daily, she also teaches younger "skullers" the ropes. Boaters comprise the largest group of lake users.

Dick Morten said he has been described as a "cranky old guy" by some of his detractors, and he suggested that maybe he was getting cranky from dealing with lake issues.

"Commissioners, you ought to be getting cranky also," said Morten. "Aren't you tired of mushroom management, keep them in the dark and feed them B.S.? ... Eliminate the hydra-headed, unaccountable dual management of this resource, Lake Merced. Take full control. The PUC can do all the services that are required by Rec-Park."

Dan Murphy of the Golden Gate Audubon Society also asked the commission to take control of the lake. "We think that the commission, your commission, needs to be in charge. We don't have any problem with the PUC or Rec & Park running some programs, that's great, but we need some commission where the buck stops, and that needs to be you because this is your resource and you are our representatives. Take care of it."

Murphy called for the creation of a master plan to guide everyone in revitalizing the lake.

Jim Stark represented a neighborhood organization called the Lakeshore Acres Improvement Club and he also asked for the SFPUC to take overall control of managing the lake.

"What we need is leadership and we believe the PUC is the correct organization to do the leadership," said Stark.

When interviewed after the meeting, Ginsburg dismissed the idea that his department should hand its responsibilities at the lake over to the SFPUC.

"I don't think that the vast number of folks that actually rely on our programs and play golf here and kayak in the lake and boat and even the rowing clubs actually share that perspective," said Ginsburg. "The lake is a combination of environmental stewardship and recreation functions and recreation is our business. We had over 450 kids last summer enrolled in summer camps. This year all of the waterfront summer camps are completely sold out."

"We have different missions. The PUC is responsible for wastewater, and electricity and power, and sewers and water quality. And the PUC's responsibility here, their primary purpose is to ensure lake levels and water quality and some of the infrastructure. There are some functions that we share. We are both engaged in environmental stewardship responsibilities but recreation is not part of their core mission."

The Commission's Vice President, Art Torres, said the next step is for the commission to take all of the spoken and written public input and work with their staff to come up with responses to community concerns.

He also said instead of another public hearing, he hopes to put together "a more informal committee hearing where you have representatives of every interest group that's concerned about the lake, and staff, and I commit to be there. ... I really do think that it's impossible to come to recommendations in a public hearing but it is possible to get access to your viewpoints. I think that's important as a first thing. This is not the last thing."

Thomas K. Pendergast is a SF freelance reporter.



Kay Curry at Bengal Alley and Lansdale said her neighbor took a couple of pictures of what appears to be a wild turkey in one of my backyard trees. A brief google search didn't turn up any reports of wild turkey sightings in San Francisco. Any one else seen him/her? Or any wild turkeys in San Francisco? Report to editor@westsideobserver.com

WHISTLEBLOWERS / Dr. Maria Rivero & Dr. Derek Kerr

Oversight in Bondage

Given human nature, oversight is needed to keep decision-makers accountable, and to protect public interests. Article IV, Sec.4.102 of the City Charter constrains oversight bodies to work “solely through the department head” to prevent political interference. Still, oversight succeeds when it is knowledgeable, independent, and committed to public service. Surprisingly, oversight of the SF Controller’s Whistleblower Program (SFWP) was thrust upon the Citizens’ General Obligation Bond Oversight Committee (CBOBOC). This happened when Proposition C of November 2003 authorized the Controller to act as City Services Auditor—and to run the Whistleblower Program.

Cont. p. 14

“...these new oversight tasks were bewildering and unwelcome. And, they came with no training, no budget and no enforcement powers. Although CBOBOC has amassed a \$1.1 million budget ... this money must be used to audit bonds, not the SF Whistleblower Program.



WEST OF TWIN PEAKS CENTRAL COUNCIL By Mitch Bull

Amid the glowing hearth, the WOTPCC meeting on March 25th got started at their temporary home, the Miraloma Park Clubhouse, with about 30 people to start. President Matt Chamberlain assembled the gathering and kicked off the meeting at 7:35 PM.



Katie Miller gives an update on the 15th Ave water main break

Following a brief welcome and the housekeeping items such as roll call, approval of the February meeting minutes and the financial report, the officers gave their reports. Treasurer Carolyn Squeri reminded representatives of the need to file IRS 990-N forms to protect the non-profit status of the homeowner and neighborhood associations.

Avrum Shepard reported on several items pertaining to West Portal Avenue: the application by a Gold buyer/Pawn Broker to go into the space at 162 West Portal Avenue; the petition that has been formulated by the operators of the St. Francis Market, whose lease is being terminated by their landlord; and the WOTPCC roster project, which still has 10 organizations who have not responded with their information. As part of his technology report he also described a bill in committee in the state senate to significantly raise the car licensing fees (by upwards of 300%) to help the state fund transportation related projects. Cars (and their owners) are being increasingly vilified and targeted for increased costs. In other transportation related matters it was brought up that one of the proposals to alter the MUNI route along 19th Avenue would eliminate the Ocean Avenue and Eucalyptus stops.

Estelle Smith, (Planning and Land Use Committee) spoke on the basic initiatives that the committee is focusing on: CEQA revisions; Serial Permitting issues; Secondary Units; the Housing Element; and a possible Monterey Blvd. Safeway project. She will be sending out the list of initiatives to solicit feedback from the associations and homeowner groups.

George Wooding (Public Health) gave an overview of the deal struck by CPMC (California Pacific Medical Center) to build a new hospital on Van Ness Avenue. The new facility will be smaller than originally planned, and CPMC will renovate and continue to operate St. Luke’s Hospital in the Mission district as part of the settlement. In other health news,

the doctors removed from the staff at Laguna Honda were awarded \$750,000 in their suit against the city’s Department of Public Health over their termination for whistle blowing. It was also reported that \$345,000 that was “missing” from the patient gift fund has been replaced.

The first guest speaker of the evening, Katie Miller, gave an update on the water main break at 15th and Wawona. Miller, Head of Engineering with the City Distribution Division of the Department of Water, detailed how of the 1200 miles of water pipes in San Francisco 60% are pre-1970 and are made from cast iron, with joints comprised of lead. (18% of the pipes are over 100 years old.) It was a lead joint that failed in a 16” main pipe that resulted in the very large water event in the West Portal neighborhood. The department is estimating that water and sewer work should be completed within four weeks with soil work, sidewalks and street resurfacing to follow. The Department of Water will be setting up and staffing a neighborhood office at 383 West Portal Avenue to address the needs of the residents who are affected by the water main break and resulting damage.

Meaghan Tiernan and Peg Divine spoke next about the ongoing pedestrian safety work on Sloat Boulevard. The pedestrian safety project will construct “bulb outs” at the intersections of Sloat at Everglade, and Forestview, and the installation of pedestrian activated beacons at the Forestview and 23rd Avenue intersections. It was also discussed that Caltrans is planning to repave Sloat in 2014, so the plan is to have the safety project completed prior to the new road surfacing.

The final speaker of the evening was Eric Brooks, who spoke of the benefits of the CEQA (California Environmental Quality Act) and the issues that have arisen with proposed changes to the act by Supervisor Scott Wiener, as well as the “competing” CEQA revisions being proposed by Supervisor Jane Kim.

Brooks, the Campaign Coordinator for Our City San Francisco, and of the Community CEQA Improvement Team, cited three points of the proposed Wiener legislation that would greatly lessen the ability for citizens to make appeals on projects, as well as taking the Board of Supervisors out of the hearing component of the appeal process.

Next month, Supervisors Wiener and Kim will address the WOTPCC meeting on their differing approaches to revamping CEQA and how their respective plans will maintain the spirit of the original legislation, but change it to help streamline the process.

The next meeting of the WOTPCC will be on Monday, April 22nd at 7:30 PM at the Miraloma Park Clubhouse, at 350 O’Shaughnessy Blvd. westoftwinpeaks.org.



Estelle Smith, Chair of the WOTPCC Planning and Land Use talks about proposed CEQA revisions

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Comings and goings dept...the former Café for All Seasons spot is primed to open later this month as **Trattoria Da Vittorio**. Completely remodeled, the workers are putting the finishing touches on the exterior while work is almost completed on the interior. It is really looking good and owner Vittorio D'Urzo feels that he should be able to have everything ready to go by the end of April. Best wishes and much success to the chef and his staff.



The **West Portal Merchants Association** held a meeting last week to see a presentation from the team at **La Boulange**, who are working through the conditional use and permit process to open a new location at **16 West Portal Avenue**. The architectural drawings and renderings look very good, and several merchants and citizens spoke in favor of the bakery/café citing the wonderful food and ambiance which the company exhibits at their other SF locations. Concerns were raised about increased traffic and parking, as well as the fact that the operation was recently purchased by Starbucks and that West Portal is against chains moving in and **driving up rents**. It was explained that Starbucks did indeed purchase La Boulange as an investment to improve the food within Starbucks locations, and to expand the SF based company to other locations throughout the country. The founding executives are still running the operation, which now numbers 13 locations in the city. Everyone seemed to agree that the concept is attractive, but it is a shame to lose a food market, and the risk is of more chains type stores (known as **"formula retail"**) coming in, with the result being jacked up rents that will price the small boutique retailers out of the market. It is a risk, as many of the landlords are not realistic about building rental values and are willing to keep empty storefronts rather than rent the spaces at a reasonable rate.

The boutique nature of **"neighborhood"** shopping districts is what is charming in districts like Noe Valley, the Castro, the Mission and in West Portal. For shopping in a cluster of larger retail brands there is always Stonestown Galleria. Of course, the avenue has formula retail in banking, Noah's Bagels, Radio Shack and the ubiquitous Starbucks and occasional Peet's. It really comes down to landlord leasing reality. Unfortunately so many of the building have been passed down from generation to generation and it is not uncommon for owners to have a skewed (or no) concept of how retail market leasing works. Stay tuned for more on this in the future...

Pawnshop alert...it seems that the new proposed tenant in the former **"Just Because"** card store on West Portal is another **"gold broker / pawnshop"** type of operation. Given that the neighborhood has an existing one the question begs to be asked **"Do we really need another one?"** If you feel strongly about this you should let Supervisor Yee know, as well as the folks at the Planning Department.



Yee also was on the avenue later that morning having a neighborhood chat with folks at the **Greenhaus Café**.)

Arbor Day action... while driving on Junipero Serra Blvd. you may have noticed groups of people working in the median strips. It turns out that the Department of Public Works and students from San Francisco State teamed up to plant new trees to beautify the median areas and to celebrate **Arbor Day**. It's always beneficial to have more trees to beautify the city, as well as to **"soak"** up more CO2 from the atmosphere, converting it to oxygen. I spoke with several of the people and they seemed to be having fun while performing a good civic service.



Bengal Alley Update: It's between Miraloma and Lansdale, the main link for many Mt. Davidson and Sherwood Forest residents where the 43 bus stops right at its gate on Miraloma Drive. Without notice a cyclone fence showed up blocking the way on Miraloma. Now, 5 years later, Bengal Alley is ready to open. The permits are signed off — with no ceremony, then there was some confusion about who had installed the chain-link fence — so who should remove it — then that got resolved. The Alley is now open to the public, again with no ceremony. **Kay and Fred Curry** say they will be **"putting together a party soon, and other activities."** At press time they reported that the fence is down. The public walkway is once again open to the public.

Do you have an event, a neighborhood fact or just an observation to share? mitch@westsideobserver.com and share your ideas or just let us know what you think.

♣ APRIL EVENTS ♣

EVERY SUNDAY • FARMERS MARKET

Farmers Market | Every Sun | 9 am–1 pm | Stonestown back parking lot: at Stonestown Galleria (19th Ave @ Winston).

EVERY TUESDAY • NERT

Tue Apr 2, 9, 16, 23, 30 | 6:30-9:30pm | Forest Hill/Midtown Terrace/GG Heights Neighborhoods Forest Hill Christian Church. Info: sf-fire.org/index.aspx?page=879

EVERY TUES • QUE SYRAH HAPPY HOUR

Every Tue Happy Hour | 4–8 pm | Que Syrah Wine Bar. Take \$1 off each glass, 10% off each bottle of wine on site.

Every Thu Tapas | 5:30–9 pm | 230 West Portal Ave 731-7000

EVERY MON MORNING • TOASTMASERS

Wed | 7–8 am | Conquer your fear of public speaking. Toastmasters helps you become a confident public speaker. Tennessee Grill, 1128 Taraval upstairs room. RSVP 415-564-606

EVERY THURS • BABY RHYME TIME

Thu | 10 am | Rhyme, Rhythm, and Song. For infants up to 18 mo and their caregivers. Merced Branch Library, 155 Winston Dr. 355-5651.

EVERY THURS • NIGHTLIFE

Thu | 6–10 pm | The Academy of Sciences is transformed with live music, provocative science, mingling and cocktails. GG Park \$12 (\$10 Members). calademy.org/nightlife

JAZZ FRIDAYS @ THE CLIFF HOUSE

Fri | 7–11 pm | The Balcony Lounge at the Cliff House hosts jazz performances every Friday night. 1 Seal Rock. Performers: www.cliffhouse.com/home/jazz.html

FRIDAY NIGHTS @ THE DEYOUNG

5–8:45 pm | Music, poetry, films, dance, tours and lectures. Cafe: special dinner, no-host bar. Art-making children/adults. deYoung Museum, GG Park. deyoung.famsf.org/deyoung/fridays

TUE • PEOPLE OF PARKSIDE/SUNSET

4 Thu Apr 4 | 7 pm | Formerly Taraval Parkside Merchants Assn. Taraval Station, 2345 24th Ave. 1st Thu each month.

SUN • CULINARY EXPO FESTIVAL

7 Sun Apr 7 | 12:30-4:30 pm | The Culinary Expo Book and Blog Festival is held in The Concourse at 635 8th St at Brannen. Exhibitors will be presenting their products and services to the most recognized, respected and influential food personalities and newsmakers in the culinary world. Admission \$25.

MON • LEARN STAMP COLLECTING

9 Mon Apr 9 | 7-8:30pm | History and art combine into a tiny postage stamp. SFPPS stamp club meeting, SFPD Community Room Richmond Station, 461 - 6th Ave. RSVP by calling 415-564-606

TUE • GREATER WEST PORTAL-GWPNA

9 Tue Apr 9 | 7:30 pm | West Portal Clubhouse, 139 Lenox Way. 2nd Tues each month. www.gwpna.org

WED • KNITTING SOCIAL@BOOKSHOP

10 Wed Apr 10, 24 | 7 – 9 pm | Join Thea's knitting clinic and social circle, \$10 per hour. Bring your project Social Circle: Free– knitters, crocheters, needlepointers, sewers! BookShop West Portal, 80 West Portal. Info 564-8080.

WED • CANADIAN WOMENS CLUB

10 Wed Apr 10 | 11 am-Noon lunch | “How the Gold Rush Created San Francisco” and how the events of ‘49 transformed a small trading village into an instant metropolis. Charles Fracchia, founder SF Historical Society Speaker. Guests welcome. Cost: \$35. RSVP required: www.canadianwomensclub.org or President@canadianwomensclub.org Old Presidio Golf Club, 8 Presidio Terrace [in the Presidio]

SF CHERRY BLOSSOM FESTIVAL



1 Sat Apr 13 | 10 am – 6 pm | The 2013 Now celebrating its 46th year, over 200,000 people attend this dazzling display showcasing the color and grace of the Japanese culture. 1737 Post St.

TUE • COMMUNITY SAFETY MEETING

1 Tue Apr 16 | 6 pm | Minnie & Lovie Ctr. 3rd Tue of the month. Meet with Captain Curtis Lum. 2345 - 24th Ave 759-3100.

THU • DEIR SF GROUNDWATER PROJEC

1 Thu Apr 18 | A public hearing on the Draft EIR at the Planning Commission (check the hearing agenda for the order of scheduled items). Room 400, City Hall Public comments on the Draft EIR will also be accepted until 5pm Apr 27, 2013.

THU • IRISH POETRY READING

1 Thu Apr 18 | 7 pm with Patrick Cotter & Matthew Sweeney BookShop West Portal, 80 West Portal. Info 564-8080.

TUE • AUTHOR PHILIP KERR

2 Tues Apr 23 | 7 pm | Kerr's new thriller returns to the Eastern Front, to investigate a mass grave. BookShop West Portal, 80 West Portal 564-8080.



WED • ALZHEIMER SUPPORT GROUP

2 Wed Apr 24 | 6-7 pm | Learn about memory loss, share your experiences and get answers. Alma Via of SF, One Thomas More Way. RSVP 508-5500.

WED • HOW TO CARE FOR PET WORMS

2 Wed Apr 24 | 4: pm | Worms will eat your food scraps and turn them into compost. Make a special house for worms. An environmental program at Merced Branch Library, 155 Winston Dr. 355-5651.

THU • AUTHOR MARY ROACH

2 Thu Apr 25 | 7 pm | *Gulp: Adventures on the Alimentary Canal* Mary Roach The irresistible, and best-selling Roach returns with a new adventure down the hatch on an unforgettable tour. BookShop West Portal, 80 West Portal Ave 564-8080.



THU • OMI NEIGHBORS IN ACTION

2 Thu Apr 25 | 7 pm | Meets last Thu each month. 65 Beverly St. Speakers: Supervisor Norman Yee and The Jewish Home.

MON • WOTP CENTRAL COUNCIL

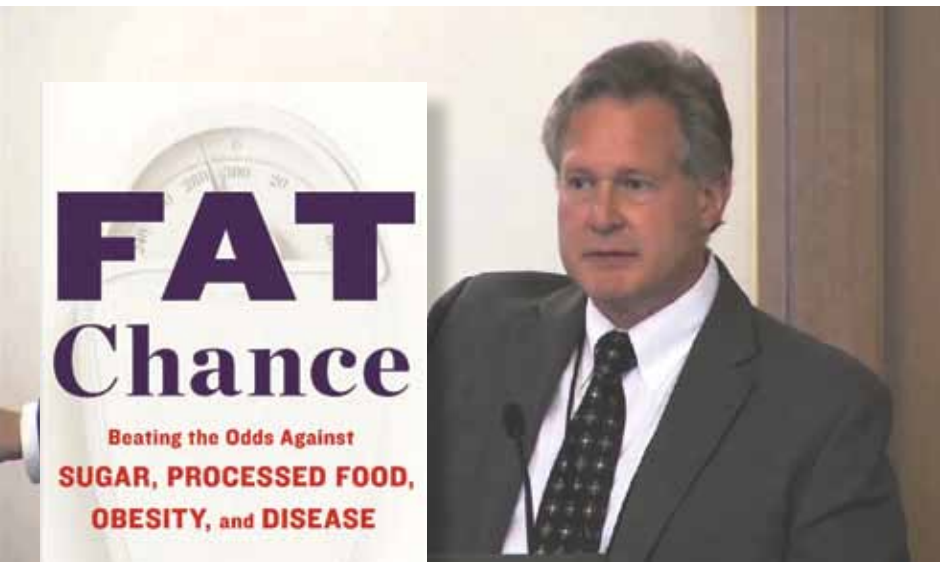
2 Mon Apr 29 | 7:30 pm | West of Twin Peaks Central Council meets on 4th Mon. Interested in local issues? Miraloma Clubhouse, 350 O'Shaughnessy.

TUE • SF HISTORY: DAVID TALBOT

3 Tue Apr 30 | 7:30 pm | *Season of the Witch: Enchantment, Terror, and Deliverance in the City of Love*. St. Philip's, 725 Diamond (at 24th St). David Talbot, f author of bestselling *Season of the Witch*, a history the turbulent period between the 60s and early 80s. Peoples Temple, Milk, Moscone.



Have a local event? Contact: editor@westsideobserver.com



Dr. Robert Lustig, Professor of Clinical Pediatrics, Division of Endocrinology, UCSF; Director UCSF Weight Assessment for Teen and Child Health (WATCH) Program

DR. ROBERT LUSTIG, AUTHOR
FAT CHANCE, BEATING THE ODDS AGAINST SUGAR, PROCESSED FOOD, OBESITY AND DISEASE

Can sugar threaten your health? Dr. Robert Lustig says it can. “I’m Robert Lustig and I’m here to recruit you. I’m recruiting you in the war against bad food.” He calls sugar a poison that is one of the major causes of obesity and chronic metabolic diseases such as diabetes and heart disease in children and adults.

Thu. April 9, 2013, 6pm Koret Auditorium, SF Main Library will feature Dr. Robert Lustig, from UCSF, who’s been in the news recently talking about the danger of sugar to our health and diet. He’s just come out with a new book called *Fat chance : beating the odds against sugar, processed food, obesity, and disease*.

Thu. April 9, 2013, 6pm Koret Auditorium, SF Main Library But Lustig insists that nailing down sugar’s role in the rise of obesity and diabetes is useful, because it will give people a starting point. “The point is, if [diabetes is caused by] many things, you can handle each one, one at a time,” said Lustig.

Where to start, then? Well, Lustig says, we could start by regulating sugar better, with stricter guidelines for sugar consumption, and taxes on it.

Sounds like he’ll soon be pushing for legislation — especially since the doctor is pursuing a law degree.

He’s certainly no lightweight when it comes to getting out the message. His YouTube video “Sugar: The Bitter Truth” has attracted millions of viewers since it went viral in 2010.

Come hear him speak about his new book. A book sale and signing follows the program. Admission is free. More info: (415) 557-4477 or www.sfpl.org

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Now At the Movies • By Don Lee Miller

21 AND OVER

Actually, this gross film is for the under 21 and anyone whose mature thinking is impaired. When Jeff Chang's: Justin Chon two best friends take him out drinking for his 21st birthday, it soon becomes senseless debauchery and overindulgence. To find Jeff, students Miller: Miles Teller and Casey: Skylar Astin must compete and pass a test on each floor of a den of iniquity to get to the eighth floor. There are hurdles en route and no sentences without profanities. Miller tries to impress blond bombshell Nicole: Sarah Wright (Mad Love). Nicole and Randy: Jonathan Keltz improve the scenery. On The Hang-over series, co-directors/screenwriters Jon Lucas/Scott Moore did much better. Save your money. Drugs and drinking. Pervasive profanity throughout! Crude sexual content/graphic nudity.

BEAUTIFUL CREATURES

High school senior Ethan: Alden Ehrenreich finds it strange that a new arrival in his Southern town, Lena: Alice Englert appears in his Civil War-era nightmares. Her mother, Mrs. Lincoln: Emma Thompson, a caster: one with supernatural abilities, lets loose a tornado within a church meeting! Ethan's father, Macon: Jeremy Irons is equally powerful. They must have gotten substantial paychecks to have participated in this uninteresting, dull crap. See their Oscar-winning films instead. Amma: Viola Davis is relegated to a small part relating to the secretly recorded history of past casters. Young love is overcast by the senior casters. Directed/co-written by Richard LaGravenese, based on the youth novel by Kami Garcia and Margret Stohl stolen from the Twilight series. Don't expect a sequel. Scary images. Sexual content. Violence. Profanity.

THE CALL

L.A. 911 switchboard operator, Jordan: Halle Berry, gets a call from a teen

female before she is murdered. Jordan's so upset that she switches to training others to receive calls. Within a few months, a call comes in from kidnapped Casey: Abigail Breslin, held in the trunk of a sedan driven by Michael Foster: Michael Eklund, a loose screwball. Jordan talks Casey through the ways to make her presence known to other drivers. After a few minutes, Jordan realizes Casey's kidnaper is the murderer from before! The suspense to this point is almost unbearable. Maddy: Roma Maffia and Officer Paul: Morris Chestnut as Jordan's boss and boyfriend provide her support. Was it really necessary to remove Casey's blouse? The story by Richard D'Ovidio and his screenplay, with Nicole D'Ovidio and Jon Bokenkamp, falls apart at the seams when Jordan gets personally involved after work by going to the site nearby in Studio City where Richard was last seen. Director Brad Anderson (Boardwalk Empire) could have avoided the clichés. Berry needs a new hairstylist. Violence. Disturbing content. Profanity.

THE CROODS

The animated feature is set in the final years of the prehistoric era. The father, Grug: voice of Nicholas Cage, is not only afraid of the dark, but has instilled many fears in his cave-dwelling family. His wife, Ugga: v.o. Catherine Keener, watches over Gran: v.o. Cloris Leachman and their inquisitive daughter, Eep: v.o. Emma Stone who meets Guy: v.o. Ryan Reynolds on one of her adventurous treks beyond the limits of where she's allowed to go. Guy's the bright inventive type of hero needed in their stressful situation with earthquakes and carnivorous beasts and vultures. Many life lessons for the young are subtly included. Threatened by many unusual animals during a dangerous move, they find a spectacularly beautiful utopia. Kirk De Micco and Chris Sanders co-direct and co-wrote the screenplay and story. Not to be missed. Some scary

action.

THE EMPEROR

Once the war with Japan was won, peace with the emperor must be worked out by two American generals, MacArthur: Tommy Lee Jones, whose descendants won't be pleased by the cranky, foul-mouthed portrayal; and Gen. Fellers: Matthew Fox, who fell in love before the war with Aya, a Japanese exchange student. He is accused of never bombing near the school where she taught. MacArthur's sins are far worse: he is camera-ready for his upcoming run for the White House. A leading Japanese expert, Fellers must determine if Emperor Hirohito should be tried and hanged as a war criminal. All the while he searches for Aya, hoping she is still living. Peter Webber directs the mixed bag. Profanity. War violence. Smoking.

THE INCREDIBLE BURT WONDERSTONE

A comedy about Las Vegas illusionist partners of ten years whose stale act is falling apart should have been funnier. As youths, Burt: Steve Carell and Anton: Steve Buscemi grew up entranced by a Holloway magic kit. Jane: Olivia Wilde joins their act, serving as assistant and love interest. Burt is in love with himself and abusive to Anton. They get competition from a street magician, Steve Gray: Jim Carrey who sleeps on hot coals and drills a hole in his skull. Casino mogul James Gandolfini is ready to fire them when they dissolve the partnership and friendship. Burt's bookings go downhill until he finds himself playing to entertain seniors in a retirement home. It's there he meets his idol Holloway: Alan Arkin, who adds life back into the film. Producer/writer of 30 Rock, Don Scardino directs as if he hasn't learned anything from the hit series. Drug-related material Dangerous stunts. Sexual content. Profanity.

OZ THE GREAT AND POWERFUL

Oz: James Franco doesn't seem very comfortable in this part and he doesn't

even have to wear red shoes. Powerful Theodora: Rachel Weisz is the sister of spurned Evanora: Mila Kunis, who not only turns wicked, but also green as she loosens her wrath on everyone in sight. Annie/Glinda: Michelle Williams plays the beautiful heroine who falls for Oz. His sidekick Frank/Finley: Zach Braff doesn't get a lot to do. These two actors have double rolls, also appearing in the non-color early scenes before Oz gets whisked away by the Kansas tornado. Look for Winkie Gait Keeper: Bruce Campbell (Brisco County). The special effects are sometimes spectacular, however the setting is most attractive. Scary action images. Mild profanity.



SNITCH

John Matthews: Dwayne Johnson, a Missouri construction manager, in this modern film noir sets out to rescue his 18 year old son, Jason Collins: Rafi Gavron who was set up in a drug deal gone sour. His remarried mother, Silvie: Melina Kanakaredes and John's second wife: Nadine Valazquez (the flight attendant in Flight), are concerned when John goes undercover in the DEA in a deal with bearded Agent Cooper: Barry Pepper and Congresswoman Joanne Keeghan: Susan Sarandon to reduce or commute Jason's 10-year imprisonment. John's friend Daniel James: Jon Bernthal has been out of the drug business for years, but John drags him back for an introduction to El Topo (The Mole)/Mr. Big: Benjamin Bratt and his violent middleman, Malik: Michael K. Williams. John and Daniel drive a big rig loaded with cocaine in the high action dramatic thriller with lots of vehicle chases and shootouts. Director/co-writer Ric Roman Waugh, who filmed in Shreveport, Louisiana, entertains while raising questions about some of the US drug laws. Drug content. Violence. Profanity.

At the Theater • By Flora Lynn Isaacson

WAITING FOR GODOT

Samuel Beckett's French title, En Attendant Godot, sums up the essence of his 1953 play Waiting for Godot, as it is really about what happens while two tramps wait. Beckett's masterpiece was directed by Marin Theatre Company's Artistic Director, Jasson Minadakis. Beckett calls his play "a tragi-comedy" in two acts. Waiting for Godot was recently performed at MTC from January 24-February 17, 2013.

The plot of Samuel Beckett's Waiting for Godot is simple to relate. Two tramps Estragon, (Mark Anderson Phillips) and Vladimir (Mark Bedard) are waiting by the side of the road for the arrival of Godot. They quarrel, make up, contemplate suicide, try to sleep, eat a carrot and gnaw on some chicken bones. Later, two other characters appear, a master, Pozzo (James Carpenter) and his slave, Lucky (Ben Johnson). They pause for a while to converse with Vladimir and Estragon. Lucky entertains them by dancing. After Pozzo and Lucky leave, a young boy (Lucas Meyers) arrives to say that Godot will not come today but he will come tomorrow. However, Godot does not come and the two tramps resume their vigil by the tree, which between the 1st and 2nd act has sprouted some leaves.

Beckett's two tramps are costumed by Maggi Whitaker in tight black suits, bowler hats and tight shoes which are reminiscent of Chaplin, Buster Keaton and Laurel and Hardy. The minimalist set by Liliana Duque Pineiro consists of a plain black background with only a bare-branched tree, a rock, and occasionally a moon.

Minadakis' superb direction shows us that life is worth living when you are with someone. His Vladimir and

Estragon are tied together because they need each other. They complement one another. Vladimir never sits down while Estragon is constantly sitting.

Minadakis has assembled a talented cast—Oregon Shakespeare Festival Company Member is Vladimir. Mark Anderson Phillips, previously in MTC's Tiny Alice, is Estragon. Both actors play off each other very well. A standout performance is given by well-known Bay Area actor James Carpenter as Pozzo. Former Ringling Brothers and Cirque du Soleil clown, Ben Johnson, makes the most of his role as Pozzo's servant Lucky. His long speech is strongly reminiscent of James Joyce.

Beckett's play is universal because it pictures the journey all of us take in our daily lives. Habit is very important as it is the pattern of our daily lives. We are all waiting for something to make our lives better. The act of waiting is never over and it mysteriously starts up again each day.

Coming up at MTC will be the Bay Area Premiere of The Whipping Man by Matthew Lopez and directed by Jasson Minadakis, Mar 28-Apr 21. Flora Lynn Isaacson

ENCHANTED APRIL

Ross Valley Players opened the 4th show of their 83rd season Friday, March 15, 2013 with Matthew Barber's Enchanted April. It is a wonderful romantic comedy and definitely a must see for all ages. Mr. Barber's lively adaptation of a charming novel by Elizabeth von Arnim, The Enchanted April, is set at a villa in Portofino in the province of Genoa, Italy, which von Arnim visited during the 1920's. There was a 1992 film version, and Barber's 2003 play won three Best Play Awards and was

nominated for a Tony.

Enchanted April tells the story of four very different women in 1920's England who leave their damp and rainy surroundings to go on a holiday to a secluded, coastal villa in Italy. Mrs. Rose Arnott (Tweed Conrad) and Mrs. Lotty Wilton (Avila Reese), who belong to the same church but have never spoken, become acquainted after reading a newspaper advertisement for a villa in Italy that is available for rent. They find some common ground in that both are struggling to make the best of unhappy marriages. Having decided to seek other ladies to help share expenses, they reluctantly take on the irritable Mrs. Graves (Anne Ripley) and the charming Lady Caroline Bramble (Kate Fox Marcom). These four women come together at the villa and find rejuvenation in the tranquil beauty of their surroundings, rediscovering hope and love. Enchanted April is beautifully directed by Cris Cassell and produced by Maureen O'Donoghue.

Director Cris Cassell has orchestrated something truly magical in this play. Each actor is so well cast. You have until April 14, 2013 to become enchanted and charmed.

Thurs performances 7:30 pm; Fri-Sat at 8 pm. and Sun at 2 pm. At the Barn Theatre, 30 Sir Francis Drake Blvd., Ross. Tickets, 415-456-9555, X 1 or rossvalley-players.com.

Coming up at RVP: All My Sons by Arthur Miller, directed by Caroline Altman, May 17-June 16, 2013. Flora Lynn Isaacson



Flora Lynn Isaacson

56th Annual San Francisco International Film Festival

By Tom Mayer

The 56th annual San Francisco International Film Festival takes place April 25 to May 9 at the New People, Kabuki, and Castro Theaters in San Francisco. Go to www.sffs.org for info and tickets.

The Festival brings back a programming highlight and audience favorite: the innovative pairings of classic silent films and contemporary musicians. On Tuesday, May 7 at 8pm at the Castro Theater, SFIFF presents Paul Leni's classic 1924 silent film "Waxworks" with live musical accompaniment by multi-instrumentalist Mike Patton ("Mr. Bungle", "Faith No More") and percussionists Scott Amendola, Matthias Bossi and William Winant.

On Saturday, April 27, Steven Soderbergh, one of the world's most celebrated figures in contemporary filmmaking, will deliver the tenth annual State of Cinema Address at the Kabuki Cinemas in SF. The State of Cinema will headline the Festival's Live & Onstage program of unique one-time-only events featuring elements of live music, multimedia presentations and audience participation.

The Festival has announced the films in competition for the New Directors Prize and the Golden Gate Award nominees for documentary feature.

SFIFF will award \$70,000 in total prizes this year. The New Directors Prize of \$15,000 will be given to a narrative first feature that exhibits a unique artistic sensibility and deserves to be seen by as wide an audience as possible. The Golden Gate Award documentary feature winner will receive \$20,000 and the Bay Area documentary feature winner will receive \$15,000. This year's competitions are comprised of films from 19 countries. Independent juries will select the winners, which will be announced at the Golden Gate Awards on Wednesday, May 8.

SECOND THOUGHTS / By Jack Kaye



Two Main Issues of the Day

Two main issues facing our government leaders besides unemployment, the deficit, the debt, housing foreclosures, our war in Afghanistan and abortion have become immigration and the regulation of firearms.

Immigration has become a top priority because the heavy favorable votes from members of the Latino-American community are credited for at least part of the President's well-deserved victory last November.

Just as we are polluting our atmosphere and causing climate change, we are polluting our society with violence and destroying the very fabric of our humanity. We must change our ways. But it won't be easy. We changed our culture regarding slavery, women's rights, cigarette smoking and civil rights, and are changing our cultural attitude toward gay rights and pollution.

The regulation of firearms has moved front and center because of the increasingly brutal mass shootings that have occurred in the past few years.

On immigration, there appears to be the beginning of a bi-partisan agreement to resolve the issue of the estimated ten million or more people living in America without proper documentation, caused by their illegal entry. The plan seems at first glance to be very sound and well-balanced. First, our southern border will be completely secure. Then a national I.D. system will be put in place to ensure that only legal residents are hired and are working in our country. Then people here illegally will be given a criminal background check. If they pass, they will be required to report where they worked and how much they earned for the time they were in this country, and will then be assessed for back taxes with penalties and interest, and only then will be issued green cards to work here legally. To ensure that they are not taking jobs from Americans, the immigrants will be eligible only for jobs that no American wants. They also must learn English and pass a U.S. civics test. Then they will be allowed to place their names behind everyone else from their homeland that has been waiting for legal entry.

The plan being considered also makes it easier for foreign students who graduate from our colleges and graduate schools to stay in our country to use their new-found training. It would also make it easier for American companies to employ foreign scientists to make up for our country's lack of them.

But at second glance, there are some problems. First comes securing the border. What does it mean and when will it be done? We have been trying to improve security at our southern border for the past 12 years. It is still not even half done. When will it be completely secure? What are the criteria for calling the border "completely secure?"

Then there are the work histories. The vast majority of illegal workers have worked off the books, for cash, for less than American workers would have demanded, and for employers who were illegally exploiting their labor. How will the illegals document their document-free employment? How many employers will verify that they, in fact, hired and exploited the illegal workers? How will the criminal justice system check on criminal history when the documentation of criminal identification is unavailable, because the arrestee is undocumented and not all fingerprints obtained during arrests are in the database?

How will back taxes be calculated absent any documentation? How many illegal workers earned enough to owe taxes when 47% of American families didn't? If there is a general fine, what if these poor workers don't have the money for these fines? They have to learn English. What does that mean? Do they really have to be fluent and be able to read and write English too? And how much U.S. civics must they learn, and where can they learn it?

Though many of them are already working here, they must yield their jobs if Americans want them. They will no longer accept lower wages and fewer benefits than legal residents, so how many of their employers will see no reason to keep them?

And then they get to go to the end of the line to get full citizenship so they can be equal to everyone else. The proponents and illegals "demand" it. Why? Why isn't letting them become legal residents with green cards enough of a reward for people who came here illegally and took jobs away from those here legally? Why

should they also have citizenship? Why can't lack of citizenship be their penalty for their illegal, uninvited entry?

As a compromise, what about first securing our southern border, completely tightening our monitoring of short term visitors' visas, while creating a national I.D. card system to ensure that only legal residents are hired; doing a criminal background search, mindful that it might not be complete; give English language classes and civics courses, and charge each undocumented immigrant a flat fee, say \$10,000, to obtain a green card to work and receive special driver's licenses? If as many as ten million paid \$10,000 each we would raise \$100 billion and ten million people would no longer be undocumented but would not be eligible for any welfare benefits.

And why do foreign students attend American colleges and graduate schools to begin with? Do we not have enough American students to fill the classrooms? Why are we importing scientists when we are not employing our own? Could it be because they cost less and have fewer employee rights and benefits?

Gun control legislation now being proposed is filled with good ideas that couldn't hurt and would probably help. We don't need assault style rifles for the public. We don't need large clips holding more than 10 bullets. We register car ownership and home ownership; we can register all gun ownership too. More has to be done about early detection of mental health issues, for many reasons as well as gun safety.

But it seems clear that the real problem is our culture. We idolize violence and make heroes of our most violent. We love our military because they can crush their adversaries with brutal force. Our soldiers are heroes. Our favorite T.V. shows and movies are violent. We love James Bond, Rocky Balboa, the Terminator, Rambo, Jack Bauer, Van Diesel, Dirty Harry, et al. Even our news magazines have become showcases of past violence. The CBS show "48 hours" used to be about different topics that occurred over a two-day period, hence the name. The show is now only about murder cases. The same with NBC's "Dateline." Now ABC's "20/20" has joined them, featuring "isn't murder interesting?" shows that teach us that white, middle-class Americans can be vicious murderers. Then there are our violent video games that show what fun it can be to kill people and blow things up.

When we turn on the evening news to get away from all the violence, we see violence both locally and then internationally. Every night the question is which Muslims are killing whom in what forsaken country (Pakistan, Iraq, Iran, Syria, Egypt, Libya, Tunisia, Mali, Lebanon, Yemen, Bahrain, Turkey, Somalia, Sudan, Ethiopia, Chad, Niger, etc.). Lately each night holds news of another mass killing somewhere in our country. We are becoming numbed by and immune to the effects of more news of violence.

We are a violent culture, especially compared with advanced western cultures and Japan, and we must change our ways. Just as we are polluting our atmosphere and causing climate change, we are polluting our society with violence and destroying the very fabric of our humanity. We must change our ways. But it won't be easy. We changed our culture regarding slavery, women's rights, cigarette smoking and civil rights, and are changing our cultural attitude toward gay rights and pollution.

We've done it before, we can do it again. We must do it again.

Feedback: kaye@westsideobserver.com

Whistleblowers (Cont. from p. 9)

CGOBOC itself had arisen from Proposition F in March 2002 in reaction to Laguna Honda Hospital's over-budget, under-scope and over-time replacement bond project. The City wanted independent citizen oversight of City bond expenses. and to make sure money was spent as voters intended. But these bond-related duties were far removed from City services and whistleblowers. Nevertheless, the Charter amendment had CGOBOC: (a) *function as an independent Citizens' Audit Review Board to advise the Controller/City Services Auditor;* (b) *recommend departments in need of comprehensive audit;* and (c) *review citizen and employee complaints received through the whistleblower /complaint hotline...and the Controller's disposition of those complaints.*

Judging from CGOBOC meeting minutes, these new oversight tasks were bewildering and unwelcome. And, they came with no training, no budget and no enforcement powers. Although CGOBOC has amassed a \$1.1 million budget garnered from 0.1% of bond proceeds, this money must be used to audit bonds, not the SF Whistleblower Program. While Prop F dictated that the Board of Supervisors would provide "administrative assistance" to CGOBOC, somehow all of its aid came from the Controller. For example, its Committee Assistant is the Controller's own executive secretary. Though CGOBOC can recruit outside experts, the vetting and funding comes from the Controller. Oversight of the SFWP is limited to asking questions and hearing public comments.

At the September 2003 CGOBOC meeting, then-Controller Ed Harrington explained how Prop C would affect Committee members; *"one major difference in work-load between the current bond-related responsibilities and the advisory role to the Controller would be that all reports would be coming from one source - the Controller."* Harrington added; *"The purpose of an advisory committee is to have civilian oversight without taking away the independence of the Controller."* This jumbling of "oversight" and "advisory" functions allows the Whistleblower Program to pretend it has oversight, while CGOBOC ducks oversight by pointing to its advisory status.

Claiming he was not consulted when CGOBOC was picked to oversee the Whistleblower Program, Harrington explained; *"the Board did not want to create another advisory committee, and this Committee has the representation that the Board wanted."* Apparently, the Board wanted "representation" rather than expertise. Of CGOBOC's nine members, three are appointed by the Board, three by the Mayor, two by the Controller, and one by the Civil Grand Jury. But only the Controller's appointees must have expertise – one in construction management, the other in "auditing government financial statements" – both irrelevant to whistleblower programs.

How could CGOBOC meet its mandate as an independent Review Board if it relied on the Controller for all its information and resources? At the May 2004 meeting, Harrington told Committee members that: *"it would be up to them to decide how much they wanted to be involved."* That was the extent of CGOBOC's

independence. Its role was described as; *"assisting the City Services Auditor by looking at the data and determining if the information is useful, providing public hearing for audit reports, and accompanying the auditors on inspections if the members so choose."* Compared to CGOBOC's Charter mandate, this guidance cropped its oversight. The secrecy imposed on the Whistleblower Program further limited CGOBOC's oversight, and advice.

Meeting minutes from 2004 through 2012 show CGOBOC members passively receiving information from SFWP Directors. Focused on City bonds, and meeting quarterly for two-year terms, members hardly noticed when data about the SFWP was withheld. In January 2005, over a year after the passage of Prop C, CGOBOC finally chose two members to serve as "Liaisons" to the Whistleblower Program. But minutes of the April 2006 meeting show how this oversight mechanism was hobbled; *"...the City Attorney's Office noted that two members of the Committee have volunteered to meet with staff of the Whistleblower Program, monitor its progress and report back to the Committee ...the City Attorney's Office suggests that only one member interface with staff rather than two members..."* Working solo, the Liaison couldn't confer with anyone, other than the SFWP Director, for the next 5 years. During that time, the Liaison presented only one substantive report about the SFWP, in April 2005. CGOBOC's constraints and the City Attorney's meddling lasted until late 2010. That's when the Laguna Honda Gift Fund scandal and the Civil Grand Jury investigation spurred a show of diligence and responsiveness. After we protested the solitary Liaison arrangement, CGOBOC restored a second Liaison, Regina Callan, in August 2011.

By then it was too late. John Madden had already been sworn in as Controller. Rosenfield's appointee to CGOBOC in January 2011. He was immediately hustled to volunteer as the sole Liaison to the SFWP, and to conduct an unprecedented review of the Whistleblower Program. No one objected to Madden assessing the work of his patron, Rosenfield. It would have been *gauche* because CGOBOC's then-Chair Abraham Simmons, who was running for Supervisor, had publicly endorsed Rosenfield to fill Mayor Newsom's unfinished term. Cozier still, John Madden was the City's Assistant Controller in the late 1990s.

So at the April 2011 meeting, Madden reviewed just three investigations, each hand-picked by SFWP Director Tonia Lediju. Oblivious to selection bias, Madden praised Lediju for her help. He skipped the investigative lapses in our Laguna Honda Patient Gift Fund case; *"I did look at the Audit Report in that particular case. I haven't gone all the way back on it. I did some review."* Madden likened whistleblowers to folks who *"fink on their co-workers,"* then equated retaliation to *"putting sand in your sandwich"* or being *"moved to a smaller cubicle."* The Controller's appointee found no problems with the Controller's Whistleblower Program.

Dr. Maria Rivero and Dr. Derek Kerr were senior physicians at Laguna Honda Hospital Contact: DerekOnVanNess@aol.com



A GPS-generated snap shot of San Francisco taxis shows a typical Friday night peak-time concentration of taxi-cabs in the north-east quadrant.

Taxis (Cont. from p. 5)

build the app. Data for this application will be provided free to the SFMTA by the cab companies. This is yet another tax on doing business and will allow the SFMTA to expand its already bloated and overpaid bureaucracy and get involved in an entrepreneurial enterprise with which they have no experience. This is a sector that does not need to be socialized at taxpayer expense.

The SFMTA claims this will make cabs more available to San Francisco and in degree be a substitute for adding new cabs. The cab companies argued that they can and are developing better (while maintaining brand recognition) apps, and if the SFMTA allowed them to require credit card prepayment (as required by their competitors) both riders and drivers would benefit. There is also privacy (corporate and individual) and fairness concerns in centralizing these data in the hands of a government agency.

The intent of the Board of Supervisors in passing the ordinance “Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency” was not to have the SFMTA develop opportunistic ways to use the taxicab industry to pay down the non-taxi debt incurred by the SFMTA, or make taxis a test tube for failed USSR-type regulations, but to implement, as stated, policies to achieve “excellence” and “accountability.”

A GPS-generated snap shot of San Francisco taxis shows a typical Friday night peak-time concentration of taxi-cabs in the north-east quadrant. The average productivity (total time carrying passengers to total available time) of the San Francisco taxi fleet during the peak Friday and Saturday nights is nearly 40 percent higher than the average, non-peak, Monday to Sunday. The City Controller, under the Taxicab Commission, issued biannual Taxi Industry Reports. In these reports the Controller stated that SF taxis averaged 30 paying passenger rides per day. Statistical evidence obtained through GPS meter-clicks shows that the largest cab company averages 44 rides per day. Taxis have become very efficient. There are just not enough of them.

One interpretation of Say’s Law is that supply creates its own demand. Actually the demand is there, it just has not yet been met. The famous Ford Edsel – the demand was there, but the market did not evaluate it at the cost of producing. This idea seems to have great legitimacy and relevance in San Francisco. There is clearly an unmet demand for taxis in San Francisco. The issuance of more regular taxi medallions, with a decrease in costly and irrelevant encumbrances by the SFMTA, would disperse this cluster phenomenon (as shown in the GPS diagram)

into the other areas of San Francisco. San Francisco does not need more anti-competitive activities (centralized dispatch), it needs more regular cabs and less misplaced economic regulation.

A major first move in regulating taxis by the SFMTA was to set up a “short-term” pilot project to allow the buying and selling (medallion holder - age based) of medallions at a fixed price of \$250,000. The transfer fee was set at twenty-percent, fifteen-percent going to the SFMTA, and five-percent to a Driver Fund. This program also allowed the SFMTA to sell up to sixty-medallions, revoked or unsold and to use these funds in their debt reduction program. According to the SFMTA, this would “generate emergency funding” required by the SFMTA. Known by its real purpose, it is paying down a deficit unrelated to the vibrant and non-subsidized, self-sustaining taxi-industry. No rigorous asset valuation was made to set the \$250,000 (maybe even an auction process?). At best it was a guess. These transfer fees and direct sales are in large an involuntary transfer from taxis to the other parts of the financially ailing SFMTA.

In late 2012 SFMTA allowed medallion holders, 60 and over, to sell their medallion to eligible drivers for \$300,000. The SFMTA advised that these funds would be used for transportation initiatives and for the taxi industry. The SFMTA will collect thirty-percent of all sales. Approximately 300 medallions have been transferred in these so called sales programs. The SFMTA micromanages the entire exchange process and even qualifies participating lending institutes.

Fares have been increased once by the SFMTA. The allowable gate (lease to driver) charged by companies has not changed since 2007. There has been no proper public convenience and necessity (PC&N) hearing on these matters. The last gate increase in 2007 was tied to the cab companies committing to huge investments to green (fuel efficient and environmentally friendly vehicles) the fleet. Regulatory gate lag since 1999 has cost the two largest taxi companies (Yellow and Luxor) approximately \$70 million.

Taxi drivers often bemoan the disparity between what Muni drivers earn (plus benefits) and what a cabbie makes. It seems that sustaining these inflated Muni remuneration packages has now fallen significantly on the cab industry to subsidize. This forced cross-subsidization from cabs to Muni might well fall under the banner of “no new local taxation without a vote” and thus violate the mandates of 1996 Proposition A, which is a California constitutional amendment.

Brian Browne was coauthor of 2002 Prop P and former member of the Revenue Bond Oversight Committee it created.

Crime and Safety Focus

SFPD Lake Merced Range night training - PUBLIC NOTICE

Please take notice that the SFPD Lake Merced Range will be conducting training for the police academy classes on the following dates:

- Thursday, May 16, 2013
- 236th Lateral Class Night Firing Training Course
- Wednesday, June 19, 2013
- 235th Basic Recruit Class Night Firing Course
- Thursday, June 20, 2013
- 235th Basic Recruit Class Night Firing Course

This notice is to notify neighbors and residence around the Lake Merced Facility of the noise of gun fire at night. The training will cease at 11:00 pm.

Submitted by Sgt. Wallace Gin, Rangemaster, Lake Merced Range



Captain Curtis Lum

Officer Involved Shooting in the Richmond District

On March 15th at approximately 4:30 A.M., the San Francisco Police Department

received a call regarding a suspect jumping on the roof of a taxi cab. The suspect was identified as Peter Russell, 25, San Francisco resident. The taxi cab driver, fearing for his safety, exited the taxi cab and fled. Russell stole the taxi cab and fled the area.

The taxi cab was tracked by global positioning system (GPS) to the area of Jackson and Spruce Street. Officers responded to the area and located the stolen taxi cab at the dead end of Spruce Street. As the officers approached Russell, he made a u-turn and drove the stolen taxi cab directly at the officers and their patrol vehicles. As the officers leaped out of the path of the oncoming vehicle, one officer fired his service weapon at Russell. The stolen taxi cab struck one of the patrol vehicles as it fled the area.

The taxi cab was tracked to the Fort Mason area and the abandoned taxi cab was located near Octavia and Bay Streets. Russell was located nearby and arrested without incident. Russell was booked into San Francisco County Jail on the following charges: carjacking, assault with a deadly weapon against a police officer and driving while under the influence.



SFPD Arrest Human Trafficking Suspects

The San Francisco Police Department’s Special Victims Unit, along with Richmond Police Station and the Federal Bureau of Investigations (FBI) arrested a suspect who recruited a juvenile for the purpose of commercial sex, on March 11, 2013. The suspect agreed to meet the juvenile at 48th Avenue and Point Lobos in San Francisco. The suspect then drove to the arranged location, where two suspects were subsequently placed under arrest.

The first suspect is identified as 39 year old, San Francisco resident, Jaquain Young. Young was charged with human trafficking, pandering, pimping, participating in a criminal street gang and conspiracy, all felony charges.

The second suspect is identified as 25 year old, San Francisco resident Ijeoma Ogbuagu. Ogbuagu was charged with participating in a criminal street gang, conspiracy and an outstanding felony warrant.

Anyone with additional information is urged to contact SVU Sergeant Flores at (415) 553-9225. Information may also be provided anonymously by calling the SFPD tip line at (415) 575-4444, or text a tip to TIP411 with SFPD typed in at the beginning of the message.



George Court Officer Involved Shooting

On March 5, 2013 at approximately 6:49 PM, four uniformed San Francisco Police Officers were traveling in a marked SFPD police car and were patrolling the Bayview Hunters Point Public Housing Properties near Ingalls and Kiska Road. The officers saw a silver BMW sedan that was wanted in connection with an armed carjacking, in which the suspect used a long barreled gun (rifle or shotgun). When the suspect failed to stop, the officers initiated a pursuit of the vehicle which ended in the cul-de-sac of George Court.

Upon reaching the end of George Court, the suspect vehicle stopped. The officers exited their patrol car with the intent of ordering the suspect out of the vehicle. The suspect, however, refused to stop and drove in reverse towards the officers. The rear of the suspect vehicle stuck the front end of the police car. The suspect vehicle continued backwards, striking an officer. The vehicle continued in reverse, struck a second police car and came to a stop. The officer that was struck was now in front of the suspect vehicle and in danger of being struck again as it began moving forward. Other officers, fearing for the life of the officer who was in the path of the suspect vehicle, discharged their firearms at the suspect. The suspect drove forward and crashed into a residential building where the vehicle came to rest.

The suspect sustained a non-life threatening gunshot wound. He was taken into custody and transported by ambulance to San Francisco General Hospital. At the time of this press release, the suspect had not been booked. His name and booking charges are pending and will be released at a later time. The officer that was struck by the vehicle sustained non-life threatening injuries and was treated and released by paramedics. None of the other officers involved were injured.

Investigators noted that the suspect and vehicle bore similarities to an ongoing robbery series in which a shotgun has been used. Robbery Inspectors will be looking into the similarities to determine if there is any connection.

This incident is being investigated by the SFPD Homicide Detail, which investigates officer involved shootings, the San Francisco District Attorney’s Office, the SFPD Internal Affairs Division and the Office of Citizen’s Complaints.

This is an ongoing investigation and anyone who witnessed this incident is asked to contact SFPD homicide investigators at (415) 553-1145, the Anonymous Tip Line at (415) 575-4444 or Text a Tip to TIP411 and begin the text message with SFPD.

Remember When?



This photo is in the **Ingleside Terraces** collection, there is no date or observation as to its location. Got info? editor@westsideobserver, we'll pass it on to the SF History Center. Published by permission of the SF History Center, SF Public Library

		9						
3						1		5
	6		5	3	2			
		4			6	8		
	2		4		9		6	
		6	1			5		
			9	1	8		5	
8		2						1
						7		

Sudoku-fun!

Rules:
Each puzzle is a 9 by 9 grid of squares divided into nine 3 by 3 square blocks, with some of the numbers filled in for you.
The Object:
Fill in the blank squares so that each of the numbers 1 to 9 appears exactly once in each row,column and block.
Answer:
The answer appears below.

8	6	7	4	2	3	5	1	9
1	3	4	5	9	7	2	6	8
9	5	2	8	1	6	3	4	7
2	4	5	3	7	1	9	8	6
7	9	3	6	8	4	1	2	5
6	1	8	9	5	2	4	3	7
4	8	6	2	3	5	7	9	1
5	2	1	7	6	9	8	4	3
3	7	9	1	4	8	5	6	2

BRAIN FUD
“Behead”...

When you behead a word, you remove the first letter and still have a valid word. You will be given clues for the two words, longer word first.
Example: Begin -> Sour, acidic
Answer: The words are Start and Tart.

1. To be required to pay -> Married
2. Allowing access -> Enclosure; writing implement
3. Organ that produces eggs -> Change with time
4. Fruit; colour -> Scope; the extent of something
5. Fruit; colour -> Exist; reside; seeing in real time
6. Colourless gas; a form of oxygen -> Area or region
7. Leaving something out -> Special assignment
8. Public speaking -> Daily food allowance

- Answer
1. Owed -> Wed
 2. Open -> Pen
 3. Ovary -> Vary
 4. Orange -> Range
 5. Olive -> Live
 6. Ozone -> Zone
 7. Omission -> Mission
 8. Oration -> Ration



Letters (Cont. from p. 4)

The San Francisco County Transportation Authority is grateful for your coverage of our recent outreach to neighbors as a part of the 19th Avenue Transit Study (“Nervous 19th Avenue Neighbors Eye Agency’s Changes to Metro M-Line”). Unfortunately, your article included an anonymous quote with inaccurate information – that the City proposes “using eminent domain to benefit the Parkmerced expansion.” It is this statement that I would like to take the opportunity to correct.

The Study’s purpose is to identify feasible options for bringing the M-Ocean View to the west-side of 19th Avenue by making two crossings above or below the street – near Eucalyptus Drive and near Junipero Serra Boulevard. This idea reflects a community transportation priority that was identified during both the SF State Campus Master Plan and Parkmerced planning processes. This change would improve transit travel speeds and reliability, improve pedestrian safety, address motorist congestion and delay,

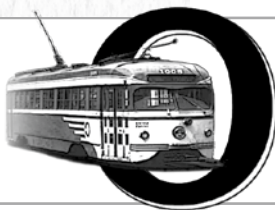
and promote sustainable transportation choices for the growing neighborhood.

At the community meeting on February 13, we sought input on several conceptual alternatives. Our presentation included one option that would have possible direct impacts on residential properties. Community discussion from this meeting made it clear that this alternative needs to be rejected, and that is exactly how we are proceeding. In keeping with our evaluation framework, which includes community support as a key criterion, we have dropped this option (Option S3) from further study. The Transportation Authority is currently evaluating and refining the other options and will share the results during a second round of outreach expected in late Summer.

We look forward to our continued partnership with the community on this important Study. For more information, please visit www.sfcta.org/19thave

Chester Fung, Project Manager, San Francisco Transportation Authority

Check Out Our Website!
Five Years of Local News



westsideobserver.com

Do you have a pinched nerve? We can help.

Dear friend,

It's hard to believe, I know, but it's true. Last year more Americans were killed by prescription drugs than by guns, AIDS, suicides and terrorists combined...But we'll get to that in a minute.

Let me start by explaining the photo in this letter. You know when I meet people in town they usually say, "Oh yeah, I know you, you are Doctor Meakim. You have been on the corner of Beach and Jones for years....." Well, that's me. I'm also the woman hugging her niece at the jersey shore in the picture.

17 years ago something happened that changed my life forever. I was a young woman living in Philadelphia when it happened. I was driving with a friend when she missed a stop sign and rammed into the side of another car. We were all shaken up. The police were called and we all went to the hospital. No one was bleeding, so the doctors took some x-rays of our neck, gave us pain meds and sent us on our way. The next day I woke up with pain everywhere and it just kept getting worse. For years I tried everything that I could find. For an escape from the pain, I went to medical doctors, physical therapists, acupuncturists, I tried special pillows, and anything I thought might help. I spent a lot of time and money. Along the way I had two more car accidents and the pain kept getting worse and worse. I had developed fibromyalgia, neck pain, mid-back pain and low-back pain with tingling and numbness down my right arm and leg. I was scared that something was really wrong with me. This could not be normal. I was only 33 years old and felt like I was 100. That is when someone told me about a chiropractor that they thought could help. As a matter of fact, after the first person told me about him, two more people did that same week. So I made an appointment with the chiropractor. Thank goodness that they took the time to help me! I went to his office where he asked me about my problems, did an exam, and took some x-rays of my head and back. After that he pointed out where my nerves were pinched and adjusted them. The adjustment was so light I barely felt it. I began crying as I felt the pain leave my body for the first time in years. It may sound strange, but I was so happy and grateful for the relief that I still thank him every day! After that, I knew what I had to do. I had to become a chiropractor, and that's how it happened!

I have adjusted many children within the first 15 minutes after birth. They obviously didn't complain of neck pain or back pain; I adjust them to keep them healthy... as with all the hundreds of children I care for in my office.

You see, it's not normal for kids to get ear infections, asthma, allergies or a number of other illnesses we see clear up in our office everyday.

When the nervous system is working correctly your internal resistance and healing powers are enhanced.

A healthy family does NOT rely on medication to make them well. My family does not turn to medication to seek health and we don't have a "medicine chest" in our home. Due to years of advertising saturation from the pharmaceutical companies most Americans do seek health from outside- in and most families have a "medicine chest" filled with an average of 16 different medications.

In an average year, the World Health Organization (WHO) reports over 1.5 million hospitalizations due to medication. Last year the WHO reported 350,000 deaths due to medication people took... and 160,000 were when the drugs were prescribed correctly. More people died last year from medication than at Pearl Harbor and Vietnam. Amazing huh?

If drugs make people well, then those who take the most should be the healthiest,



but this simply isn't the case.

Many people are beginning to understand that health comes from within. This is why chiropractic helps so many people. You see, your body can heal itself. Your body doesn't need any help; it just can't have any interference. With chiropractic, we don't add anything to the body or take anything from it. We find interference in the nervous system and remove it thus enhancing the healing capacities of the body.

We get tremendous results... it really is as simple as that.

Here's what some of my patients have to say:

For the past eight years, people from San Francisco and the surrounding area have come to see me with their pinched nerve problems.

- Headaches • Migraines • Chronic Pain • Neck pain • Shoulder/arm pain • Whiplash from car accidents • Backaches • Numbness in limbs • Athletic injuries just to name a few.

Here is what some of your neighbors have said:

"I had back pain for 15 plus years and two back operations. Now I play tennis, sit at my computer and enjoy an active pain free life! Thank you Dr. Meakim!" — A. McGrath

"All possible medicines and doctors, you made a miracle taking away my pain!! I am a happy wife and mother again!" — L Igudesman

"I have had chronic neck, shoulder and arm pain for the last 4 years. After seeing Dr. Meakim I can now twist off caps, button/zip my own pants and there is no longer a need for me to ice my arm in the morning and night! I feel more energetic, and can move my arm and neck pain free!" — C. Brubaker

Now...Find out for yourself and benefit from an AMAZING OFFER- Look, It should not cost you an arm and a leg to correct your health. You are going to write a check to someone for your health expenses, you may as well write a lesser on for chiropractic. Anil know you're smart. You want to get to the cause of the problem, and not just cover it up with drugs. When you are one of the first 20 people to call and schedule a new patient exam (by April 17) you will receive that entire exam for \$37. That's with a consultation with the doctor, examination and x-rays... the whole ball of wax, and there are no hidden fees. But call right away because we expect to be flooded with calls as this exam costs \$317. Again there are only 20 of these slots so don't miss out. I hope that there's no misunderstanding about the quality of care just because I have a lower exam fee. You'll get great care at a great fee. I just offer that low exam fee to help more people who need care.

My qualifications:

I am a graduate of Palmer College of Chiropractic, I have published articles in leading chiropractic journals and taught chiropractic to chiropractors! I've been helping your neighbors in San Francisco since 2004. I've been entrusted to take care of tiny babies to athletes that you may know.

My assistants are Raquel and Margaret and they are really great people. Our clinic is both friendly and warm and we try our best to make you feel at home. We have wonderful service at an exceptional fee. Our clinic is called San Francisco Family Spinal Care and it is at 505 Beach Street (we are at the corner of Beach and Jones on the edge of North Beach). Our phone number is 415-771-7071. Call Raquel or Margaret today for an appointment. We can help you. Thank you. — Dr. Christina Meakim D.C.

P.S. When accompanied by the first, I am also offering the second family member this same examination for only \$17.

P.P.S. Can you imagine not having to wait at a doctor's office? Well, your time is as valuable as mine. That's why we have a no-wait policy. You will be seen within minutes of your appointment.

P.P.P.S. Of course, all people respond differently to care.

Finding arts in California schools is like reading "Where's Waldo".

By Carol Kocivar © 2013

Last week, I took my smartphone out at a formal legislative meeting in Sacramento and invited folks to listen to the "sound of music" in California public schools.

After a few moments of people straining to hear, I flipped my phone on again.

All they heard was the "sound of silence."

Nothing.

That was the point.

In too many schools, too many children don't have music education. They also don't have quality visual arts or dance or drama.

When you cut more than \$20 billion dollars out of our California schools, and don't require the arts as part of a quality education, that's what a lot of kids get — nothing!

It wasn't always that way. Arts once flourished in California public schools. Parents, teachers and communities knew arts education was important. It's what helps keep kids in schools. It's what helps create community. It's what helps teach the value of hard work and responsibility.

But most important, arts education is how children learn.

There are lots of folks out there selling (yes, I said "selling") the latest and greatest school reform theories to close the achievement gap.

Psst...let me give you a clue.

If you are looking to close the achievement gap, if you are looking to reduce truancy, if you are looking to increase graduation rates and creativity, I have a four-letter word for you: ARTS!

We truly are living in the world that Einstein only envisioned, where imagination in many ways is more important than knowledge.

And, the arts are the key to imagination and the skills our children will need for jobs for which we have not even yet thought.

I ask you to join me in celebrating March as Arts Education Month...and April and May and June and every month of the year.

Join California State PTA in our efforts to make sure that every child has a quality education that includes the arts.

Join the PTA SMARTS network to speak out for the arts in every school.

Want some more research and resources?

Just click capta.org/sections/programs-smarts/index.cfm

Carol Kocivar is President of the California Parent Teachers Assn. and lives in the Westside. Feedback: kocivar@westsideobserver.com



Phyllis' Findings / Phyllis Sherman

Phyllis will be back next month.



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33 Pinehurst Way	Mount Davidson Manor	3	2	2	949000	920000	99.0
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THE REAL ESTATE ANSWER MAN By Kevin Birmingham



Q: Is it better to buy a house at the end or beginning of a year?

Allison Anderson

A: Traditionally it was best to buy from Thanksgiving until February. This is because less people were looking and sellers were thought to be more motivated. In our current market, the competition is fierce no matter what time of year you are in.

Q: what is the reason to consider a second mortgage?

Tony Yuen

A: Often interest on a 2nd mortgage is tax deductible, and many times the payment on the 2nd loan is actually less than the mortgage insurance payment would have been. Use caution because even though the interest rate may be tax deductible, it's not a good idea to accumulate more debt than necessary.

Q: What are good questions to ask when interviewing a potential Realtor?

Keith Aeby

A: That depends on if you are hiring them for the buying side or selling side. Your questions should focus on what is most important for you. Experience is important, but so is availability. Ask yourself if you want to work with the area's top agent if that means working mostly with their assistant. If there is a situation that concerns you, ask the agent how they would handle that situation.

Kevin Birmingham is a licensed real estate broker, have a question for the Real Estate Answer Man? Submit them to kevinb@zephyrsf.com

Crime & Safety (Cont. from p. 15)

Leads Online

Electronic devices such as smart phones, tablets, and laptops are favorite targets of thieves. These items are stolen in residential burglaries, car burglaries, and robberies. Leads On-line is the nation's largest online investigative database that is used by more than 4,000 law enforcement agencies to recover stolen property and to solve crimes.

"Report It" is a service that citizens can use to enter their own serial numbers, photographs, item descriptions or scanned receipts of all of their items of value directly into Leads On-line's database without charge. This would allow law enforcement to locate any of their stolen items if someone attempted to pawn the items in any pawn shop nationwide.

Leads On-line has also partnered with eBay in order to prevent thieves from using eBay to offer stolen items for sale. eBay automatically uploads all of its transactions into the Leads On-line database. This service prevents illegal transactions on the eBay website and it will help law enforcement identify the criminal responsible for the theft.

The instructions on how to use the Leads On-line database is posted online at leadsonline.com or reportit.leadsonline.com.



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Real Travel By Sergio Nibbi

My Two Best Friends, Leonardo and Napoleon

If cigarettes, cell phones, rich food, good wine, buttery croissants and animated conversation are bad for you, then Paris should be a ghost town. To the contrary, what we saw were trim, well-dressed young women wearing designer jeans, boots and colorful scarfs masterfully draped around their necks. Men wear them like we wear a necktie, loose and casual.

When sitting at a sidewalk cafe they become part of the scene and when not sitting at a cafe they are determined in their walk and demeanor. I don't know where they hide the old people but they are few and far between. No need to go to a gym and workout, every moment is a workout. Handicap facilities don't exist, with hundreds of stairs to and from the Metro. Most toilets are either up a steep, narrow, winding stairway or in the basement. And if you're a linebacker for the 49ers you'd better go before you leave home because the Toilets are very narrow.

Bright and early Monday morning we were picked up for a two-day tour of the Loire Valley as we watched the incredible traffic coming into town drenched in the early morning rain. Our first stop was at Chartres, about 50 miles south west of Paris, where we visited the Cathedral Notre Dame de Chartres. The beautifully preserved stained glass windows date back almost 800 years, while the church attracts large numbers of Christian pilgrims, many of whom come to venerate its famous relic, the Sancta Camisa, said to be the tunic worn by the Virgin Mary at Christ's birth.

After a two hour ride through the French countryside we arrived in Tours, had a crepe lunch and headed for Amboise to visit the Chateau d'Amboise, the massive castle turned chateau whose relatively small chapel, built away from the main building, is the burial site for Leonardo da Vinci, who lived and worked at the Chateau for three years before his death in 1519. On arriving he brought three paintings with him, and yes, one was the Mona Lisa. The chapel is minuscule compared to Napoleon's burial site at the Chapel of Saint-Louis des Invalides on the grounds of the old, massive military hospital known as Les Invalides. The chapel is almost as large as San Francisco's City Hall, and does house Napoleon's two brothers and his son as well. One would think that a giant of a man like Leonardo would deserve better, but this is one case

where size didn't matter. Next stop, Chateau du Clos Luce, Leonardo's home, again modest by most standards. On our way out we visited five rooms full of wooden models of most of his incredible inventions. Parachutes, armored tanks, spring-powered carts and water pumps just to name a few. We learned that the models were produced by IBM using materials of that period.

Our overnight stay was at Le Choiseul, a beautifully appointed, fairly small hotel facing the Loire River and in the shadow of the Chateau d'Amboise. Somehow spending the night that close to this genius of a man gave me a strange feeling and his presence could strangely be felt. Dinner was also at the hotel in the beautifully-appointed Le 36, where the pate and lobster was as good as our earlier experience was memorable.

The following morning we had three chateaus on the agenda, the first being Chateau de Chenonceau. Once privately owned and built in the 16th century, this huge complex with its moats surrounding it was by far the most memorable of the day. The Gallery, a grand room measuring over 180 feet in length, was being set up for a private party that evening. No, we were not offered an invitation!

Our next stop was at the chateau of Blois, huge but somewhat industrial looking with its four distinct wings around a single courtyard. More stairs, more ramps, more opulence and more rain. By the time we reached Chambord our curiosity was wearing thin, and with the pouring rain we decided on just a quick tour of the outside of the building and gardens. Enough stairs already!

Having spent two days cooped up in a car we were dropped off at our hotel and decided to walk to Notre Dame for some fresh air, where the evening mass was just starting. We sat and enjoyed the beautiful choir and listened intently to the prayers and sermon, unfortunately all in French. We lit a huge candle and headed back.

Our last day in Paris was spent not at a romantic cafe or on a stroll along the Seine, hand in hand, but rather, on a visit of the sewers of Paris. Not quite Monet's garden,



but actually it was very interesting winding our way deep under the streets of Paris looking at a real working sewer system. Our reward for the day was exiting out the door that gave us a magnificent view of the Eiffel Tower, just a few blocks away. Although we had already visited the tower a few days earlier, this time we got up close and personal, standing completely under the huge tower looking at the very top through a light drizzle. Our last two Metro tickets (we had bought a set of 10) were put to good use as we found our way back to our hotel, organized our suitcases and headed out for a late afternoon walk.

As memorable as this trip has been,

there is always one moment that somehow stands out. On the way back I passed an older, bearded man sitting on the sidewalk with his cup next to him. Wanting to get rid of what loose change I had in my pocket I reached down, pulled out some coins and placed them in his dish. In his perfect English he looked up, thanked me and gave me a slight tip of his hat. As I started to walk away I heard some loud, almost raucous laughter; he had noticed how little I had left in his plate and it cracked him up.

What a wonderful way to end ten marvelous days in Paris. Last time it took us 27 years to return. Now that we're back home it's time to plan the next visit.

"We Grew These For You"



Start salivating - Spring is on its way! Strawberries and asparagus are here, fava beans and sweet peas are hot on their heels, and cherries are on the horizon.

Join us and connect to the farmers who grow your food, the bakers who bake your bread, the neighbors who create your community, and the ritual of sharing a meal with your family and friends.



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