

Petitions and Communications received from February 21, 2012, through February 27, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on March 6, 2012.

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

From concerned citizens, submitting support for proposed legislation regarding tenant bicycle parking in existing commercial buildings. File No. 111029, 7 letters (1)

From concerned citizens, regarding Sharp Park. 2 letters (2)

From State Department of Mental Health, regarding the community placement of a person committed as a sexually violent predator. Copy: Each Supervisor (3)

From Department of Elections, submitting notice of Ballot Simplification Committee Meetings for the upcoming June 5, 2012, Consolidated Presidential Primary Election. (4)

From Aaron Goodman, regarding the lack of adequate working class housing in San Francisco. (5)

From Lippe, Gaffney, and Wagner, regarding the America's Cup. File No. 120127, Copy: Each Supervisor, City Attorney, Planning Department (6)

From Jane Koegel, submitting support for continued funding of the Neighborhood Emergency Response Training (NERT) program. (7)

From Angus McCarthy, submitting her resignation as a member of the Immigrant Rights Commission, effective February 22, 2012. Copy: Rules Committee Clerk (8)

From Norman Wiseman, regarding proposed transfer tax legislation. (9)

From State Department of Fish and Game, regarding proposed regulatory action relating to Central Valley salmon sport fishing. Copy: Each Supervisor (10)

From State Department of Fish and Game, regarding proposed regulatory action relating to the Klamath and Trinity Rivers salmon sport fishing. Copy: Each Supervisor (11)

From State Department of Fish and Game, regarding the southern mountain yellow-legged frog, and the Sierra Nevada yellow-legged frog. Copy: Each Supervisor (12)

From Emil Lawrence, submitting report regarding alleged police misconduct and the Office of Citizen Complaints. (13)

From State Board of Equalization, regarding the Taxpayers' Bill of Rights public hearing. Copy: Each Supervisor, Assessment Appeals Board (14)

From Yue Cyan, regarding the lack of adequate working class housing in San Francisco. (15)

From Sierra Club, regarding the America's Cup. File No. 120127 (16)

From concerned citizens, submitting support for the appointment of Michael Nulty to the Central Market and Tenderloin Area Citizen's Advisory Committee. File No. 120066, 3 letters (17)

From Aaron Goodman, regarding proposed legislation that creates a new definition of student housing. File No. 111374 (18)

From Our Kids First, regarding the 25th anniversary of Our Kids First. Copy: Each Supervisor (19)

From Planning Department, regarding proposed legislation concerning automobile sale or rental in NC-S Districts. File No. 111315, Copy: Land Use Committee Clerk (20)

From James Chaffee, regarding a false arrest lawsuit. Copy: Each Supervisor (21)

From San Francisco Labor Council, submitting resolution in support of Redevelopment Agency workers. (22)

From concerned citizen, regarding the Potrero/Potrero Annex and Terrace Project Rebuild. File No. 111171 (23)

From Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (24)

John Avalos, Supervisor, LAFCo - Annual
Carmen Chu, Supervisor - Annual
Andres Power, Legislative Aide - Assuming
Christine Durazo, Legislative Aide - Assuming
Dominica Henderson, Legislative Aide - Assuming
Gillian Gillett, Legislative Aide - Leaving
Edward Campana, Assessment Appeals Board
- Assuming

*(An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is available at the Clerk's Office Room 244, City Hall.)

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111029: employee bicycle storage/permits

From: Marcia Weisbrot <weisbrot8@yahoo.com>
To: Board.of.Supervisors@sfgov.org
Date: 02/23/2012 12:28 PM
Subject: employee bicycle storage/permits

Dearest Supervisors,

I am writing to ask for your support of the employee bicycle storage bill that is up for passage now.

It's a no brainer and a win-win: the easier it is for people to store their bikes at work, the more people will ride them while they're working.

Thank-you!!

Marcia Weisbrot

①

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111029 - 2 emails

From: Mike Lee <tenpigs@hotmail.com>
To: <board.of.supervisors@sfgov.org>
Cc: <marc@sfbike.org>
Date: 02/22/2012 09:43 PM
Subject: employee bike access Secure Bike Storage at the Office

Dear Board of Supervisors:

My name is Mike Lee and I live in the Midtown Terrace neighborhood (district 7) currently, and have lived in the Sunset and Excelsior in the past. As a car driver, MUNI rider, pedestrian, and bicycle rider, I'd say the bike wins hands down to get anywhere in this city especially when commuting to work at UCSF which we have multiple campuses across the city. At UCSF we have great on site bike parking and I also have the added luxury of bringing my bike into the lab for added security. The indoor bicycle storage options that we have at UCSF make it the choice for me to get to work, which indirectly helps others by getting another car off the street, more parking available, and another space on MUNI for those who really need to use it. As one of the many San Franciscans who ride a bike to work, I urge you to support this important legislation to help allow employers and commercial tenants provide a safe secure place for employees to store their bike during the workday as it could get more people onto bikes and out of their cars. Please continue to make it easier for me, my family and my friends to bike in San Francisco.

Sincerely,

Mike Lee
32 Farview Ct.
San Francisco, CA 94131
415-430-7676
tenpigs@hotmail.com

From: Robin Levitt <rlevitt@prodigy.net>
To: Board.of.Supervisors@sfgov.org
Date: 02/22/2012 10:42 PM
Subject: Bike Parking Legislation

Dear Board of Supervisors:

My name is Robin Levitt. I live in Hayes Valley and commute by bicycle every workday to the Hearst Building at Third and Market. The building management there prohibits bicycles in the building and requires that cyclists park in an off site garage.

In the six months I have been working there, I have never had a problem probably because the garage has an attendant. However, recently the bike rack frame was cut there leaving me less confident that it is secure--especially when I have to stay late and there is no longer an attendant.

It would give me much greater peace of mind and would be much more convenient were I allowed to bring my bike into my office.

As one of the many San Franciscans who ride a bike to work, I urge you

to support this important legislation to help allow employers and commercial tenants provide a safe secure place for employees to store their bike during the workday.

Please continue to make it easier for me, my family and my friends to bike in San Francisco

Sincerely,

Robin F. Levitt

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111029: I support better bike access in San Francisco

From: Natalie Max <nataliemax2@gmail.com>
To: Board.of.Supervisors@sfgov.org
Cc: Marc@sfbike.org
Date: 02/22/2012 05:26 PM
Subject: I support better bike access in San Francisco

Dear Board of Supervisors:

My name is Natalie Macks. I live in Hayes Valley and work in the Financial District in a 30 story building. We have a bike rack/cage in the basement that has room for only 10 bikes. There are frequently upwards of 15 bike crammed in there.

While our building management has indicated there are plans to expand this area, it has not yet happened. Really, 10 spots for a 30 story building?! In our company (we take up 1 floor) there are 5 of us that regularly bike to work. I know some folks opt for less secure parking options, rather than brave the cage in the basement, which is directly next to the dumpsters.

Biking is a huge part of what makes living and working in San Francisco such a joy. I love my daily dose of exercise and bike in all weather. Having a safe, secure, clean dedicated location to park my bike everyday is important to me.

As one of the many San Franciscans who ride a bike to work, I urge you to support this important legislation to help allow employers and commercial tenants provide a safe secure place for employees to store their bike during the workday.

Please continue to make it easier for me, my family and my friends to bike in San Francisco

Sincerely,

Natalie Macks

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111029: Employee Bicycle Access Bill

From: jen ryan <jryan.photo@gmail.com>
To: Board.of.Supervisors@sfgov.org
Cc: Marc@sfbike.org
Date: 02/22/2012 12:09 PM
Subject: Employee Bicycle Access Bill

Dear Board of Supervisors:

My name is Jennifer Ryan. I live in Oakland, CA, but I work in San Francisco. I do not own a car. I instead rely on my bicycle to get me everywhere, including to work. I ride every day- rain, sun, wind, whatever.

I work for Academy of Art University, on their New Montgomery Street campus. One of our buildings has two small bike racks- grossly inadequate for the number of employees and students who bike to work or to class every day. Our other two buildings have no bike parking at all. Pass by our building at 180 New Montgomery and you will see those two small bike racks buried under bicycles. You will also see bicycles locked in every way imaginable to every secure object in the area. When I bring my bike into work with me, I have to walk quite a ways before i can find a signpost that doesn't already have two bikes locked to it. It takes so long to find a spot, and is such a hassle to do so, I mostly wind up leaving my bike at the BART station. Despite the fact that BART has security officers on constant patrol, I have had two wheels stolen in the past year while my bike has been locked up. Bike theft is so rampant at BART that i rarely go a day without seeing locks that have been cut and bikes that have been pieced apart.

As one of the many San Franciscans who ride a bike to work, I urge you to support this important legislation to help allow employers and commercial tenants provide a safe secure place for employees to store their bike during the workday.

Please continue to make it easier for me, my family and my friends to bike in San Francisco

Sincerely,

Jennifer Ryan

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111029: Support Employee Bicycle Access Legislation

From: Matt Eggers <matt.eggerts@yahoo.com>
To: "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>
Date: 02/22/2012 01:11 PM
Subject: Support Employee Bicycle Access Legislation

Dear Board of Supervisors:

My name is Matt Eggers. I'm the Vice President of Operations for a solar company called Sunrun. We employ 160 people (having grown from just 30 employees over the last two years) at 45 Fremont Street, near the corner of Fremont and Market. I bike to work everyday from 104 Chattanooga Street (corner of Dolores and 22nd St.).

Currently I am allowed to bring my bike in the building, and this is a HUGE benefit. Twenty to thirty of my co-workers bike daily; few would if we didn't have this option. Biking to work is an important part of our day and actually a good recruiting tool for Sunrun!

However, the building is actively trying to reduce our biking rights. I'm concerned they will eventually take them away so this bill is very important to me.

As one of the many San Franciscans who ride a bike to work, I urge you to support this important legislation to help allow employers and commercial tenants provide a safe secure place for employees to store their bike during the workday.

Please continue to make it easier for me, my family and my friends to bike in San Francisco

Sincerely,
Matt Eggers

Matt Eggers
San Francisco, CA

How will *you* change the story of coal?

"Solar energy is not a new form of generating electric power, it is a new form of generating national power.

It is not about lighting up our house, it is about lighting up our future." --Thomas Friedman

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111029: Employee Bike Access Plan

From: faye steiner <faye.steiner@gmail.com>
To: Board.of.Supervisors@sfgov.org
Cc: marc@sfbike.org
Date: 02/22/2012 01:15 PM
Subject: Employee Bike Access Plan

Dear Board of Supervisors,

I am writing to voice support for the measure to compel San Francisco business to provide secure bike parking or allow employees to bring their bikes into their places of work. I commute and get around town by bike, and I have had many parts stolen from my bike when parked outside with several locks. Many of my friends do not commute to work by bike because they have no place to store their nice bikes. Commuting by bike helps reduce congestion and encourages good health in the populace.

I hope you will support this measure.

best,
Faye Steiner, SOMA resident

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111029: In support of bicycle parking legislation

From: Ben Seisdedos <ben.seisdedos@gmail.com>
To: board.of.supervisors@sfgov.org
Cc: Marc@sfbike.org
Date: 02/24/2012 07:49 AM
Subject: In support of bicycle parking legislation

Dear Board of Supervisors:

My name is Ben Seisdedos and I commute by bus or bicycle to the financial district each day for work from the Western Addition. Right now, I am forced to park my bike outside on the street, and I am always scared of having my bike stolen. My coworker had 2 bikes stolen in one month from the adjacent parking garage (which is supposed to be safer!). I try to bike to work because of the health benefits, and in order to save \$4/day in taking the bus. It would be better if we could store our bikes in the building.

The doctors' office I work in is very tiny, as many of the offices are, but I believe this piece of legislation would have the building dedicate a bike room, which is important to my coworkers and myself.

As one of the many San Franciscans who ride a bike to work, I urge you to support this important legislation to help allow employers and commercial tenants provide a safe secure place for employees to store their bike during the workday.

Please continue to make it easier for me, my family and my friends to bike in San Francisco

Sincerely,

--

Ben Seisdedos

Please Save The Sharp Park Wetlands
MEghan Tozza to: Board.of.Supervisors
Please respond to frogsrcute24m

02/23/2012 01:47 PM

Dear Board of Supervisors

I am writing to urge the City of San Francisco to turn the Sharp Park Golf Course over to its next door neighbor, the National Park Service. The Sharp Park Wetlands provide critical habitat for the endangered California Red-Legged Frog and a variety of other wildlife. Both frogs and wetlands are rapidly disappearing in California and worldwide, so it is disconcerting that the City of San Francisco is currently using taxpayer dollars to pump the Sharp Park Wetlands dry, killing endangered frogs in the process, and violating state and federal laws.

The Sharp Park Golf Course has a long history of environmental and economic troubles, and the time has clearly come for the City of San Francisco to change course. By closing the golf course and handing the land over to the National Park Service, the City of San Francisco would relieve itself of its current financial, legal and environmental burden, and it would also clearly mark itself as a world leader in environmental protection efforts.

The restored Sharp Park Wetlands would be a safe haven for threatened wildlife and would provide valuable recreational opportunities to San Francisco residents and tourists alike. This would not only improve the quality of life for San Francisco's residents, it would increase the long-term economic value of the property.

On behalf of all those who enjoy nature and wildlife, thanks for your consideration.

MEghan Tozza

ronkonkoma, NY 11779
US

2

Please vote YES to Save The Sharp Park Wetlands
MEghan Tozza to: Board.of.Supervisors
Please respond to frogsrcute24m

02/23/2012 01:46 PM

Dear Board of Supervisors

As a supporter of SAVE THE FROGS! (www.savethefrogs.com), I am writing to urge you to support Supervisor John Avalos' proposed legislation that would re-purpose the Sharp Park Golf Course to a new public park managed by the National Park Service that all can enjoy. The Sharp Park Wetlands provide critical habitat for the endangered California Red-Legged Frog and a variety of other wildlife. Both frogs and wetlands are rapidly disappearing in California and worldwide, so it is disconcerting that the City of San Francisco is currently using taxpayer dollars to pump the Sharp Park Wetlands dry, killing endangered frogs in the process, and violating state and federal laws.

The Sharp Park Golf Course has a long history of environmental and economic troubles, and the time has clearly come for the City of San Francisco to change course. By closing the golf course and handing the management of the land over to the National Park Service, the City of San Francisco would relieve itself of its current financial, legal and environmental burden, and it would also clearly mark itself as a world leader in environmental protection efforts.

The restored Sharp Park Wetlands would be a safe haven for threatened wildlife and would provide valuable recreational opportunities to San Francisco residents and tourists alike. This would not only improve the quality of life for San Francisco's residents, it would increase the long-term economic value of the property.

Frogs already face an array of threats from climate change to habitat destruction; pesticide use; over-collection for frog legs and dissections; invasive species; and infectious diseases spread by human activity. Frogs eat mosquitoes, provide us with medical advances, serve as food for birds and fish, and their tadpoles filter our drinking water. Plus kids love frogs, and it is our obligation to them to leave this planet in better shape than when we arrived here.

On behalf of all those who enjoy nature and wildlife, thanks for your consideration.

MEghan Tozza

ronkonkoma, NY
US

02/22/2012 11:17 9166542111

FORENSIC SERVICES

PAGE 02/04

BOS-11
COB
cpage



CALIFORNIA DEPARTMENT OF

Mental Health

1600 9th Street, Sacramento, CA 95814
(916) 653-1843

February 21, 2012

Dennis Herrera, Office of the City Attorney
1 Dr. Carlton B. Goodlett Place
San Francisco CA 94102

Dear Mr. Herrera:

The purpose of this letter is to inform you that San Francisco County Superior Court approved the conditional release of Charles Christman, Court Case #: 103687 a sexually violent predator (SVP), from the Department of Mental Health's (DMH) Coalinga State Hospital to begin outpatient treatment and supervision in San Francisco County.

Mr. Christman filed a petition under Welfare and Institutions Code (WIC) Section 6608 in the Superior Court of San Francisco County (his county of commitment) to be conditionally released. On February 10, 2012, the Honorable Garrett Wong, Superior Court of San Francisco, ordered Mr. Christman to be conditionally released on outpatient status and ordered his placement in San Francisco County, his county of domicile. Outpatient status is the final phase of the relapse prevention treatment program, which the DMH administers through the Conditional Release Program (ConRep).

WIC Section 6608.5(d) requires the county of domicile to designate a county program or entity to provide assistance and consultation in the process of locating and securing housing for Mr. Christman. Liberty Healthcare is DMH's statewide ConRep provider who has been designated by DMH to work collaboratively with San Francisco County in the coordination of Mr. Christman's supervision and treatment. To this extent, we respectfully request your assistance in the selection of a San Francisco County entity or program responsible to work with Liberty Healthcare.

Please send written notification of the designated entity per WIC Section 6608.5 to the attention of:

Robert Lucas
Forensic Services Branch
Department of Mental Health
1600 9th Street, Suite 250
Sacramento, CA 95814

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BOARD OF SUPERVISORS
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2012 FEB 22 PM 12:09
BY RN

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02/22/2012 11:17 9166542111

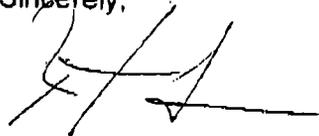
FORENSIC SERVICES

PAGE 03/04

Mr. Charles Christman
Page 2 of 3
February 21, 2012

If you have any questions, please contact Mark Grabau, Ph.D. at (916) 651-3225, or Alan Stillman, SVP CONREP Community Program Director, Liberty Healthcare at (619) 294-9080.

Sincerely,



ROBERT LUCAS, Chief
Forensic Services Programs
Long Term Care Services

RL/uw

cc: Brendan Conroy, Attorney, San Francisco County
Kimberly Toney Williams, Assistant District Attorney, San Francisco County
Dennis Herrera, City Attorney, San Francisco County
Greg Suhr, Chief of the Police, San Francisco County
Ross Mirkarimi Sheriff, San Francisco County
Angela Calvillo, Clerk of the Board, San Francisco County
Alan Stillman, Liberty Healthcare
Mark Grabau, DMH
Rick DaBell, DMH

02/22/2012 11:17 9166542111

FORENSIC SERVICES

PAGE 04/04

Mr. Charles Christman
Page 3 of 3
February 21, 2012

Ross Mirkarimi , Sheriff
1 Carlton Goodlett Place
San Francisco, CA 94102

Brendan Conroy, Attorney
255 Kansas Street, Suite 340
San Francisco CA 94103

Greg Suhr, Chief of Police
850 Bryant St., #525
San Francisco, CA 94103

Kimberly Williams, Assistant District Attorney
850 Bryant Street, Room 322
San Francisco CA 94103

Judge Garrett Wong
Superior Court of San Francisco
850 Bryant Street
San Francisco CA 94103

Clerk of the Board
Attn: Angela Calvillo
City Hall, Room 244
1 Dr. Carlton Goodlett Place
San Francisco CA 94102

Dennis Herrera, City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco CA 94102

Office of the Public Defender
555 Seventh Street
San Francisco, CA 94103



C A L I F O R N I A D E P A R T M E N T O F

Mental Health

1600 9th Street, Sacramento, CA 95814
(916) 653-1843

February 21, 2012

Dennis Herrera, Office of the City Attorney
1 Dr. Carlton B. Goodlett Place
San Francisco CA 94102

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Please send written notification of the designated entity per WIC Section 6608.5 to the attention of:

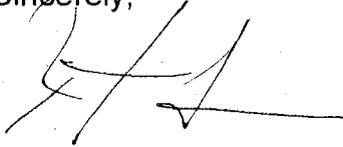
Robert Lucas
Forensic Services Branch
Department of Mental Health
1600 9th Street, Suite 250
Sacramento, CA 95814

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 FEB 23 PM 4:25

Mr. Charles Christman
Page 2 of 3
February 21, 2012

If you have any questions, please contact Mark Grabau, Ph.D. at (916) 651-3225, or Alan Stillman, SVP CONREP Community Program Director, Liberty Healthcare at (619) 294-9080.

Sincerely,

A handwritten signature in black ink, appearing to be 'RL', written over a horizontal line.

ROBERT LUCAS, Chief
Forensic Services Programs
Long Term Care Services

RL/uw

cc: Brendan Conroy, Attorney, San Francisco County
Kimberly Toney Williams, Assistant District Attorney, San Francisco County
Dennis Herrera, City Attorney, San Francisco County
Greg Suhr, Chief of the Police, San Francisco County
Ross Mirkarimi Sheriff, San Francisco County
Angela Calvillo, Clerk of the Board, San Francisco County
Alan Stillman, Liberty Healthcare
Mark Grabau, DMH
Rick DaBell, DMH

Mr. Charles Christman
Page 3 of 3
February 21, 2012

Ross Mirkarimi , Sheriff
1 Carlton Goodlett Place
San Francisco, CA 94102

Brendan Conroy, Attorney
255 Kansas Street, Suite 340
San Francisco CA 94103

Greg Suhr, Chief of Police
850 Bryant St., #525
San Francisco, CA 94103

Kimberly Williams, Assistant District Attorney
850 Bryant Street, Room 322
San Francisco CA 94103

Judge Garrett Wong
Superior Court of San Francisco
850 Bryant Street
San Francisco CA 94103

Clerk of the Board
Attn: Angela Calvillo
City Hall, Room 244
1 Dr. Carlton Goodlett Place
San Francisco CA 94102

Dennis Herrera, City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco CA 94102

Office of the Public Defender
555 Seventh Street
San Francisco, CA 94103

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Notice of Ballot Simplification Committee Meetings for the June 5, 2012, Consolidated
Presidential Primary Election

From: Publications DOE/ELECTIONS/SFGOV
To: Mayor Edwin Lee/MAYOR/SFGOV@SFGOV, Board of Supervisors/BOS/SFGOV@SFGOV
Cc: Angela Calvillo/BOS/SFGOV@SFGOV, BOS-Legislative Aides/BOS/SFGOV, Department
Heads/MAYOR/SFGOV, Mollie Lee/CTYATT@CTYATT, Steve Kawa/MAYOR/SFGOV@SFGOV,
Peg Stevenson/CON/SFGOV@SFGOV, Norm Nickens/SFERS/SFGOV@SFGOV, Rick
Caldeira/BOS/SFGOV@SFGOV, Kay Gulbengay/BOS/SFGOV@SFGOV, John
Arntz/ELECTIONS/SFGOV@SFGOV, Nataliya Kuzina/ELECTIONS/SFGOV@SFGOV, Aura
Mendieta/ELECTIONS/SFGOV@SFGOV, Jason Elliott/MAYOR/SFGOV@SFGOV, Andrew
Shen/CTYATT@CTYATT, Commission Elections <elections.commission@sfgov.org>, Gail
Hilliard/ELECTIONS/SFGOV@SFGOV, sfdocs@sfpl.info
Date: 02/17/2012 04:28 PM
Subject: Notice of Ballot Simplification Committee Meetings for the June 5, 2012, Consolidated Presidential
Primary Election
Sent by: Barbara Carr

Memorandum

To: Honorable Edwin M. Lee, Mayor
Honorable Members, Board of Supervisors

From: John Arntz, Director of Elections

Date: February 16, 2012

**RE: Notice of Ballot Simplification Committee Meetings for the June 5, 2012,
Consolidated Presidential Primary Election**

Beginning Monday, February 27, the Ballot Simplification Committee will conduct public meetings to prepare an impartial summary of each local ballot measure for publication in San Francisco's Voter Information Pamphlet for the upcoming June 5, 2012, Consolidated Presidential Primary Election. The Committee must complete its digests no later than 85 days before the election, which is Monday, March 12.

Meeting agendas and other materials will be posted on the Department of Elections website, www.sfelections.org/bsc, and in our office in City Hall, Room 48. Agendas will be posted at least 72 hours prior to the meeting, as mandated by the Sunshine Ordinance. Other meeting materials will be made available as early as possible. Please check often for any updates.

About the Ballot Simplification Committee

The Ballot Simplification Committee works in public meetings to prepare a fair and impartial summary of each local ballot measure in simple language. These summaries, or "digests," are printed in San Francisco's Voter Information Pamphlet, which is mailed to every registered voter

before the election.

Each digest must explain the primary purposes and points of the measure, but is not required to include auxiliary or subsidiary information. Each digest must include the following four sections:

- *The Way It Is Now*
- *The Proposal*
- *A "Yes" Vote Means*
- *A "No" Vote Means*

In general, each digest is limited to 300 words. Digests may exceed the 300-word limit if the Committee determines that the complexity or scope of the proposed measure requires a longer digest. In addition, digests must be written as close as possible to the eighth-grade reading level.

The Ballot Simplification Committee also assists the Department of Elections in preparing other informational material for the Voter Information Pamphlet, such as a glossary of the terms that appear in the pamphlet.

For more information about the Ballot Simplification Committee, please visit www.sfelections.org/bsc or the Department of Elections office in City Hall, Room 48.



Notice of Ballot Simplification Committee meetings.pdf

Barbara Carr
Publications Division
San Francisco Department of Elections
tel: 415-554-4375

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Need for Social Housing, and RENTAL housing in SF..... (A.Goodman)

From: Aaron Goodman <amgodman@yahoo.com>
To: board.of.supervisors@sfgov.org
Date: 02/21/2012 12:29 PM
Subject: Need for Social Housing, and RENTAL housing in SF..... (A.Goodman)

An article on housing issues in Vancouver Canada, and the concern for the lack of rental housing advocates o
"family housing" or "affordable-housing" and the lack of rental housing being created that meets the needs of

<http://citycaucus.com/2012/02/mayor-calls-on-development-industry-to-eliminate-affordable-housing/>

Feb. 21. 2012 9:43AM Lippe Gaffney Wagner LLP S. F.

No. 0006 P. 1/3

Lippe Gaffney Wagner LLP www.lgwlawyers.com

Thomas N. Lippe
Brian Gaffney
Keith G. Wagner
Kelly A. Franger

SAN FRANCISCO • 329 Bryant St., Ste. 3D, San Francisco, CA 94107 • T 415.777.5600 • F 415.777.9809
SACRAMENTO • 9333 Sparks Way, Sacramento, CA 95827 • T 916.361.3887 • F 916.361.3897

BOS-11 COB
City Atty.
Ann M Rogers
(Planning)
leg dp
File - ~~6~~
#120127

FACSIMILE TRANSMISSION

Date: February 21, 2012

From: Amelia Mooney

Re: 34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza EIR and Projects (Case No. 2010-0493E) - Notice of Commencement of Action under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21167.6.)

To:	Facsimile Number
Ms. Angela Calvillo	(415) 554-5163
Mr. Dennis Herrera	(415) 554-4745
Ms. Monique Moyer	(415) 732-0400

NUMBER OF PAGES INCLUDING THIS SHEET: 3

Comments:

CONFIDENTIALITY NOTE

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(6)

Feb. 21. 2012 9:44AM Lippe Gaffney Wagner LLP S. F.

No. 0006 P. 2/3

Lippe Gaffney Wagner LLP www.lgwlawyers.comSAN FRANCISCO • 329 Bryant St., Ste. 3D, San Francisco, CA 94107 • T 415.777.5600 • F 415.777.9809
SACRAMENTO • 9333 Sparks Way, Sacramento, CA 95827 • T 916.361.3887 • F 916:361.3897Thomas N. Lippe
Brian Gaffney
Keith G. Wagner
Kelly A. Franger
Erin C. Ganahl

February 21, 2011

Via Facsimile and Overnight Federal ExpressMs. Angela Calvillo, Clerk of the Board
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Fax: (415) 554-5163Mr. Dennis J. Herrera, City Attorney
City and County of San Francisco
Office of the City Attorney
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4682
Fax: (415) 554-4745Ms. Monique Moyer, Executive Director
Port of San Francisco
Pier 1, The Embarcadero
San Francisco, CA 94111
Fax: (415) 732-0400Re: 34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza
EIR and Projects (Case No. 2010-0493E) - Notice of Commencement of Action under the
California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21167.6.)

Dear Ms. Calvillo and Mr. Herrera:

Pursuant to Public Resources Code sections 21167.5 and 21177, subdivision (c), this letter provides written notice of the intent of our client, Waterfront Watch, to commence a protective CEQA action on behalf of its members challenging the City and County's certification of an Environmental Impact Report and related project approvals for the 34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza EIR and Projects ("Project") on or before February 24, 2012, which is the 30th day after the City filed its CEQA NOD for the project.

The Parties are presently in pre-litigation settlement discussions, pursuant to Public Resources Code section 21167.10, which provides for tolling the time for filing CEQA litigation during such discussions. Unfortunately, the statute in question contains a number of ambiguous terms and phrases which have never been interpreted by any court. On the morning of Friday, February 17, 2012, we provided the City with a copy of a proposed, written tolling agreement identifying the ambiguities in question, clarifying the Parties' mutual understanding of the provisions of section 21167.10, and expressly stating the Parties [proposed] agreement to toll the limitations period for any CEQA suit until March 16, 2012. Unfortunately, the City then canceled the meeting the Parties had scheduled later that same afternoon, informing our office the City would reschedule the meeting to discuss the tolling agreement for some time during the following week, but providing no particular date, time or location.

Feb. 21. 2012 9:44AM Lippe Gaffney Wagner LLP S.F.

No. 0006 P. 3/3

Notice of Commencement of CEQA Action

February 21, 2012

Page 2 of 2

In discussing these circumstances with our client, and the short time until CEQA's default statute of limitations will otherwise run, we have further concluded that, at this point, it would not be possible as a practical matter for the City to obtain formal Board review and approval of the requested tolling agreement, due to the time required to meet procedural noticing and hearing requirements.

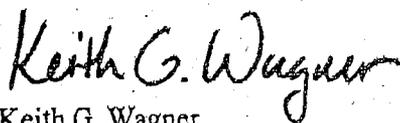
In providing this notice of commencement of suit, our client also gives notice that its attorney's time and costs in preparing, filing and serving this lawsuit are not a part of the Parties' ongoing settlement discussions under section 21167.10, and, therefore, are not subject to the Parties' agreement to bear their own costs in pursuing those discussions.

Our client wishes to assure the City that this notice and the preparation and filing of its CEQA action is only due to the lack of clarity of key phrases and terms in Public Resources Code section 21167.10 that could lead to an inadvertent forfeiture of claims if a protective suit is not filed on or before February 24, 2012, and the fact that it has become clear that the City lacks adequate time, in any event, to notice and hold the required administrative hearings to authorize the proposed tolling agreement before CEQA's default limitations period has run. Our client remains committed to the Parties' ongoing settlement discussions, and assures the City that once those discussions are successfully concluded and reduced to a binding and enforceable agreement that is acceptable to all sides, our client will dismiss its protective action.

Our client is willing to forego prosecution of this lawsuit if the City promptly rescinds its certification of the EIR and other approvals in furtherance of the Project, or if the Parties can agree to other terms assuring that our client's claims will not be impaired by any failure to file suit before CEQA's default limitations period expires after February 24, 2012.

This letter and our client's prior participation in the City's administrative process and ongoing settlement discussions with the City pursuant to Pub. Resources Code section 21167.10 satisfy our client's obligations under California Civil Code of Procedure section 1021.5, as amplified by the California Supreme Court in *Graham v. DaimlerChrysler* (2004) 34 Cal.4th 553, 578.

Sincerely,



Keith G. Wagner

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: N.E.R.T. Training / Two Thumbs Up / THANK YOU

From: Jane Koegel <janekoegel@hotmail.com>
To: <fire.commission@sfgov.org>, <board.of.supervisors@sfgov.org>
Cc: <sffdner@sfgov.org>
Date: 02/22/2012 01:25 PM
Subject: N.E.R.T. Training / Two Thumbs Up / THANK YOU

Dear Fire Commissioners and S.F. Board of Supervisors;

This note is to thank you for your support of the N.E.R.T. (Neighborhood Emergency Response Team) training put on by the S.F. Fire Department. I just completed the six week course of N.E.R.T. training last night, which was held at the S.F. Fire Department Headquarters on 2nd St. I was impressed by the quality of the program: the material was well organized, and the presenters were top notch - they were professional, covered a lot of material, gave good examples, and were exceptionally good with our questions.

Last night we experienced hands on training. I put out a fire with a fire extinguisher (the first time in my life). I played a Safety Officer for my team rescuing a human sized dummy trapped under a wood pile - our team used a lever, fulcrum and cribbing to lift the load slowly and safely. I got to turn off a gas valve; I watched and learned as folks lifted the lids in the street to turn off water and gas. Most troubling and educational was being part of a search and rescue team with actors playing different roles. In my enthusiasm to save lives, I leaned on a railing with a "live" electrical wire draped over it, and was declared immediately dead! I was allowed to continue saving lives, and dealt with two folks. The critique at the end of this session was very informative - letting us know what we had done correctly, and what we needed to do differently. Thinking over this exercise later, I realized how agitated I was in the midst of the chaos. Thanks to this training, I expect (hope!) I will be calmer next time I am confronted with an exercise or even a real life incident where I am putting my newly acquired skills to the test.

I am starting to think in an educated way how I will deal with an emergency. I never before thought in this manner, much less had some skills that may save my life or other lives.

I understand the City puts a lot of resources into the training program. I thank you for this extremely helpful training.

Sincerely,

Jane Koegel, Esq.

N.E.R.T. Volunter ID No. 25894

P.S. I am copying in the S.F.F.D. NERT trainers - thank you for your good work!

Angus McCarthy
365 Pacheco St
San Francisco, CA 94116

Tel: (415)242-1994 Fax: (415)242-1995 Cell: (415)269-1780
angusmccarthy@sbcglobal.net

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February 22, 2012

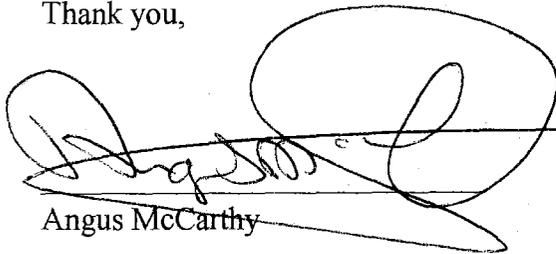
Angela Calvillo
Clerk of the Board, Board of Supervisors
San Francisco City Hall
1 Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Ms. Calvillo

I hereby resign from my position as Immigrant Rights Commissioner effective today February 22, 2012. I want to thank the Board of Supervisors for the opportunity to work with the members of the commission and the members of the public to better the lives of immigrants in San Francisco.

I look forward to serving in other capacities to continue to improve all aspects of the City and County of San Francisco.

Thank you,


Angus McCarthy

②



Transfer Tax Proposals!!

norman wiseman

to:

Board.of.Supervisors, Ed Lee

02/23/2012 11:54 AM

Hide Details

From: norman wiseman <norwis94127@yahoo.com>

To: Board.of.Supervisors@sfgov.org, Ed Lee <mayoredwinlee@sfgov.org>

Gentlemen & Ladies:

The answer to your proposal is cut out ineffiencys in running this city and not on homeowners!!!!!!
Norman & Elizabeth Wiseman 21 San Pablo Ave. S.F. Ca. 94127

9

COMMISSIONERS
Daniel W. Richards, President
Upland
Michael Sutton, Vice President
Monterey
Jim Kellogg, Member
Discovery Bay
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

EDMUND G. BROWN, JR.



Governor

B05-11 cpage

Sonke Mastrup
EXECUTIVE DIRECTOR
1416 Ninth Street, Room 1320
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

Fish and Game Commission

February 24, 2012

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 7.50, Title 14, California Code of Regulations, relating to Central Valley salmon sport fishing, which will be published in the California Regulatory Notice Register on February 24, 2012.

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

Mr. Stafford Lehr, Department of Fish and Game, Fisheries Branch, phone (916) 327-8840, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

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BOARD OF SUPERVISORS
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2012 FEB 23 PM 4:23
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10

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

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 215, 220, 240, 315 and 316.5, of the Fish and Game Code and to implement, interpret or make specific 200, 202, 205, 206, 215 and 316.5 of said Code, proposes to amend Section 7.50, Title 14, California Code of Regulations, relating to Central Valley salmon sport fishing.

Informative Digest/Policy Statement Overview

The Pacific Fishery Management Council (PFMC) will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at their March 6, 2012 meeting and develop the final PFMC regulatory recommendations to the National Marine Fisheries Service at their April 6, 2012 meeting.

Although there are no PFMC regulatory options to review at this time, there exists a possibility of ocean water closures off California. These ocean closures may result in PFMC recommendations for Central Valley salmon fishery closures.

The Department is proposing a range of varied salmon season dates in the American, Feather, Mokelumne, and Sacramento rivers to encompass possible PFMC 2012 recommendations for Central Valley salmon stocks in mid-April. The scope of this option is intentionally broad to increase flexibility for development of the final Central Valley salmon seasons.

Further Commission actions affecting the Central Valley salmon sport fishery may be developed after the annual PFMC reports, *Review of 2011 Ocean Salmon Fisheries* and *Preseason Report / Stock Abundance Analysis for 2012 Ocean Salmon Fisheries*, are available in late February 2012.

Present Regulations

The current regulations allow for salmon fishing in the American, Feather and Sacramento rivers to achieve the 2011 PFMC harvest target of 61,400 adult Sacramento River Fall Chinook, but the Mokelumne River is closed to salmon fishing.

Proposed Regulations

A range of varied season dates are proposed to continue salmon fishing in the American, Feather and Sacramento rivers and expand angler access in the Feather and Mokelumne rivers. The following changes to current regulations are proposed to encompass the final PFMC recommendations and align annual season closing dates to protect listed species and salmon spawning grounds.

For all areas, the current language to describe no salmon fishing in all areas is "Closed to salmon fishing. No take or possession of salmon". The Department proposes to use "Closed to the take of salmon" instead to reduce public confusion and assist enforcement activities.

American River, subsection 7.50(b)(5)

- 1) Subsection (A) between Nimbus Dam and the Hazel Avenue bridge and subsection (D) between the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park

and the Jibboom Street bridge.

- a. Proposed range of varied open dates between July 16 and December 31 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
- 2) Subsection (B) between Hazel Avenue bridge and the USGS gauging station cable crossing near Nimbus Hatchery.
 - a. Proposed range of varied open dates between July 16 and August 15 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
- 3) Subsection (C) between the USGS gauging station cable crossing near Nimbus Hatchery and the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.
 - a. Proposed range of varied open dates between July 16 and October 31 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
- 4) Subsection (E) between the Jibboom Street bridge and the mouth.
 - a. Proposed range of varied open dates between July 16 and December 16 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
 - b. Proposed to remain closed to salmon fishing from December 17 to December 31 with existing trout and steelhead bag limits.

Feather River, subsection 7.50(b)(68)

- 1) Subsection (C) between the Highway 70 bridge and the unimproved boat ramp above the Thermalito Afterbay Outfall.
 - a. The lower boundary is proposed to move upstream to open up salmon fishing access to the Thermalito Afterbay Outfall area in new subsection (D).
 - b. Proposed to remain closed to salmon fishing all year with existing trout and steelhead limits
- 2) New subsection (D) between the unimproved boat ramp above the Thermalito Afterbay Outfall and the Live Oak boat ramp.
 - a. Proposed to remain closed to salmon fishing from January 1 to July 15 with existing trout and steelhead limits.
 - b. Proposed range of varied open dates between July 16 and October 15 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
 - c. Proposed to remain closed to salmon fishing from October 16 to December 31 with existing trout and steelhead bag limits.
- 3) Subsection (E) between the Live Oak boat ramp and the mouth.
 - a. Proposed to remain closed to salmon fishing from January 1 to July 15 with existing trout and steelhead limits
 - b. Proposed range of varied open dates between July 16 and December 16 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
 - c. Proposed to remain closed to salmon fishing from December 17 to December 31 with existing trout and steelhead bag limits.

Mokelumne River, subsection 7.50(b)(124)

- 1) All subsections will be revised to clarify the regulations and organize the subsections from upper reach to lower reach to align with the rest of Section 7.50.
- 2) Subsection (A) between Camanche Dam and Highway 99 bridge.
 - a. Proposed to remain closed to salmon fishing from January 1 to March 31 and from the fourth Saturday in May to July 15 with existing trout and steelhead limits.
 - b. Proposed range of varied open dates between July 16 and October 15 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
- 3) Subsection (B) between Highway 99 bridge and the Woodbridge Irrigation District Dam

including Lodi Lake.

- a. Proposed to remain closed to salmon fishing from January 1 to July 15 with existing trout and steelhead bag limits.
 - b. Proposed range of varied open dates between July 16 and December 31 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
- 4) Subsection (C) between the Woodbridge Irrigation District Dam and the Lower Sacramento Road bridge.
- a. Proposed to remain closed to all fishing all year.
 - b. The lower boundary's "Woodbridge vehicle bridge" is defined as "the Lower Sacramento Road bridge".
- 5) Subsection (D) between the Lower Sacramento Road bridge and the mouth.
- a. Proposed to remain closed to salmon fishing from January 1 to July 15 with existing trout and steelhead bag limits.
 - b. Proposed range of varied open dates between July 16 and December 16 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
 - c. Proposed to remain closed to salmon fishing from December 17 to December 31 with existing trout and steelhead bag limits.
 - d. For purposes of this regulation, the lower boundary is proposed to be defined as Mokelumne River and its tributary sloughs east of Highway 160 and north of Highway 12.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5)

- 1) Subsection (C) between Deschutes Road bridge and the Red Bluff Diversion Dam.
 - a. Proposed range of varied open dates between August 1 and December 16 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
 - b. Proposed to remain closed to salmon fishing from December 17 to December 31 with existing trout and steelhead bag limits.
- 2) Subsection (E) between the Red Bluff Diversion Dam and the Highway 113 bridge.
 - a. Proposed range of varied open dates between July 16 and December 16 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
 - b. Proposed to remain closed to salmon fishing from December 17 to December 31 with existing trout and steelhead bag limits.
- 3) Subsection (F) between the Highway 113 bridge and the Carquinez Bridge.
 - a. Proposed range of varied open dates between July 16 and December 16 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.
 - b. Proposed to remain closed to salmon fishing from December 17 to December 31 with existing trout and steelhead bag limits.
 - c. This area's description includes Suisun Bay, Grizzly Bay and all tributary sloughs. The proposed regulation will specify this area includes Suisun Bay, Grizzly Bay and all tributary sloughs west of Highway 160.

Additional minor changes are proposed to improve clarity, reduce public confusion, and simplify Title 14 structure.

The benefits of the proposed regulations are concurrence with Federal law, sustainable management of the Central Valley salmon resources, and promotion of businesses that rely on Central Valley salmon sport fishing.

The Commission does not anticipate non-monetary benefits to the protection of public health

and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. No other State agency has the authority to promulgate sport fishing regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Mission Inn Hotel, 3649 Mission Inn Avenue, Riverside, California, on Wednesday, March 7, 2012 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Red Lion Hotel, 1929 4th Street, Eureka, California, on Wednesday, April 11, 2012, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 6, 2012 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 10, 2012. All comments must be received no later than April 11, 2012, at the hearing in Eureka, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Mr. Stafford Lehr, Chief, Fisheries Branch, telephone at (916) 327-8840, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

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

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

Impact of Regulatory Action

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed regulations range from no salmon fishing in 2012 to a normal Central Valley salmon season; therefore, the potential impacts range from 0 to 166 jobs. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, subsequently, the long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a salmon sport fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's salmon resources.

- (c) Cost Impacts on a Representative Private Person or Business:

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

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

Effect on Small Business

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

Consideration of Alternatives

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

FISH AND GAME COMMISSION

Sonke Mastrup
Executive Director

Dated: February 14, 2012

COMMISSIONERS
Daniel W. Richards, President
Upland
Michael Sutton, Vice President
Monterey
Jim Kellogg, Member
Discovery Bay
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

EDMUND G. BROWN, JR.



Bos-11 cpage

Sonke Mastrup
EXECUTIVE DIRECTOR
1416 Ninth Street, Room 1320
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

Fish and Game Commission

February 24, 2012

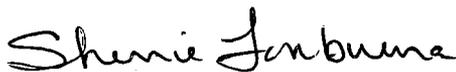
TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 7.50, Title 14, California Code of Regulations, relating to Klamath-Trinity Rivers salmon sport fishing, which will be published in the California Regulatory Notice Register on February 24, 2012.

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

Mr. Curtis Milliron, Department of Fish and Game, Northern Region, phone (530) 225-2280, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,



Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

11

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

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 215, 220, 240, 315 and 316.5, of the Fish and Game Code and to implement, interpret or make specific 200, 202, 205, 206, 215 and 316.5 of said Code, proposes to amend Section 7.50, Title 14, California Code of Regulations, relating to Klamath-Trinity Rivers salmon sport fishing.

Informative Digest/Policy Statement Overview

The Klamath River System, which consists of the Klamath River and Trinity River basins, is managed through a cooperative system of State, Federal, and Tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean recreational, ocean commercial, river recreational and Tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon recreational (inside three miles) and the Klamath River System recreational fisheries which are consistent with federal fishery management goals.

Klamath River Fall-Run Chinook

Klamath River fall-run Chinook salmon (KRFC) harvest allocations and natural spawning escapement goals are established by the PFMC. The KRFC harvest allocation between Tribal and non-Tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

The 2012 KRFC in-river recreational fishery allocation recommended by the PFMC is currently unknown. All proposed closures for adult KRFC are designed to ensure sufficient spawning escapement in the Klamath basin and equitably distribute harvest while operating within annual allocations.

Klamath River Spring-Run Chinook

The Klamath River System also supports Klamath River spring-run Chinook salmon (KRSC). Naturally produced KRSC are both temporally and spatially separated from KRFC in most cases.

Presently, KRSC stocks are not managed or allocated by the PFMC. The in-river recreational fishery is managed by general basin seasons, daily bag limit and possession limit regulations.

KRFC Allocation Management

The 2011 allocation for the Klamath River System recreational harvest was 7,900 adult KRFC. Preseason stock projections of 2012 adult KRFC abundance will not be available from the

PFMC until March 2012. The 2012 basin allocation will be recommended by the PFMC in April 2012 and presented to the Commission for adoption prior to its April 2012 meeting.

For public notice requirements, the Department recommends the Commission consider an allocation range of 0 – 40,000 adult KRFC in the Klamath River basin for the river recreational fishery.

Current Recreational Fishery Management

The KRFC in-river recreational harvest allocation is divided into geographic areas and harvest is monitored under real time sub-quota management. KRSC in-river recreational harvest is managed by general season, daily bag limit and possession limit regulations.

The daily bag and possession limits apply to both stocks within the same sub-area and time period.

Proposed Changes

The Department is proposing the following changes to current regulations:

No changes are proposed for the general (KRSC) opening and closing season dates.

KRFC Season, Bag Limit, and Possession Limit

For public notice requirements, a range of KRFC bag and possession limits are proposed until the 2012 basin quota is adopted. As in previous years, no retention of adult KRFC salmon is proposed for the following areas, once the sub quota has been met.

The proposed open seasons and range of bag limits for KRFC salmon stocks are as follows:

1. Klamath River - August 15 to December 31
2. Trinity River - September 1 to December 31
3. Bag Limit - [0-4] Chinook salmon - only [0-3] fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length.

The possession limit is proposed as a range of [0-9] Chinook salmon of which [0-6] over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

The benefits of the proposed regulations are concurrence with Federal law, sustainable management of Klamath River basin salmon resources, and promotion of businesses that rely on recreational salmon fishing in the Klamath River basin.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. No other State agency has the authority to promulgate sport fishing regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Mission Inn Hotel, 3649 Mission Inn Avenue, Riverside, California, on Wednesday, March 7, 2012 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Red Lion Hotel, 1929 4th Street, Eureka, California, on Wednesday, April 11, 2012, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 6, 2012 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 10, 2012. All comments must be received no later than April 11, 2012, at the hearing in Eureka, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Mr. Curtis Milliron, Department of Fish and Game, Northern Region, telephone (530) 225-2280, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

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

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

Impact of Regulatory Action

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are projected have an unknown impact on the net revenues to businesses servicing sport fishermen. This is not likely to affect the ability of California businesses to compete with businesses in other states. The preservation of Klamath River salmon stocks is necessary for the success of lower and upper Klamath River Basin businesses which provide goods and services related to fishing. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed regulations range from no salmon fishing on adult Chinook salmon (>22 inches) in 2012 to a normal Klamath River Basin salmon season; therefore, the potential impacts range from 0 to 47 jobs. However, due to the fact that sport fishing for Chinook salmon will be allowed for grilse fall Chinook salmon, impacts to businesses will be less severe than under a complete closure of fishing. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, subsequently, the promotion and long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a salmon sport fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's salmon resources.

(c) Cost Impacts on a Representative Private Person or Business:

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

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

Effect on Small Business

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

Consideration of Alternatives

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

FISH AND GAME COMMISSION

Sonke Mastrup
Executive Director

Dated: February 14, 2012

COMMISSIONERS
Daniel W. Richards, President
Upland
Michael Sutton, Vice President
Monterey
Jim Kellogg, Member
Discovery Bay
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

EDMUND G. BROWN, JR.



Governor

BOSTL cpage

Sonke Mastrup
EXECUTIVE DIRECTOR
1416 Ninth Street, Room 1320
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

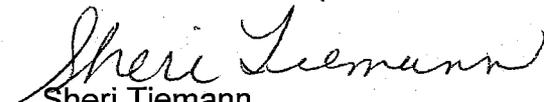
Fish and Game Commission

February 17, 2012

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of findings for the southern mountain yellow-legged frog and the Sierra Nevada yellow-legged frog, which will be published in the California Regulatory Notice Register on February 24, 2012.

Sincerely,


Sheri Tiemann
Staff Services Analyst

Attachment

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12

COMMISSIONERS

Daniel W. Richards, President
Upland
Michael Sutton, Vice President
Monterey
Jim Kellogg, Member
Discovery Bay
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

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Governor

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(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

Fish and Game Commission

NOTICE OF FINDINGS

Southern Mountain Yellow-Legged Frog
(*Rana muscosa*)
Sierra Nevada Yellow-Legged Frog
(*Rana sierrae*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2075.5 of the Fish and Game Code, the California Fish and Game Commission (Commission), at its February 2, 2012, meeting in Sacramento, made a finding that the southern mountain yellow-legged frog (*Rana muscosa*) warrants listing as an endangered species and the Sierra Nevada yellow-legged frog (*Rana sierrae*) warrants listing as a threatened species.

NOTICE IS ALSO GIVEN that the Commission, consistent with Fish and Game Code Section 2075.5 proposes to amend Section 670.5, Title 14, California Code of Regulations, to add the southern mountain yellow-legged frog (*R. muscosa*) to the list of endangered species and the Sierra Nevada yellow-legged frog (*R. sierrae*) to the list of threatened species. The proposed amendment will be scheduled for a future Commission meeting.

Fish and Game Commission

February 14, 2012

Sonke Mastrup
Executive Director

2012

Emil Lawrence MBA

660 Westfield Road
Units 281-287
San Francisco, CA
94128
1-415-513-7705 PCS

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PJ

Completed for the
Office of Citizen
Complaints, the City
Attorney, the District
Attorney, Board of
Supervisors, Chief of
Police and Police
Commission for the CCSF.

A REPORT ON POLICE OFFICER MISCONDUCT IN SAN FRANCISCO, CITY & COUNTY: WHY THE OFFICE OF CITIZEN COMPLAINTS SHOULD STAND ALONE AS A COMMISSION

This is a report is also the background to Emil Lawrence's defense in a false arrest, illegal search and seizure, violations of due process and probable cause, along with excessive force and police misconduct

13

February 14, 2012

Office of Citizen Complaints
25 Van Ness Avenue
Suite 700
San Francisco, CA 94102

Clerk of the Board
Board of Supervisors
One Carlton Goodlett Place
Room 244
San Francisco, CA 94102

District Attorney
George Gascon
850 Bryant Street
Suite 322
San Francisco, CA
94103

OCC Officers, Board Members & District Attorney:

**SUBJECT: A PLEAD OF "NOT GUILTY" IN RESPECT TO CITATION CHARGES 484 pc (a) PC, & 485 PC.
ALSO: THIS DOCUMENT IS AN OCC COMPLAINT: WHICH CHARGES FALSE ARREST AND DETAINMENT,
ILLEGAL SEARCH AND SEIZURE, DUE PROCESS AND PROBABLE CAUSE IN RESPECT TO CONSTITUTIONAL
VIOLATIONS. PLUS CHARGES OF SFPD USE OF EXCESSIVE FORCE, BATTERY WITH PHYSICAL DAMAGE
TO VICTIM'S HARD AND SOFT TISSUE, WITH CRUEL AND UNCONSTITUTIONAL PUNISHMENT WHILE IN
SFPD CUSTODY BY SFPD BADGES #127, #2260 & #804**

Here, I briefly state my case. I have been a resident of the city and county of San Francisco for 44 years. In the past 16 years, the time I have been a taxi driver, not being able to find a post in my real profession, in the City & County; as a resident that works and lives here, I have filed a half a dozen OCC complaints against specific SFPD officers. But, I have done so only as a San Francisco taxi driver. In the previous 20 years as a securities trader, registered representative, stock and derivative broker, when I used taxis a major part of city transportation, I never filed one complaint. Today, to many SFPD officers, dressing like a San Francisco taxi driver in this City makes one look like a felon. And, this is due to the fact that a SFPD officer makes 4 to 12 times what a taxi driver makes. And, he makes twice what the average income is in San Francisco. To many police officers, all taxi drivers look like felons at large.

In a previous complaint to the OCC, two years ago, I charged that officer Woods assaulted me in the Hall of Justice, in front of six or more police officers, on CCTV, but the OCC lost the complaint, not once but twice. Then, their investigator could only find time to do a telephonic interview with me on the assault charge when the event happened inside the Hall of Justice when George Gascon was the Chief of Police. Officer Woods as an African American and a member of the Black Police Officers Association has used racism as a defense on more than one occasion, when City and County citizens complained about his overt misconduct and threatening manner as an SFPD officer. But, officer Woods does not call it racism in his attempt to date many of the Caucasian female police officers under his command, and a Caucasian

female police officer under his command was answering my questions at the time he assaulted me. I am a Caucasian male. Woods has been shielded and protected by the Police union known as the Police Officer's Association. Woods still pays union dues although he should have been bounced from the SFPD, years ago.

In my charge, District Attorney George Gascon, our ex-COP, who now claims he is a Latino and a Cubano, one like Hemmingway, I guess, planted stories in his voting literature while running for the DA's office, about living in the Latino Ghetto. Running for the DA's office, he never mentioned his "royal blue" barricade of police officers on the fifth floor of the Hall of Justice. Or, his entourage of motorcycle escorts when he went about the City as San Francisco's Chief of Police. Because this man was "shitting in his pants" as San Francisco's Chief of Police. The job scared him. Now he is our DA.

Mr. Gascon, had his campaign masters, make him twelve years of age, in his run for the DA's office, and stated, "I was running from Castro, himself, with a suitcase in my hand". This COP Gascon could not make it as an attorney after law school, so he came back to suck up a paycheck as a policeman again. As Chief of Police, he sat on the Police Commission for 19 months and ratified and codified the Office of Citizen's Complaint's, non stop corruption and incompetence, and police officer Wood's racial conduct. Gascon knowingly protected San Francisco Police officers that should have been removed from duty. DA George Gascon is now aware that police officer misconduct in San Francisco is a major problem, and in Brady v. Maryland with regard to the City and County of San Francisco Gascon knew there was a major SFPD misconduct problem. So, these enclosed charges of police misconduct, assault, battery, false arrest, with constitutional violations of due process and search and seizure, once again, put the dude on the hotspot.

In this brief report, it is my objective to show the Board of Supervisors, that misconduct by police officers in this City, investigated by the OCC, is white washed by the same organization. That this OCC should be separated as one Commission, one that is not codified and protected by the Police Officer's Association which is a union, and not the collective association it masquerades as. The group is the Police Officers Union (POA) and they fraternize with members of the OCC and SFPD to protect the livelihood of bad officers that should be bounced from the force. At present, with pressure from the POA, the OCC has a history of white washing complaints and literally throwing thousands of written reports into the trashcan.

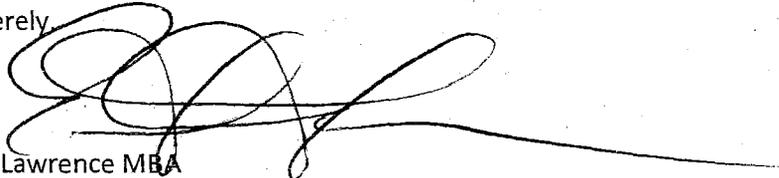
With this position being stated, in this case, I would like to go to court looking for a public trial to determine, how I was arrested for a misdemeanor, when the so called charge never took place in front of these officers, and where one woman who claimed a computer was stolen, could not name the type of computer that she claimed was stolen.

Because, the real story was this one: A black box that had personal lesbian love letters attached, personal correspondence describing female anal and pussy worship with adult toys, which I read and gave to others at the coffee house across the street, ten days prior to my physical encounter with these police thugs, was her attempt to get these letters back.

I want to go to court to talk about how an illegal false arrest takes place by SFPD officers that are not fit to wear SFPD blue, because they are too god damn stupid to do their job. How they made it through the Academy is beyond me. I had no freedom from the moment I met officers with badges 127 and 2260 on January 2, 2012. These SFPD officers did not know even what their job actually was. And without any questions, answers and facts at hand, they started to arrest me and shackle me.

These SFPD officers violated due process and the Fourth Amendment of the US Constitution, the moment they stepped on my legs. And, by going to trial, we should know why these officers did not know a misdemeanor from a felony, or what a search and seizure was.

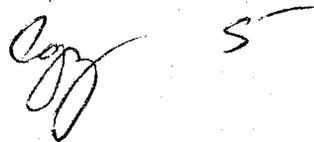
Sincerely,



Emil Lawrence MBA
660 Westfield Road
Units 281-287
San Francisco, CA
94128

1-415-513-7705 PCS

cc: Chief of Police, the Police Commission, the City Attorney and SFPD Captain Anne Mannix, Northern Station



After you have completed this form, return it to the Office of Citizen Complaints by folding it along the lines below so that the address shows on the outside. Drop in any mailbox. NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES.

在您填妥本投訴書後，請沿摺線摺妥（地址在外），投入郵箱，寄回「公民投訴組」。在美國境內寄出，不需郵費。

Despues de completar la forma, doblela sobre las lineas marcadas y depositela en el buzón. No necesita estampilla (sello postal).

Matapos buuin ang pormang ito, tiklupin sa mga linyang nakatatak sa baba upang makita sa labas ang aming "address". Ihulog sa anumang buson o "mailbox". Hindi kailangan ng selyo kung ipadadala lang sa loob ng America.

OFFICES LOCATED AT:
25 Van Ness Avenue, Suite 700
San Francisco, CA 94102



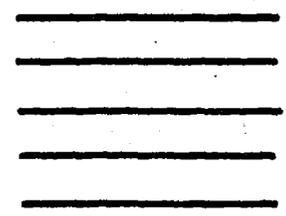
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UNITED STATES

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POSTAGE WILL BE PAID BY ADDRESSEE

City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS
875 Stevenson Street, Room 125
San Francisco, CA 94103-0917



22

NARRATIVE OF INCIDENT: ON JANUARY 2, 2012, at

approx. mid to 2 PM, on the 1700 block of
 O'Hanlon & Fillmore, I was stopped by SFPD
 Troopers 127 (Five foot Caucasian female) and Trooper
 No 2260 (5' 9" SFPD officer). They asked me, "Did
 you pick up a computer in Guri's restaurant, and say
 Panda Express, "about two weeks ago." I
 told them, "I picked up an abandoned note book
 reader or whatever it was, and gave it to a woman
 at Starbuck's down the street, who lives in Brisbane."
 I stated, "whatever it was, it did not open or
 work." At that very moment, a woman walking by
 started yelling, "That is the thief, he stole my computer."
 "He is on the tape, he is a thief." At that very
 moment, SFPD officer 127 pulled out some handcuffs
 and attempted to handcuff me. When I asked her,
 "What are you doing?" she was silent, but continued
 to put these handcuffs on me. Then she started
 pushing me into her police unit. This continues in a
 typed document

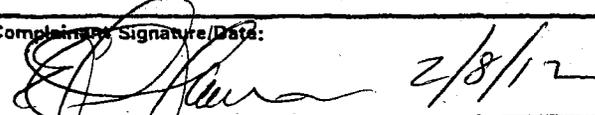
(State law passed in 1995 mandates that the following statement be provided to, read and signed by persons filing complaints. The OCC encourages the filing of a complaint by anyone who believes he or she is a victim or a witness of improper police conduct or policies.)

ACKNOWLEDGEMENT OF COMPLAINANT (148.6 P.C.)

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED FOR AT LEAST FIVE YEARS. IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT.

THE ACKNOWLEDGMENT HAS BEEN READ TO THE COMPLAINANT.

Complainant Signature/Date:  2/8/12	Taken By (Name/#/Unit)/Date:
Assigned Investigator/Date:	Closure Approval/Date:

CONTINUATION FROM NARRATIVE OF INCIDENT (Addendum to official OCC document)

This silent pushing of me, by SFPD officer with badge 127 continues until I tell her, "I have 'vein stasis' and you cannot just jam my legs into your unit's back seat because the blood in my legs will stop flowing, and your unit back seat is also fit for a midget. You have to understand, you can also cause my legs to bleed, and a continuation of this assault on me, will also leading to a charge of police brutality, do you understand me?" But, ignoring my complaints, the female SFPD officer with badge 127 continues to push me and then, jack boots my two legs into the unit's back seat black hole, which is under the "shotgun" front seat, or right front seat. Screaming with pain, I say to her, "Officer 127, at this moment, you have no authority as a police officer to treat me this way." I tell SFPD officer 127, as she gets into the unit, "By arresting me, and staying silent about this arrest, you at this moment are violating the law." But, SFPD officer 127 continues to keep me in this position, but tells me, "Shut up, you are not under arrest." Then she turns up the unit's FM/AM radio to extra loud, to drown my complaints. About 30 minutes later, officer 127 drives me to the Fillmore station's back lot and tells me, "Get out." But, I tell her, "My legs are numb, I cannot move them." Many bus and taxi drivers have venous stasis.

Venous stasis

From Wikipedia, the free encyclopedia

Venous stasis, or venostasis, is a condition of slow blood flow in the veins, usually of the legs. Venous stasis is a risk factor for forming blood clots in veins (venous thrombosis), such as in the deep veins of the legs, called deep vein thrombosis (DVT).^[1]

Causes include long periods of immobility that can be encountered from driving^[2] flying, bed rest or in orthopedic casts.

This statement by me does not affect SFPD officer with badge 127, because she calls for help. She yells to someone in the police station lot, with "He is refusing to get out." A moment later, SFPD officer with badge 804 shows up, and grabs me by the shirt and pulls me out, screaming and yelling about my legs and cuffs, I tell him, "I have a plate in my wrist, so do not drop me on my wrists, please." But, ignoring all of this, SFPD officer 804 drops me on my wrists, back and hands. And a moment later, still with my handcuffs on, I am screaming and almost crying from the pain, when he smiles and says, "See, you are out, now."

For a moment, on the ground of the SFPD parking lot, and on my back, I cannot feel anything with my hands, wrists and legs. But, now, officer 127 tells me, "Get up," and starts to pull me up with at least four to five SFPD trainees, and other SFPD police officers watching, staring in disbelief as to what is happening. My legs and hands are bleeding, but I do not know it yet, being numb with pain. Officer 127 tries to stand me up at the back door, because it is locked, and when I cannot stand up, along, leans me with one arm against the nearby wall, instead.

SFPD REPORT 1161633855 NOTICE TO APPEAR
012234655 FOR OFFICE OF CITIZEN COMPLAINTS

2012

INSIDE THE FILLMORE STATION

Once inside the Fillmore SFPD station and compound, I am shackled to cold steel metal seat or slab, still with my hands handcuffed still behind my back. So, again, I ask, "What is the charge for this unbelievable and brutal conduct of yours?" But, officer 127, empties my pockets quickly and leaves for the next three hours or so, without saying a word to me.

The handcuffs, a pair of them, are so tight on my wrists; my two hands go completely numb, again, within the hour. *I ask on female SFPD officer at the station to loosen them up and she does, and I thank her. I have never had this numbing of my hands and wrists happen to me in my entire life.* So, here I sit for several hours, with my handcuffs shackled behind my back, without going to the bathroom, without a drink of water or with even a doctor examining me, based on my stated leg condition.

Hours later, around 5 pm, officer 127 and 2260 come back into the station and compound and tell me, "You were under arrest, and you are under arrest, so, sign this citation or you will be here a couple of more days."

I shake my head, but sign some citation related to "theft of lost property – and general theft." Then, both talk to me and take me to the back door, when SFPD officer with badge 127 throws my stuff on the sidewalk, stuff removed from my pockets, and tells me, "Get out of here, tell anybody you like what happened," and slams the compound doors shut only when an officer leaving in a black and white signals her, to leave him alone or something like that." He drove off and I do not know his badge number, but the man was on video I am sure, like everything should be in the back lot of the compound.

I determined that a woman, on Christmas Day, abandoned a Kindle Reader at Panda Express because it was junk, and it did not work. But, forgot her written love letters within it, from her female lesbian lover, which were explicit as to dildo worship and asshole penetration by mouth toy and she was upset that many of us at Starbucks, across the street, read the letters she tossed. Whatever she walked from, was abandoned and did not work or open or read or compute, from the moment she abandoned this device.

Sincerely



Emil Lawrence MBA,
RE Agent & Taxi Driver
660 Westfield Road
Units 281-287
San Francisco, CA
94128
1-415-513-7705 PCS
EL/el

cc: CA, DA, Police Commission, COP & Board of Supervisors for CCSF

January 2, 2012

SFPD Captain Anne Mannix
Northern Police Station
1125 Fillmore Street
San Francisco, CA 94115

Captain Mannix:

SUBJECT: Arrest w/o Cause, Police Brutality, and Physical Abuse
For no apparent reason in SFPD Report 116163855
With Notice to Appear 012234655, which I was requested to sign
On two bogus theft charges, "Or you will be in jail another Day."

Today, I was arrested at 1:30 pm, after leaving the Panda Bear restaurant by two of your police officers. They did not just arrest me, they shackled me in handcuffs and officer Peters with badge #127, kicked my two "Veinstatis" legs into her vehicle. The disease manifests itself destroying the valves, so that the blood in your lower legs does not flow as it should, with all that hemoglobin to the heart. And, one cannot move them as fast as they should go either. On the street, these two police officers (2260 & 127) asked me a supposition about a computer left on a table in the restaurant on Christmas Day, December 25, 2011, which was a week, earlier.

I told him and her, "Yes, I picked the object up, and the woman I gave it to is at Starbucks, across the street, said it was broken." I told your officers, "The unit did not charge and looked like a Border's Reader, which was abandoned there." The woman was probably still across the street at Starbucks, and may still have it. But, these two SFPD superheroes did not ask me any more questions, when some other woman, standing on the sidewalk, looked at me and screamed, "That's him, he's the one on the video tape, and he stole my computer." A moment later, I'm sitting on my handcuffs, like some kind of wanted thug or criminal in this police unit, where the backseat is sized for a midget. The woman's female looking missing item, from Panda's greasy chop stick, was the size of a small leatherette note pad.

So, I told your two of your finest officers, "I came back to the restaurant, twice, and then picked it up and gave it to another woman that could not afford anything on Christmas Day. But, she said it did not work. It was a week ago, and the thing did not look like any computer I have ever seen. It looked like the stuff people abandon on the street, daily. It was there, at Panda's, for hours and may have already been turned in once or twice.

So, after a half hour wait on the street, sitting on my hands with cuffs, and this is Fillmore Street, Peters takes me to your station lot and tells me, "Get out." But, I tell her, "I cannot move, you have me stuck in this unit like a sausage, with my two feet shoved completely under the front right seat." Moments later, another SFPD officer with badge

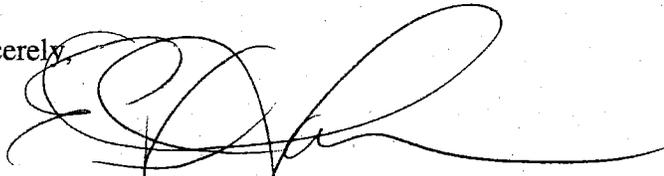
#804, shows five troops standing around, how you do it at Northern Station. They watch as he grabs me by the shirt, pulls me up and out and throws me down on the cement lot like a bag of potatoes, right on my back and on my handcuffed hands. I scream and he just smiles and says, "See, you are out, now."

When I tell badge 804, I am in real pain, and, "This looks like your brut training class," Peters grabs me, stands me up and starts pulling me like a mule." Soon two or three officers, push and pull me up to your station's back doors and once inside, have me shackled to a metal seat, once again. I feel like a hog being taken to the slaughter. Here, I look around and ask myself, "What if I really broke some law, what if I put up a fight, would they smash my face in; bloody me up a bit?" So, after Peters cleans out my pockets, I sit for the next few hours, on my hands with two sets of handcuffs on. I have lived in San Francisco for 43 years, so I guess I deserve this treatment. If this city cannot put drug dealers away, and you cannot find the killers to over 1000 murders in San Francisco, since 1950, just maybe you could put me away, instead.

Three hours later, Peters #127 threatens to arrest me again, as she opened your back gate and threw my stuff in the street, because I stated, "If I was hostile, I could take your stick away and beat you with it." She told me, "That statement is a threat." She had to be calmed down by two officers leaving in a unit for their beat.

Captain, I am sending you this letter, because this is the beginning to a civil complaint. We do not live in a police state; we live in a state with police. I do not know where your officers got the idea they could violate my physical space, my rights, due process and search and seizure, based on some woman that lost her and her partner's love letters, in book, which were left on her notepad. I am talking about accountability, here.

Sincerely,



Emil Lawrence MBA
660 Westfield Road
Units 281-287
San Francisco, CA 94128

CC: Office of Citizen Complaints
The SF Police Commission
Chief of Police

January 4, 2012

Chief of Police
Police Commission
Room 400, City Hall
San Francisco, CA 94103

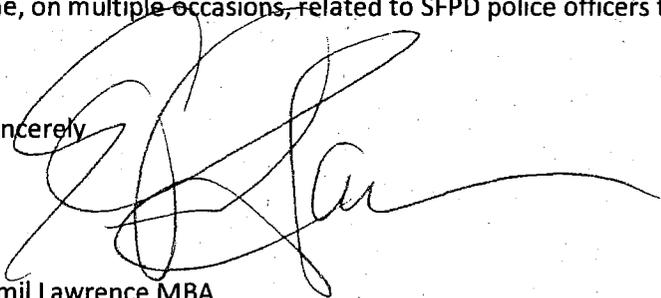
COP & Police Commissioners:

SUBJECT: Arrest & and Notice to Appear in SFPD Report 116163855 & Notice to Appear Citation 012234655, and my letter of 01/02/12 to Captain Anne Mannix of the Northern Police Station related to SFPD Badges 127, 804, & 2260

This letter is to be entered into the minutes of this Commission, based on the Sunshine Ordinance and Brown Act. As a resident of this City, I am letting the Commission know that as the facts now stand in this stated incident with the three designated SFPD officers, on the above date, and my claims to their violations law and abuse of State given priviledges as officers of the law (badges 127, 804 & 2260) that no citizen of this state or nation should have to go through what I went through, when I gave into their wishes to handcuff me and detain me. Their handling of my detainment was an abuse of power, an authority that they were given, with my consent, to comply with their wishes without any hostility on my part.

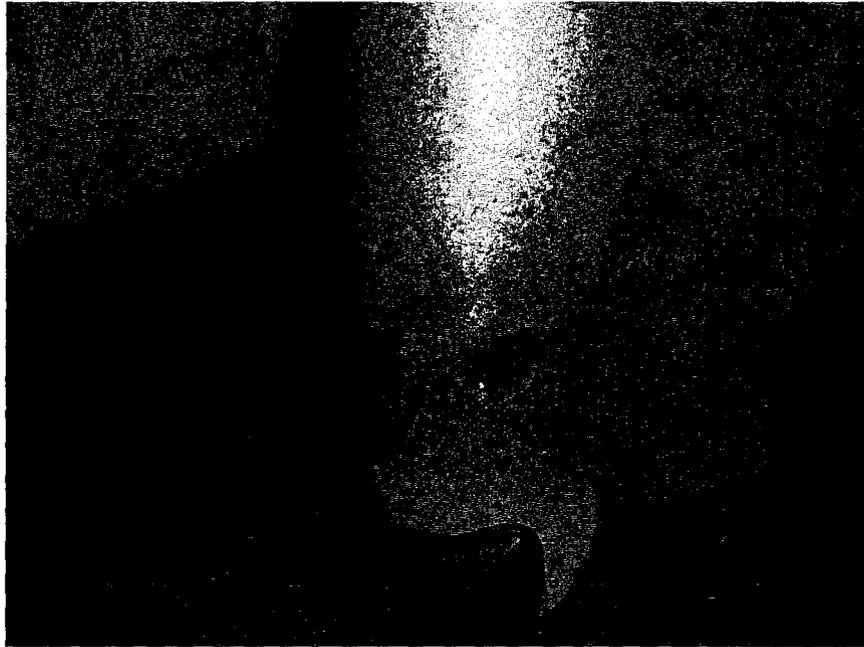
Based on my own convictions about the Office of Citizens Complaints, in investigating specific SFPD officer complaints, I am not going to wait for a "failed to sustain the charges" verdict based on their inability to properly investigate specific police abuse. This office has yet to produce a list requested by me, on multiple occasions, related to SFPD police officers that have multiple OCC complaints filed.

Sincerely



Emil Lawrence MBA
660 Westfield Road
Units 281-287
San Francisco, CA
94128

Slideshow



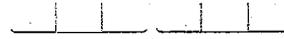
3 of 4



Slideshow



2 of 4



Slideshow



4 of 4

NOTICE TO APPEAR

012234655

- Traffic Infraction Misdemeanor
 Nontraffic Felony (Juvenile, PER 826(c) W&I)

DATE OF VIOLATION 1/17/12	TIME 1600	DAY OF WEEK S(M)T W TH F S	INCIDENT NO. 116163855
NAME (First, Middle, Last) EMIL LAWRENCE			
MAILING ADDRESS 1100 W. F. FIELD RD # 21			PHONE NO. () () ()
CITY SAN FRANCISCO	STATE CA	ZIP CODE 94123	JUVENILE (PHONE NO.) () () ()
DRIVER LICENSE NO. S02967014	STATE	CLASS	COMMERCIAL AGE <input type="checkbox"/> YES <input type="checkbox"/> NO
SEX M	HAIR BRN	EYES BLU	HEIGHT 55
WEIGHT 140	RACE W	S.E. NO. or X NO. 27753	
VEH. LIC. NO./VIN.	STATE	R REG	MO /
YR. of VEH.	MAKE	MODEL	BODY STYLE
EVIDENCE OF FINANCIAL RESPONSIBILITY		<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)	
REGISTERED OWNER OR LESSEE			<input type="checkbox"/> SAME AS DRIVER
ADDRESS			<input type="checkbox"/> SAME AS DRIVER
CITY	STATE	ZIP CODE	
CORRECTABLE VIOLATION (Veh. Code, § 40610) YES NO CODE AND SECTION			
<input checked="" type="checkbox"/> 4754(a) VC		THIEF (M) I	
<input checked="" type="checkbox"/> 495 PC		THEFT OF COST (M) I	
<input type="checkbox"/>		PROBATION (M) I	
SPEED APPROX.	P.F./MAX SPEED	VEH. LMT.	RADAR
<input type="checkbox"/> CONTINUATION FORM ISSUED			
LOCATION OF VIOLATION(S) at 1100 W. F. FIELD ST (SANTA EXPRESS)			
M.A.C.	JUV. NO.	SCHOOL	
<input checked="" type="checkbox"/> VIOLATION(S) NOT COMMITTED IN MY PRESENCE, DECLARED ON INFORMATION AND BELIEF. (I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.)			
ARRESTING OR CITING OFFICER [Signature]	ISSUING AGENCY IF NOT SFPD	STAR	ISSUING UNIT
DATE	NAME OF ARRESTING OFFICER IF DIFFERENT FROM CITING OFFICER	STAR	ISSUING UNIT
WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.			
<input checked="" type="checkbox"/> SIGNATURE [Signature]			
WHEN: <input type="checkbox"/> ON OR BEFORE THIS DATE			
DAY: Tue	DATE: 2/14/11	TIME: 0700	
WHAT TO DO: Follow the instructions on the reverse.			
WHERE: <input type="checkbox"/> Traffic/Nontraffic - Infraction Division - 850 Bryant St., Room 145, San Francisco, CA 94103 (415) 553-9400 <input checked="" type="checkbox"/> Criminal Division - SF Superior Court - 850 Bryant St., Room 475, San Francisco, CA 94103 (415) 553-9394 <input type="checkbox"/> Informal Juvenile & Traffic Court - 375 Woodside Avenue, Room 101, San Francisco, CA 94127 (415) 753-7730 <input type="checkbox"/> Youth Guidance Center - 375 Woodside Ave., Room 101, San Francisco, CA 94127 (415) 753-7800			
<input type="checkbox"/> TO BE NOTIFIED <input type="checkbox"/> YOU MAY ARRANGE WITH THE CLERK TO APPEAR AT A NIGHT SESSION OF THE COURT. DEFENDANT COPY			
Notice to Appear Form approved by the Judicial Council of California. SEE REVERSE			
Rev. 10/27/06 (Veh. Code §§ 40500(b), 40513(b), 40522, 40600; Pen. § Code 853.9) TR-130			

San Francisco Police Department

REPORTEE FOLLOW-UP

Case Number: 116163855

Case numbers are assigned to an investigator based on facts obtained during the initial investigation.

- Company A (Central) 315-2400
- Company B (Southern) 553-1373
- Company C (Bayview) 671-2300
- Company D (Mission) 558-5400
- Company E (Northern) 614-3400
- Company F (Park) 242-3000
- Company G (Richmond) 666-8000
- Company H (Ingleside) 404-4000
- Company I (Taraval) 759-3100
- Company J (Tenderloin) 345-7300

Please contact the investigation unit checked above to provide additional information not available during initial police report.

Information such as:

- Serial numbers of lost or stolen items
- Video evidence of the incident
- Name(s) of possible witness(es) or suspect(s)

EMEA #2260
PETERS #127
Officer's Name and Star No. SFPD105 (rev.03/11)

STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION

TAXPAYERS' RIGHTS ADVOCATE OFFICE MIC: 70
450 N STREET, SACRAMENTO, CALIFORNIA 95814-0070
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0070
916-324-2798 • FAX 916-323-3319
TOLL-FREE 888-324-2798
www.boe.ca.gov

BOS-11,
RECEIVED AAB, COB
BOARD OF SUPERVISORS
SAN FRANCISCO
Cpage



2012 FEB 24 PM 3:43
le

February 28, 2012

BETTY T. YEE
First District, San Francisco

SEN. GEORGE RUNNER (RET.)
Second District, Lancaster

MICHELLE STEEL
Third District, Rolling Hills Estates

JEROME E. HORTON
Fourth District, Los Angeles

JOHN CHIANG
State Controller

KRISTINE CAZADD
Executive Director

TO: ASSESSMENT APPEALS BOARDS COUNTY COUNSELS
COUNTY ASSESSORS COUNTY RECORDERS
COUNTY AUDITOR-CONTROLLERS COUNTY TAX COLLECTORS
COUNTY BOARDS OF SUPERVISORS LIBRARY DISTRIBUTION ACT
COUNTY CLERKS

RE: TAXPAYERS' BILL OF RIGHTS HEARINGS

I am pleased to invite you to attend our annual Taxpayers' Bill of Rights public hearings before the Members of the California State Board of Equalization. The hearings will provide you, other local agency representatives and taxpayers with the opportunity to address the issues identified in the Taxpayers' Rights Advocate's Annual Report, to discuss means to correct problems described in the Report, and to comment on all Board-administered revenue programs or local property tax issues. Individuals can present their verbal or written proposals for changes to laws or to the Board's procedures, policies, or rules, including suggestions that may improve voluntary taxpayer compliance and the relationship between citizens and the state and local government employees who serve them. The hearings will be held at the locations listed below starting at approximately 1:30 p.m.:

- Tuesday**
April 24, 2012
Board of Equalization District Office
5901 Green Valley Circle, Suite 207, Culver City
- Tuesday**
June 26, 2012
Board of Equalization Capitol Square Building
1st Floor Board Room, Room 121
450 N Street, Sacramento

I have enclosed flyers and/or posters for this year's hearings. Please display the posters in public areas of your office(s) and make the flyers available to taxpayers and other interested parties. You may download a copy of our current Annual Report from the Board's website at www.boe.ca.gov/tra/tra.htm.

If you have any questions regarding the hearings or would like to be scheduled as a speaker, please contact Mr. Mark Sutter at 916-324-2797 (Mark.Sutter@boe.ca.gov). If you would like additional copies of the flyer, poster, or Annual Report you may contact Ms. Patricia Rochin Carpenter at 916-445-0703 (Patricia.Rochin@boe.ca.gov).

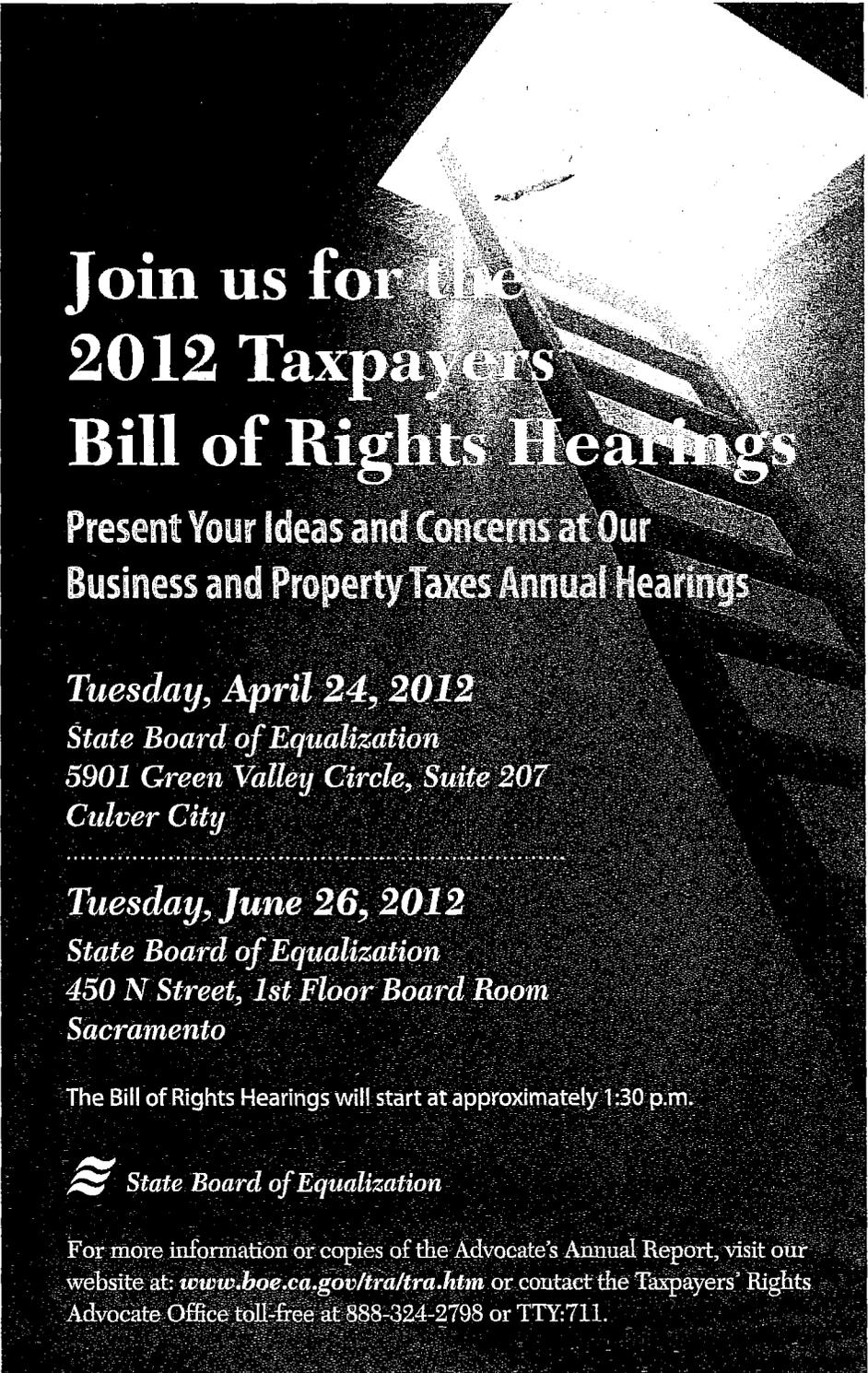
Sincerely,

Todd Gilman
Taxpayers' Rights Advocate

TG: ls
Counties letter 2012.docx

Enclosures

14



**Join us for the
2012 Taxpayers
Bill of Rights Hearings**

**Present Your Ideas and Concerns at Our
Business and Property Taxes Annual Hearings**

Tuesday, April 24, 2012

*State Board of Equalization
5901 Green Valley Circle, Suite 207
Culver City*

Tuesday, June 26, 2012

*State Board of Equalization
450 N Street, 1st Floor Board Room
Sacramento*

The Bill of Rights Hearings will start at approximately 1:30 p.m.

 *State Board of Equalization*

For more information or copies of the Advocate's Annual Report, visit our website at: www.boe.ca.gov/tra/tra.htm or contact the Taxpayers' Rights Advocate Office toll-free at 888-324-2798 or TTY:711.



Stop the demolition of a national eligible masterplanned community.

Yue Cyan

to:

board.of.supervisors

02/25/2012 07:28 AM

Hide Details

From: Yue Cyan <mail@change.org>

To: board.of.supervisors@sfgov.org

Please respond to no-reply@change.org

Security:

To ensure privacy, images from remote sites were prevented from downloading. Show Images

Help protect and advocate for adequate working class housing in San Francisco.,

Please help to prevent the unnecessary destruction of housing, and a landscape designed by a master-class landscape architect Thomas Dolliver Church. Help advocate for better infrastructural changes along 19th Avenue and proper direct regional connection to transit hubs to reduce traffic and congestion that flows along this arterial corridor from the north bay to silicon valley. Demand better housing to be built that provides dense development that does not destroy the open-space that is critical in urban areas for families. Require that alternatives that focus on "INFILL" and a more balanced development layout that spreads the density into more than one neighborhood disproportionately. Ensure that the ecological impacts, and carbon footprint of the development proposal is independently reviewed and adequately assessed. Ensure that there will be housing that is affordable and meant to increase the level of affordability and quality of housing constructed in urban areas and suburbs nationwide by stopping the predatory equity lending that occurs in such large scale redevelopment projects and helps refocus our building strategies towards re-engineering the suburban scale of sprawl outside our urban cores.

Thank you for your support and interest in housing, jobs, and the environment.

15

Sincerely

Aaron Goodman

Yue Cyan
Distrito Federal, Mexico

Note: this email was sent as part of a petition started on Change.org, viewable at <http://www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition>. To respond, [click here](#) 



SIERRA
CLUB
FOUNDED 1892

File 120127

San Francisco Group, 85 Second Street, 2nd floor, San Francisco, CA 94105

February 25, 2012

Hon. David Chiu, President
San Francisco Board of Supervisors
#1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear President Chiu:

The Sierra Club urges all members of Bay Area Boards of Supervisors and members of all Bay Area transit agency boards of directors to take measures to ensure that all transportation agencies are protected from any financial losses related to the America's Cup events and that day-to-day transit service is not negatively impacted during or after the conclusion of the event in September 2013. Further, we encourage the City to work with other transit agencies in the Bay Area to ensure smooth transit operations during the 2012 and 2013 events.

Susan Vaughan
Executive Committee

Cc:
Eric Mar
Mark Farrell
Carmen Chu
Christina Olague
Jane Kim
Sean Elsbernd
Scott Wiener
David Campos
Malia Cohen
John Avalos
SFMTA Board of Directors
Mike Martin, SFOEWD

16

Protection of transit agencies during AC34

David Chiu, Eric Mar, Carmen Chu, Christina Olague,

BeckyE to: Jane Kim, Sean Elsbernd, Scott Wiener, David
Campos, Malia Cohen, John Avalos

Cc: Michael Martin, Ed Reiskin, MTA Board, bos-legislative.aides,
Board of Supervisors

Please respond to BeckyE

02/25/2012 01:15 PM

File 120170

1 attachment.



AC34Transportation.doc

Gentleperson: Please find attached Sierra Club letter on transit agency and transit service protections during the America's Cup.

Executive Committee
San Francisco Group

File 12006

Support CAC for the Central Market Street and TL -- Michael Nulty

board of supervisors, Linda Wong, jane kim,
phillips_sl to: Matthias Mormino, Mark Farrell, Margaux Kelly,
David Campos, Hillary Ronen

02/25/2012 11:50 PM

Cc: ABD SIX

From: phillips_sl@comcast.net

To: board of supervisors <board.of.supervisors@sfgov.org>, Linda Wong
<Linda.Wong@sfgov.org>, jane kim <jane.kim@sfgov.org>, Matthias Mormino
<Matthias.Mormino@sfgov.org>, Mark Farrell <Mark.Farrell@sfgov.org>, Margaux Kelly

Cc: ABD SIX <sf_district6@yahoo.com>

1 attachment



Phillips' Letter of Support -- Seat 8.doc

To All Concerned:

Please find my letter of support for Michael Nulty for seat 8 attached.

Susan L. Phillips

17

Susan L. Phillips, President
Marsu Properties, Inc.
22 Miramar Ave., Suite A, San Rafael, CA 94901

Rules Committee Members, San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Appointment of Michael Nulty to Citizen's Advisory Committee for the
Central Market and Tenderloin seat 8

February 25, 2012

Dear Decision Makers:

I am writing in support of Michael Nulty for seat 8. I have known Michael since 1998 when he joined the Board of Directors of the North of Market Planning Coalition. I, myself, am a former NOMPC Secretary. Michael is highly qualified for the position with the Citizen's Advisory Committee cited above as he has many years of experience with homeless people, transitional age youth, and residents of supportive housing populations in the Central Market area.

I am also very familiar with Michael's advocacy work since I was the Social Worker 201 Turk Street Apartments from 1991 to 2001 and was in charge of booking the community room for outside entities. Michael regularly organized meetings and events for the community concerning safety, community building, and quality of life issues. I attended many of those meetings myself as a representative of the residents of 201 Turk Street Apartments and found him to be an impassioned advocate.

I believe Michael will bring valuable expertise with and deep concern for underserved populations -- especially those who live in supportive housing developments -- to this seat. I recommend him most highly.

Sincerely,

Susan L. Phillips

Susan L. Phillips

To: Linda Wong/BOS/SFGOV,
Cc:
Bcc: 12066
Subject: File 12066: please support Michael Nulty for the Central Market Street/Tenderloin CAC

From: Jim Meko <jim.meko@comcast.net>
To: Jane Kim <Jane.Kim@sfgov.org>, Mark.Farrell@sfgov.org, David Campos <David.Campos@sfgov.org>
Cc: Matthias.Mormino@sfgov.org, Margaux.Kelly@sfgov.org, Hillary.Ronen@sfgov.org, Linda Wong <Linda.Wong@sfgov.org>, Board of Supervisors <board.of.supervisors@sfgov.org>
Date: 02/27/2012 08:03 AM
Subject: please support Michael Nulty for the Central Market Street/Tenderloin CAC

Dear Supervisors,

Having worked alongside Michael Nulty here in District 6 for more than a decade, I cannot imagine a more qualified choice for seat number 8 on the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. As a community organizer in the Bay Area since 1976, Michael has been a tireless advocate for the interests of the homeless, transitional age youth and supportive housing.

In 1981, Michael helped organize the largest gathering of lesbian, gay, bisexual, and transgender people in the world at the time. As a co-founder of Larkin Street Youth Services and the Central City Extra and participant in hundreds of neighborhood-serving organizations and activities, no one has done more for this community of interest than Michael Nulty.

Michael Nulty has the intelligence, initiative and leadership skills to oversee the implementation and execution of the Community Benefit Agreements called for under the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion. Please forward the nomination of Michael Nulty to the Board of Supervisors for final approval.

Jim Meko
364 Tenth Street
San Francisco CA 94103
(415) 431-5263
(415) 624-4309 cell
(415) 552-2424 fax

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 120066: A letter of support for Mr. Michael Nulty

File 120066

From: Robert McDaniels <mcqtyc@yahoo.com>
To: Jane.Kim@sfgov.org, Mark.Farrell@sfgov.org, David.Campos@sfgov.org
Cc: Linda.Wong@sfgov.org, board.of.supervisors@sfgov.org, Matthias.Mormino@sfgov.org,
Margaux.Kelly@sfgov.org, Hillary.Ronen@sfgov.org
Date: 02/27/2012 09:22 AM
Subject: A letter of support for Mr. Michael Nulty

Hello, everyone,

My name is Robert McDaniels, a founder and director of MacCanDo Tenderloin Youth Track Club.

Please see the attached letter of support for Mr. Michael Nulty.

Thank you.

Robert McDaniels, Founder/Director
MacCanDo Tenderloin Youth Track Club
www.maccando.webs.com



M.Nulty.Letter.of.recommendation.doc



February 26, 2012

Rules Committee Members, San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Re: Appointment of Michael Nulty to Citizen's Advisory Committee for the Central Market and Tenderloin

To the members of the Rules Committee:

I am pleased to take this opportunity to write about Mr. Michael Nulty.

Michael Nulty has been a supporter of MacCanDo Tenderloin Youth Track Club, the first non-profit track club formed in the San Francisco's Tenderloin District. Our program is designed to help at-risk youth ages 7 years old and older who primarily live in San Francisco's Tenderloin district to reach their full potential through track and field opportunities.

Since the beginning of the club's operation in 2004, Michael has been attending our community functions, fundraisers and he assisted in providing community support and publicity for us.

Michael has been an award presenter of the club's annual award ceremony for the last four years representing the Tenderloin community. He also participates in the kick-off of the MacCanDo track clinic at the school site every year. Michael gives children encouragement to do their best, continue their great work and become responsible citizens in the society.

We are also aware of Michael's long history of creating programs for Inner city youth which includes being the co-founder of Larkin Street Youth Center and working with youths between the ages of 13 to 25, and working for the San Francisco Public Health Department.

Michael also has been an active member of Friends of Boeddeker Park planning park events, activities and improvements. Michael has been a strong advocate for more open space in the Tenderloin for our at-risk youth.

MacCanDo Tenderloin Youth Track Club strongly supports Michael Nulty as a candidate for consideration on the Citizen's Advisory Committee for the Central Market and Tenderloin Area because of his 35 years of knowledge of community needs and his long advocacy record in helping those who normally are under-served. It is our privilege to have him in the community.

Thank you for considering the appointment of Michael Nulty at the March 1st meeting of the Rules Committee. If you have any questions, please feel free to contact me at 510-375-2380.

Sincerely,

Robert McDaniels, Founder/Director
MacCanDo Tenderloin Youth Track Club

P. O. Box 420455 San Francisco, CA 94142

To: BOS Constituent Mail Distribution, Linda Wong/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120066 - In Support for Michael Nulty Seat 8 CAC for Central Market & TL

From: Tenants Unite <tenantsunite@yahoo.com>
To: board.of.supervisors@sfgov.org
Date: 02/24/2012 10:42 PM
Subject: In Support for Michael Nulty Seat 8 CAC for Central Market & TL

San Francisco Board of Supervisors Rules Committee Members

City Hall

San Francisco, CA 94102

Re: Appointment of Michael Nulty to Citizen's Advisory Committee for the Central Market and Tenderloin

Rules Committee Members:

Our adhoc group *Tenants Unite* has been around for over a decade now improving the lives of both homeless groups and individuals achieving a number of successes.

It is vital that we have **Michael Nulty** as someone who lives in the Tenderloin and is knowledgeable of the lay of business, noise and safety. The issues that confront **Citizen's Advisory Committee for the Central Market**

Michael has the right background and insight to correctly navigate these concerns.

For years now Michael has been a strong advocate on our behalf by both attending community meetings, part

Please support his application on March 1st.

Kevin Monroe

Tenants Unite

cc: Rules Committee

Tenants Unite

To: BOS Constituent Mail Distribution, Alisa Miller/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111374: Student Housing - SFSU-CSU

From: Aaron Goodman <amgodman@yahoo.com>
To: board.of.supervisors@sfgov.org
Cc: Malia.Cohen@sfgov.org, Eric.L.Mar@sfgov.org, Scott.Wiener@sfgov.org
Date: 02/26/2012 08:29 AM
Subject: Re: Student Housing - SFSU-CSU

SF Board of Supervisors

I must add concern to the proposed legislation on the impacts of upzoning student housing areas. The impacts of which are VERY severe in terms of how the SFSU-CSU "masterplan" impacts negatively the district and community of parkmerced (past and future) in the proposals. The impacts of student housing on an existing prior family housing area for low-mid income working class residents has been consistently impinged on by student housing needs of SFSU-CSU. The impacts are most notable due to the consistent proposals for Infill and redevelopment of this area, when the assessment of land purchases and loss of units (stonestown and parkmerced) has NOT been adequately addressed by the housing dept. planning dept. or SFBOS. These impacts have resulted in a loss of over 1,000 units of rent controlled housing in the western side of SF with little new affordable units or "fair-share-impact" fees assessed to improve transit options, and housing competition in the area. The upscaling of student housing would allow SFSU to build 60'-0" plus buildings adjacent to a low-scale residential community. (even with the future proposals) which are currently in court on the EIR concerns. Please consider the impacts you create environmentally and physically when you allow large swaths of SF to be changed zoning wise, for institutional growth without adequate assessment of the current housing impacts they have created in the past 10+ years with sales of rental housing to institutions for their future "growth" plans. (please see my further comments and concerns below) as I will be unable to attend the Monday hearing at the Land-Use committee.

Sincerely

A. Goodman

Date: Sunday, February 26, 2012, 8:19 AM

I must put in two cents to help broaden the impact and view of what this does;

SFSU-CSU owns

a) stonestown apartments (University Park North)

18

b) University Park South (parts of Parkmerced)

c) Open Space - now proposed for a "creative-arts-center" on lake merced blvd.

the impacts of these proposed changes exacerbate the housing loss, and promote UP zoning of areas that were

The impacts sociologically are severe, as on CSU owned property students cannot "drink, smoke, or own a pet
three, promoting again students moving further into parkmerced, and causing faster turn-over of units, vs. lon

the up-zoning by SFSU was proposed in there initial www.sfsu.com/masterplan.org to promote 4 story residential (c
serrano drive opposite the parkmerced units which are low scale, walk down Serrano Drive and imagine 60'-0"
being built next to a 1 story library.

the effects of INSTITUTIONAL housing on the local housing stock has not been adequately assessed in Park

With ever increasing "enrollment" caps and CSU-SFSU styled incentivization of for-profit housing for there
mission statement to include the term "development") we see further impacts on family housing (note: a prote
(parkmerced) and where and how that housing should be placed (empty lots at stonestown or demolition of ex

Without true open-government process and less back-room dealing by developers and lobbyists we still conti
commission ZA legislation by wiener and his behind the scenes developer interests.

Infill like what was done on Brotherhood adjacent to the churches, (currently being pushed slowly back into r
and the one adjacent to the Bart Line where Farella Braun and Martell maneuvered for a public zoned area to
under EVERY stone to figure out how to build more real-estate stock...Environment be damned, and existing

It behooves all community organizations to require a say in the planning and approval processes, especially o
see consistent attempts to allow institutional growth through conversion of student housing to full upzoned ar

With SFSU-CSU's changes we will have increased "retail" zoning on holloway (busy clogged street already du
increased density adjacent to stonestown mall by SFSU, and in other segments such as the open space aquisit
student use to a future "creative-arts-center" vs. reusing there existing site, and providing open-space for dorm

Sorry for the diatribe, but wanted to be sure when you think of student housing the biggest culprit on the west
University Corporation.

Sincerely

A. Goodman

BOS-11
page



Stressing Educational Excellence in Our Youth

5845 Mission Street, Suite 301
San Francisco, CA 94112
(415) 585-1104

February 24, 2012

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 FEB 27 AM 11:07

Re: Our Kids First 25th Anniversary - Board Proclamation

Dear President Chiu and The Board of Supervisors:

The Board of Directors and Administration of Our Kids First have designated March 17, 2012 for the celebration of its Twenty-Fifth Year of service to the children, youth and families of the San Francisco Bay Area. We will also honor the legacy and memory of *Our Kids First's* co-founder and director, Nancy Bell, who passed away last year after a hard-fought battle with cancer.

Our Kids First would be honored to receive a formal acknowledgement from you and the San Francisco Board of Supervisors in recognition of its services to the City and County of San Francisco over the last twenty-five years.

Our Kids First, founded as a summer day camp in 1987, is a distinguished educational and scholastic achievement program in the Outer Mission District of San Francisco. It was established as an assistance program for inner city youth to provide tutoring, counseling and guidance. Since its inception, Our Kids First has continued to serve the community through a variety of educational programs, such as an after school program, summer camp, college tours, and career development workshops. The program name itself describes its sole purpose for existence - to focus on the needs of young people first. Our Kids First is known and respected by the many schools and communities in Northern California.

Our Kids First's accomplishments include:

1. Its rigorous, multi-cultural, and free after-school and tutorial program of over 100 students, along with a wide-ranging sports program.
2. Our Kids First has one of the few extensive summer camps in San Francisco, which is often free of charge to many families.

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PAGE 02/02

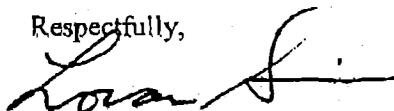
Our Kids First 25th Anniversary
Page 2

3. Including a comprehensive computer laboratory supplied by AT&T and CitiBank, Our Kids First's after school program consists of certified teachers, tutors and mentors, mostly from the San Francisco Unified School District, San Francisco State University, City College of San Francisco, and other colleges in Northern California.
4. It has partnered with the Citywide Tutorial Program and America Counts to ensure that its students receive the best training and tutorial services.
5. Our Kids First has been awarded and funded by CitiBank, Wells Fargo Bank, AT&T, the San Francisco Mayor's Office of Children, Youth and Families, and the San Francisco Christian Center.
6. Over the last twenty-five years of its commitment to children, 100% of Our Kids First's students have graduated from high school.

In view of the valuable commitment and services Our Kids First has rendered, we believe a special celebration is in order.

Your response and acknowledgement will be greatly appreciated. Please reply to the address below.

Respectfully,



Loran Michael Simon, Esq.
Alumnus
(415) 676-1733

Our Kids First
5845 Mission Street, Suite 301
San Francisco, CA 94112



SAN FRANCISCO PLANNING DEPARTMENT

Leg Dup
File 111315
LV clerk page
COB

February 24, 2012

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

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

Reception:
415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

2012 FEB 27 PM 3:10
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

**Re: Transmittal of Board File No. 111315; Planning Case No. 2012.0017T
Auto Sales and Rental in NC-S Zoning Districts
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo and Supervisor Elsbernd

On February 23, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Mirkarimi and now cosponsored by Supervisor Wiener.

The proposed Ordinance would amend the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

The proposal to amend Planning Code Sections 713.61 would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15060(c)(2) & 15378 of the CEQA Guidelines.

At the February 23, 2012 hearing, the Commission adopted Resolution Number 18550 with a recommendation of approval to the Board of Supervisors for the proposed ordinance.

The Department recommends that the legislative sponsors advise the City Attorney at your earliest convenience if you wish to incorporate any changes recommended by the Commission. One hard-copy is being delivered to the Clerk of the Board for the official record. This electronic copy is our transmittal. Per Ordinance Number 316-10, the Planning Department provides only one hard-copy of this report and provides e-copies to other parties. Additional hardcopies may be provided upon request. Attached are documents relating to the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

AnMarie Rodgers
Manager of Legislative Affairs

20

cc: Supervisor Elsbernd

Attachments [one copy of each of the following]

Planning Commission Resolution Number 18550

Exhibit A Draft Ordinance

Planning Commission Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18550

HEARING DATE: FEBRUARY 23, 2012

Project Name: Amendments relating Automobile Sale and Rental in NC-S Zoning Districts
Case Number: 2012.0017T [Board File No. 11-1315]
Initiated by: Supervisor Elsbernd/ Introduced December 6, 2011
Staff Contact: Aaron Starr, Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Reviewed by: AnMarie Rodgers, Manager Legislative Affairs
anmarie.rodgers@sfgov.org, 415-558-6395
Recommendation: Recommend Approval

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE SECTION 713.61 TO ALLOW AN AUTOMOBILE SALE OR RENTAL USE IN NEIGHBORHOOD COMMERCIAL SHOPPING CENTER (NC-S) DISTRICTS AS A CONDITIONAL USE.

PREAMBLE

Whereas, on December 6, 2011, Supervisor Elsbernd introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 11-1315, which would amend San Francisco Planning Code, Section 713.61 to allow an automobile sale or rental use in NC-S (Neighborhood Commercial Shopping Center) Districts as a conditional use;

Whereas on December 21, 2011, the Clerk of the Board transmitted the proposed Ordinance, File Number 11-1315, to the Planning Department; and,

Whereas, on February 23, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas, the proposed zoning changes have been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) & 15378 ; and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance;

MOVED, that the Commission hereby recommends that the Board of Supervisors recommends *approval of the proposed Ordinance* and adopts the attached Draft Resolution to that effect.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. Because NC-S Districts typically include large surface parking lots and focus on car-oriented shoppers, the Commission finds that auto sales and rental is a compatible use within NC-S Districts.
2. Not every NC-S District or property is suitable for automobile sales or rental, which is why requiring Conditional Use authorization for this use is essential to ensuring that each proposal is considered on a case-by-case basis.
3. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

I. COMMERCE & INDUSTRY ELEMENT

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

POLICY 6.10

Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

The proposed ordinance would help strengthen the vitality of NC-S Districts by allowing more diversity in the types of services and goods offered in the district. Allowing car sales or rental could also foster small business enterprise and entrepreneurship by making it possible for an entrepreneur to develop a business model for car sales or rental that is uniquely suited to NC-S zoning, and which does not currently exist in the City.

4. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed Ordinance will allow for greater diversity of uses in NC-S Zoning Districts that are also compatible with the NC-S Zoning Districts. Allowing for a greater diversity of uses will strengthen the viability of the districts and help preserve and enhance neighborhood-serving retail uses as well as create opportunities for employment in or ownership of such businesses in NC-S Districts.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

While housing is permitted in NC-S Districts, it is not typically found there. The proposed legislation requires the Planning Commission to review each proposed automobile sales and rental use on a case-by-case basis through the Conditional Use process. This will help ensure that neighborhood character is conserved and protected.

- C) The City's supply of affordable housing will be preserved and enhanced:

The proposed Ordinance will have no adverse effect on the City's supply of affordable housing.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed amendments. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.

- G) That landmark and historic buildings will be preserved:

Landmarks and historic buildings would be unaffected by the proposed amendments. Should a proposed use be located within a landmark or historic building, such site would be evaluated under typical Planning Code provisions and comprehensive Planning Department policies.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed amendments. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on February 23, 2012

Linda Avery
Commission Secretary

AYES: Commissioners Moore, Sugaya, Antonini, Fong, Miguel, Borden, Wu

NAYS: None

ABSENT: None

ADOPTED: February 23, 2012

BOARD of SUPERVISORS



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

December 21, 2011

Planning Commission
Attn: Linda Avery
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Dear Commissioners:

On December 6, 2011, Supervisor Elsbernd introduced the following proposed legislation:

File No. 111315

Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk
Land Use & Economic Development Committee

Attachment

- c: John Rahaim, Director of Planning
- Scott Sanchez, Zoning Administrator
- Bill Wycko, Chief, Major Environmental Analysis
- AnMarie Rodgers, Legislative Affairs
- Nannie Turrell, Major Environmental Analysis
- Brett Bollinger, Major Environmental Analysis

1 [Planning Code - Automobile Sale or Rental in NC-S Districts]

2
3 **Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an**
4 **automobile sale or rental use in NC-S Districts as a conditional use; and 2) making**
5 **environmental findings, Planning Code Section 302 findings, and findings of**
6 **consistency with the General Plan and the Priority Policies of Planning Code Section**
7 **101.1.**

8 NOTE: Additions are *single-underline italics Times New Roman*;
9 deletions are *strike-through italics Times New Roman*.
10 Board amendment additions are double-underlined;
Board amendment deletions are ~~striketrough normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. Findings.

13 (a) The Planning Department has determined that the actions contemplated in this
14 ordinance comply with the California Environmental Quality Act (California Public Resources
15 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
16 Supervisors in File No. _____ and is incorporated herein by reference.

17 (b) Pursuant to Planning Code Section 302, this Board finds that the actions
18 contemplated in this ordinance will serve the public necessity, convenience, and welfare for
19 the reasons set forth in Planning Commission Resolution No. _____ and the Board
20 incorporates such reasons herein by reference. A copy of Planning Commission Resolution
21 No. _____ is on file with the Clerk of the Board of Supervisors in File No. _____.

22 (c) This Board finds that the actions contemplated in this ordinance are consistent with
23 the General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons
24 set forth in Planning Commission Resolution No. _____ and the Board hereby
25 incorporates such reasons herein by reference.

1 Section 2. The San Francisco Planning Code is hereby amended by amending Section
 2 713, to read as follows:

3 **SEC. 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S**
 4 **ZONING CONTROL TABLE**

No.	Zoning Category	§ References	NC-S		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
Retail Sales and Services					
713.61	Automobile Sale or Rental	§ 790.12	<u>C</u>		

13
 14 Section 3. This section is uncodified.

15 In enacting this ordinance, the Board intends to amend only those words, phrases,
 16 paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams or any
 17 other constituent part of the Planning Code that are explicitly shown in this legislation as
 18 additions, deletions, Board amendment additions, and Board amendment deletions in
 19 accordance with the "Note" that appears under the official title of the legislation. This
 20 ordinance shall not be construed to effectuate any unintended amendments. Any additions or
 21 deletions not explicitly shown as described above, omissions, or other technical and non-
 22 substantive differences between this ordinance and the Planning Code that are contained in
 23 this legislation are purely accidental and shall not effectuate an amendment to the Planning
 24 Code. The Board hereby authorizes the City Attorney, in consultation with affected City
 25 departments, to make those necessary adjustments to the published Planning Code, including

1 non-substantive changes such as renumbering or relettering, to ensure that the published
2 version of the Planning Code is consistent with the laws that this Board enacts.

3

4 Section 4. Effective Date. This ordinance shall become effective 30 days from the
5 date of passage.

6

7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9

9 By: _____
10 JUDITH A. BOYAJIAN
10 Deputy City Attorney

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SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Change HEARING DATE: FEBRUARY 23, 2012

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Amendments relating Automobile Sale and Rental in NC-S Zoning Districts
Case Number: 2012.0017T [Board File No. 11-1315]
Initiated by: Supervisor Elsbernd/ Introduced December 6, 2011
Staff Contact: Aaron Starr, Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Reviewed by: AnMarie Rodgers, Manager Legislative Affairs
anmarie.rodgers@sfgov.org, 415-558-6395
Recommendation: **Recommend Approval**

PLANNING CODE AMENDMENT

The proposed Ordinance would amend the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

The Way It Is Now:

Automobile Sale or Rental, defined by Planning Code Section 790.12, is not permitted in the NC-S (Neighborhood Commercial Shopping District) Zoning District.

The Way It Would Be:

The proposed ordinance would allow Automobile Sale or Rental with Conditional Use authorization in NC-S Zoning Districts.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

BASIS FOR RECOMMENDATION

Neighborhood Commercial Shopping Center (NC-S) Districts are intended to serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers. They commonly contain at least one anchor store or supermarket, and some districts also have small medical office buildings. These districts encompass some of the most recent (post-1945) retail development in San Francisco's neighborhoods and serve as an alternative to the linear shopping street. There are 12 areas of the city, encompassing 28 properties, that are zoned NC-S. These areas are spread fairly evenly throughout the City. A map of NC-S zoned properties is included in your packet.

Given the typical physical layout of properties zoned NC-S, which usually includes large surface parking lots, and that the district is intended for car-oriented shoppers, the Department finds that allowing automobile sales and rental through a Conditional Use authorization could be compatible with NC-S Districts. Not every NC-S District is suitable for automobile sales or rental, which is why requiring Conditional Use authorization for this use is essential to ensuring that each proposal is considered on a case-by-case basis.

ENVIRONMENTAL REVIEW

The proposal to amend Planning Code Sections 713.61 to allow automobile sale or rental uses in NC-S Districts as a Conditional Use would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15060(c)(2) & 15378 of the CEQA Guidelines.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any comments from the general public pertaining to this ordinance.

RECOMMENDATION: Recommendation of Approval with Modification

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 11-1315
- Exhibit C: Map of properties zoned NC-S



SAN FRANCISCO PLANNING DEPARTMENT

Draft Planning Commission Resolution

HEARING DATE: FEBRUARY 23, 2012

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Amendments relating Automobile Sale and Rental in NC-S Zoning Districts
Case Number: 2012.0017T [Board File No. 11-1315]
Initiated by: Supervisor Elsbernd/ Introduced December 6, 2011
Staff Contact: Aaron Starr, Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Reviewed by: AnMarie Rodgers, Manager Legislative Affairs
anmarie.rodgers@sfgov.org, 415-558-6395
Recommendation: Recommend Approval

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE SECTION 713.61 TO ALLOW AN AUTOMOBILE SALE OR RENTAL USE IN NEIGHBORHOOD COMMERCIAL SHOPPING CENTER (NC-S) DISTRICTS AS A CONDITIONAL USE.

PREAMBLE

Whereas, on December 6, 2011, Supervisor Elsbernd introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 11-1315, which would amend San Francisco Planning Code, Section 713.61 to allow an automobile sale or rental use in NC-S (Neighborhood Commercial Shopping Center) Districts as a conditional use;

Whereas on December 21, 2011, the Clerk of the Board transmitted the proposed Ordinance, File Number 11-1315, to the Planning Department; and,

Whereas, on February 23, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and

Whereas, the proposed zoning changes have been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) & 15378 ; and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the proposed Ordinance;

MOVED, that the Commission hereby recommends that the Board of Supervisors recommends *approval of the proposed Ordinance* and adopts the attached Draft Resolution to that effect.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. Because NC-S Districts typically include large surface parking lots and focus on car-oriented shoppers, the Commission finds that auto sales and rental is a compatible use within NC-S Districts.
2. Not every NC-S District or property is suitable for automobile sales or rental, which is why requiring Conditional Use authorization for this use is essential to ensuring that each proposal is considered on a case-by-case basis.
3. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

I. COMMERCE & INDUSTRY ELEMENT

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

POLICY 6.10

Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

The proposed ordinance would help strengthen the vitality of NC-S Districts by allowing more diversity in the types of services and goods offered in the district. Allowing car sales or rental could also foster small business enterprise and entrepreneurship by making it possible for an entrepreneur to develop a business model for car sales or rental that is uniquely suited to NC-S zoning, and which does not currently exist in the City.

4. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed Ordinance will allow for greater diversity of uses in NC-S Zoning Districts that are also compatible with the NC-S Zoning Districts. Allowing for a greater diversity of uses will strengthen the viability of the districts and help preserve and enhance neighborhood-serving retail uses as well as create opportunities for employment in or ownership of such businesses in NC-S Districts.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

While housing is permitted in NC-S Districts, it is not typically found there. The proposed legislation requires the Planning Commission to review each proposed automobile sales and rental use on a case-by-case basis through the Conditional Use process. This will help ensure that neighborhood character is conserved and protected.

- C) The City's supply of affordable housing will be preserved and enhanced:

The proposed Ordinance will have no adverse effect on the City's supply of affordable housing.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Ordinance would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed amendments. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.

- G) That landmark and historic buildings will be preserved:

Landmarks and historic buildings would be unaffected by the proposed amendments. Should a proposed use be located within a landmark or historic building, such site would be evaluated under typical Planning Code provisions and comprehensive Planning Department policies.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed amendments. It is not anticipated that permits would be such that sunlight access, to public or private property, would be adversely impacted.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on February 23, 2012

Linda Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: February 23, 2012

BOARD of SUPERVISORS



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

December 21, 2011

Planning Commission
Attn: Linda Avery
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Dear Commissioners:

On December 6, 2011, Supervisor Elsbernd introduced the following proposed legislation:

File No. 111315

Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk

Land Use & Economic Development Committee

Attachment

c: John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Bill Wycko, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Nannie Turrell, Major Environmental Analysis
Brett Bollinger, Major Environmental Analysis

1 [Planning Code - Automobile Sale or Rental in NC-S Districts]

2
3 **Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an**
4 **automobile sale or rental use in NC-S Districts as a conditional use; and 2) making**
5 **environmental findings, Planning Code Section 302 findings, and findings of**
6 **consistency with the General Plan and the Priority Policies of Planning Code Section**
7 **101.1.**

8 NOTE: Additions are *single-underline italics Times New Roman*;
9 deletions are ~~*strike-through italics Times New Roman*~~.
10 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. Findings.

13 (a) The Planning Department has determined that the actions contemplated in this
14 ordinance comply with the California Environmental Quality Act (California Public Resources
15 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
16 Supervisors in File No. _____ and is incorporated herein by reference.

17 (b) Pursuant to Planning Code Section 302, this Board finds that the actions
18 contemplated in this ordinance will serve the public necessity, convenience, and welfare for
19 the reasons set forth in Planning Commission Resolution No. _____ and the Board
20 incorporates such reasons herein by reference. A copy of Planning Commission Resolution
21 No. _____ is on file with the Clerk of the Board of Supervisors in File No. _____.

22 (c) This Board finds that the actions contemplated in this ordinance are consistent with
23 the General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons
24 set forth in Planning Commission Resolution No. _____ and the Board hereby
25 incorporates such reasons herein by reference.

1 Section 2. The San Francisco Planning Code is hereby amended by amending Section
 2 713, to read as follows:

3 **SEC. 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S**

4 **ZONING CONTROL TABLE**

No.	Zoning Category	§ References	NC-S		
			Controls by Story		
		§ 790.118	1st	2nd	3rd+
Retail Sales and Services					
713.61	Automobile Sale or Rental	§ 790.12	<u>C</u>		

13
 14 Section 3. This section is uncodified.

15 In enacting this ordinance, the Board intends to amend only those words, phrases,
 16 paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams or any
 17 other constituent part of the Planning Code that are explicitly shown in this legislation as
 18 additions, deletions, Board amendment additions, and Board amendment deletions in
 19 accordance with the "Note" that appears under the official title of the legislation. This
 20 ordinance shall not be construed to effectuate any unintended amendments. Any additions or
 21 deletions not explicitly shown as described above, omissions, or other technical and non-
 22 substantive differences between this ordinance and the Planning Code that are contained in
 23 this legislation are purely accidental and shall not effectuate an amendment to the Planning
 24 Code. The Board hereby authorizes the City Attorney, in consultation with affected City
 25 departments, to make those necessary adjustments to the published Planning Code, including

1 non-substantive changes such as renumbering or relettering, to ensure that the published
2 version of the Planning Code is consistent with the laws that this Board enacts.

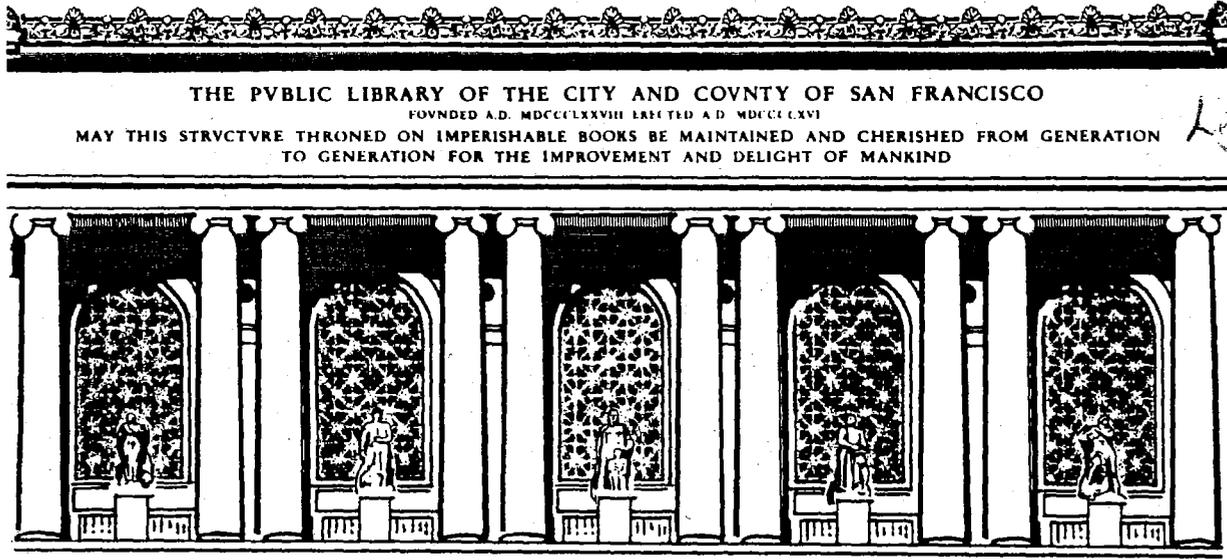
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Section 4. Effective Date. This ordinance shall become effective 30 days from the date of passage.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: JUDITH A. BOYAJIAN
Deputy City Attorney

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COB
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Leg Dep,
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THE PUBLIC LIBRARY OF THE CITY AND COUNTY OF SAN FRANCISCO
FOUNDED A.D. MDCCCLXXXVIII ERRECTED A.D. MDCCCLXVI
MAY THIS STRUCTURE THROWN ON IMPERISHABLE BOOKS BE MAINTAINED AND CHERISHED FROM GENERATION
TO GENERATION FOR THE IMPROVEMENT AND DELIGHT OF MANKIND

The Original Library Movement
February 27, 2012

James Chaffee
63 Stoneybrook Avenue
San Francisco, CA 94118

Member
Board of Supervisors
City Hall
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
FEB 27 PM 1:46
JAC

Re: David Chiu Had Me Arrested at a Supervisors Meeting
Chapter Three: The Mechanism of Disenfranchisement

Dear Supervisor:

This is the third installment in the ongoing saga of my lawsuit against the Supervisors, et al. for the fact that David Chiu had be arrested and removed from an open public meeting. It is pretty clear that if someone can be so easily removed from a public meeting there is no activism for anyone. If there is no protection for dissent, there is no dissent. If there is a risk to attending public meetings there is no longer public debate.

In many ways this case is emblematic. First, now that I am sixty-five years old, it is the logical culmination of my public career. There is always an effort to remove me from the meeting, prevent me from talking, and letting me know that I don't belong there. I have never been removed from a meeting by arrest before, but without the threat of a lawsuit for false arrest I would have been many times. The forces of corruption never want a citizen there. Don't forget I go to Library Commission meetings and this is just the extension of the abuse found there.

Second, there has been a reaction against our democratic traditions and respect for the public nature of our society. No one personifies that contempt for the public and open government than David Chiu. He is the most anti-Sunshine president of the Board of Supervisors we have ever had.

(21)

David Chiu's record has included degrading public comment before the Board at every opportunity. The law says that speakers are to be given "up to three minutes" except it can be reduced when the total speaking time is more than 30 minutes. Yet David Chiu mandates two minutes in all circumstances, even when there are only two or three speakers. David Chiu has removed the item number from Public Comment on the agenda so it can be interrupted or delayed at his discretion without treating it with even the respect accorded numbered agenda items. In one infamous incident he once called and completed public comment with no speakers because all the potential speakers had been relegated to the overflow room.

So there is no question but that David Chiu is the appropriate villain for the larger issues that having me arrested and removed at a Board of Supervisor's meeting engender.

I thought for a long time about whether I should be advertising David Chiu's name. It is not just the a "as long as they spell my name right" factor. I am actually raising money for him. That he knows how to get tough with the liberal democracy punks, like me, is something that he can and will use to raise money from those who have it – the tax-free, business district crowd. If I use strong language to condemn him, it will probably end up in his election materials. My arrest may not be exhibit A at the "coffee with David Chiu" events, but it might be exhibit B, and it certainly won't hurt.

The other side of the equation is that we might as well bell the proverbial cat. David Chiu is the most anti-democratic and "anti-respect the rights of others" politician we have ever had in San Francisco. The irony is that he advertises himself as "slightly progressive" and his anti-democracy character seems to come from naked ambition coupled with a genuine lack of education about what democratic traditions are about.

At the recommendation and encouragement of David Chiu the Library renamed the Chinatown Branch Library. In return for that renaming he acknowledges a political debt and a mutual benefit that we all recognize with the phrase, "one hand washes the other." This is the way that influence peddlers get their favors passed around. Recently I submitted to the Supervisors an analysis of the Friends of the Library called, "The Friends Get Their Influence for Pennies." That is of the essence of how activists get arrested. The lines of power and abuse that disenfranchise citizens while supporting the corporate distortion of our society have been closely studied. There are supposed to be disclosure laws and prohibitions against receiving gifts to make our public officials independent and free of loyalties to private money. It is clear that those laws are inadequate.

Board of Supervisors
February 27, 2012
Page 3

There is no real suggestion that David Chiu has a wad of cash wrapped in aluminum foil in his freezer that originated from the Friends. At the same time, neither is there any doubt that I was placed under arrest and removed from the meeting because I am critical of private fundraisers that share such patronage and influence with David Chiu. Now the question is whether that is against the law in an open democracy. The people who give David Chiu money hope and expect that it is not.

For reasons that are not entirely clear the San Francisco City Attorney brought a motion to dismiss on behalf of David Chiu that was different from the motion to dismiss from the City itself. In one of those strange anomalies of the "legal business" I have right to amend the complaint within 20 days under the Federal Rules of Civil Procedure but the judge only gave me 15 days to answer the motion to dismiss. I have amended the complaint and the new complaint is attached hereto.

Very truly yours,

James Chaffee
cc: Interested citizens & media

1 James Chaffee
63 Stoneybrook Avenue
2 San Francisco, CA 94112
Telephone: (415) 584-8999

3
4 Plaintiff In Propria Persona
JAMES CHAFFEE

5
6
7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

9
10 JAMES CHAFFEE,

11 Plaintiff,

12 v.

13 DAVID CHIU, PRESIDENT OF THE
14 BOARD OF SUPERVISORS; CITY AND
15 COUNTY OF SAN FRANCISCO; BOARD
OF SUPERVISORS; SAN FRANCISCO
SHERIFF'S DEPARTMENT; and DOES 1
through 40, inclusive,

16 Defendants.

) Case No.: CV-11-5118-JW

) COMPLAINT FOR DAMAGES

) 1) False Arrest & False Imprisonment

) 2) Battery Committed by Unlawful Arrest

) 3) Violation of First Amendment Right of
Free Speech

) 4) Unequal Treatment in Violation of Fourth
and Fourteen Amendments

) 5) Racial Discrimination under Color of Law,
42 USC §1981

) 6) Interference with First Amendment, Free
Speech, 42 USC §1983

) 7) Interference with Fourth Amendment,
Unlawful Seizure, 42 USC §1983

) 8) Interference with Fourteenth Amendment,
Equal Protection, Due Process, 42 USC
§1983

) 9) Defamation and Slander

) Jury Trial Requested

21
22 **INTRODUCTORY ALLEGATIONS**

23 1. Plaintiff, JAMES CHAFFEE, is a citizen of the City of San Francisco, California,
24 County of San Francisco, and who at all times herein mentioned resides in the City and County of
25 San Francisco, California.

26 2. The plaintiff, JAMES CHAFFEE, was a sixty-four year old white male at the time
27 of the actions described herein. The plaintiff is well known as an advocate of open government
28 and democratic principles for a number of years and in that capacity is a past chair of the San

1 | Francisco Sunshine Ordinance. The plaintiff is known to conform strictly to the standards of
2 | public participation.

3 | 3. This is a civil action seeking damages against defendants for committing acts under
4 | color of law and depriving plaintiff of rights secured by the US Constitution, and the laws of the
5 | United States. Defendants, while acting in their capacities as public officials and law enforcement
6 | officers of the City and County of San Francisco deprived plaintiff of his liberty without due
7 | process of law, made an unreasonable seizure of the person of plaintiff without due process of law
8 | and thereby deprived plaintiff of his rights, privileges and immunities as guaranteed by the First,
9 | Fourth and Fourteenth Amendments to the Constitution of the United States. The Court has
10 | jurisdiction of this action under 42 U.S.C. §1983, and under 28 U.S.C. §1343.

11 | 4. The jurisdiction of this Court is further invoked pursuant to 28 U.S.C. §1331.

12 | 5. Each of the defendants herein is sued in his or her individual capacity.

13 | 6. The City and County of San Francisco ("City and County") is a local agency under
14 | California law and as such owes a duty to plaintiff. Also, the City and County is now, and at all
15 | times mentioned in this complaint was, a governmental entity, duly empowered and authorized to
16 | administer municipal operations for the county. As such, the City and County is, and at all times
17 | mentioned herein has been responsible for the enforcement of ordinances, rules, and regulations
18 | pertaining to the facilities and property and/or operated by the defendant City and County.

19 | 7. Defendants, San Francisco Board of Supervisors and Sheriff's Department are
20 | subdivisions and institutions within the Local Agency and are responsible under the Charter of the
21 | City and County of San Francisco to the citizens of San Francisco for implementing the safety and
22 | security and maintenance of democratic government. The defendants are, and at all times
23 | mentioned in this complaint were, a governmental entities, duly empowered and authorized to
24 | administer and implement policy and operations for the county. As such, the defendant Board of
25 | Supervisors and Sheriff's Department are, and at all times mentioned herein have been responsible
26 | for the enforcement of ordinances, rules, and regulations pertaining to the facilities and property
27 | and/or operated by the local agency.

28 | 8. David Chiu, as a city official, is responsible to chair the meeting of the San

1 | Francisco Board of Supervisors.

2 | 9. At all times material to this Complaint, these defendants acted toward plaintiff
3 | under color of the statutes, ordinances, customs and usage of the State of California, City and
4 | County of San Francisco.

5 | 10. Plaintiff is ignorant of the true names and capacities of defendants sued herein as
6 | Does one through forty, inclusive, and therefore sues these defendants by such fictitious names.
7 | Plaintiff will amend this complaint to allege their true names and capacities when ascertained.
8 | Plaintiff is informed and believes and thereon alleges that each of these fictitiously named
9 | defendants is responsible in some manner for the occurrences herein alleged, and that plaintiff's
10 | injuries as herein alleged were proximately caused by the aforementioned defendants.

11 | 11. At all times mentioned in this complaint, unless otherwise alleged, each defendant
12 | was the agent, employee, or conspirator of every other defendant, and in doing the acts alleged
13 | in this complaint, was acting within the course, scope, and authority of that agency, employment,
14 | and in furtherance of the conspiracy and with the knowledge and consent of each of the other
15 | defendants.

16 | 12. All actions described in this complaint on the part of Board of Supervisors, the San
17 | Francisco Sheriff's Department and its agents and employees constitute state action.

18 | 13. On October 1, 2011, the plaintiff herein, James Chaffee, presented to defendant
19 | City and County of San Francisco a claim in the amount of \$1,000,000 which is the amount of
20 | compensatory damages sought in this action. A copy of this claim is attached hereto as exhibit A
21 | and made a part hereof. On or about November 1, 2011, defendant City and County of San
22 | Francisco rejected plaintiff's claim in its entirety. A copy of this notice of rejection of claim is
23 | attached hereto as exhibit B and made a part hereof.

24 | 14. On September 13, 2011, the plaintiff herein, James Chaffee, was placed under
25 | arrest and removed from the chamber of the Board of Supervisors during an open and public
26 | meeting without just cause or substantial justification.

27 | 15. During the meeting in question a number of young black individuals were allowed
28 | to shout and demonstrate strong views during the comments of speakers. These young blacks

1 were a distinct group that were there to advocate for a black contractor who was seeking a city
2 contract. There have been persistent rumors that the black contractor pays individuals to attend
3 the meeting. The plaintiff has no opinion regarding these rumors and makes no claim that they
4 would be relevant if true. The point is that the group was distinct, organized and seemed to be
5 intent of being menacing and disruptive in service of their cause. These individuals were allowed
6 to continue this conduct despite long-standing Board of Supervisors' rules that had been
7 vigorously enforced before. The shouting that took place included implied threats and
8 imprecations of violence as an alternative to their demands being satisfied.

9 16. During the meeting in question a number of young black individuals were allowed
10 to stand and remain standing during the proceedings. These individuals were allowed to continue
11 this conduct despite long-standing Board of Supervisors' rules that had been vigorously enforced
12 before.

13 17. The individuals standing directly behind the plaintiff, James Chaffee, were standing
14 with their hips and thighs within an inch or a fraction an inch of the plaintiff's head and jostled the
15 plaintiff's head several times. The plaintiff found it extremely disconcerting to find that younger
16 individuals who were not conforming to established board rules where in such close proximity to
17 the plaintiff's head.

18 18. In response to the increasing level of noise and hubbub around him the plaintiff saw
19 fit to raise his voice to request that the president restore order and enforce the long-standing board
20 rules by stating something approximating, "Make them sit down if they are not in line." The
21 plaintiff made this statement relying on the common understanding that calling on the enforcement
22 of rules and the restoration of order cannot be equated with disruptive conduct.

23 19. At this statement, one of the younger individuals standing behind him stated
24 something approximating, "You, shut the F*** -up." I answered this statement with something
25 approximating "Shut the F*** -up your own self." The plaintiff made this statement relying on
26 the common understanding that there is a fundamental and constitutional right to defend oneself
27 and defending oneself against provocation cannot be equated with provocation. Not only was this
28 consistent with the plaintiff's right to defend himself, but in the circumstances it was the minimum

1 | defense possible while remaining seated and the younger individuals causing the disturbed were
2 | still standing. It would have been reasonable for plaintiff to stand to defend himself and still
3 | remain well within his constitutional rights.

4 | 20. At that point, the plaintiff (myself) made no further statement and remained silent
5 | even though those who had initiated the disturbance were making specific and racially motivated
6 | threats against me, threatening to catch me outside and calling me “Pink M____ F____ er” which I
7 | had never heard before but which I took to be racial in nature.

8 | 21. As the plaintiff, I remained in my seat, and remained silent, confident that I had
9 | done nothing wrong and that order would be restored. A uniformed individual who I took to be a
10 | Deputy Sheriff approached me and asked me to leave. There seemed to be no rationalization or
11 | justification for this request. It is possible that I was being asked to leave at the request of those
12 | who had threatened me and caused the disruption. I refused on the ground that I was not being
13 | arrested and if I were not being arrested it was a public meeting and as part of my right to public
14 | participation, I had a right to be there.

15 | 22. At that point all of the citizens who had actually been disruptive had left voluntarily
16 | to avoid a justifiable arrest. Since there was no further disruption and it was well known to David
17 | Chiu and the other defendants that plaintiff had not been a part of the disruption or contributed to
18 | the disruption in any way, the meeting could continue. There was certainly no disruption
19 | continuing and the defendant, David Chui had no motive not to resume the meeting except to
20 | facilitate the improper arrest and removal of the plaintiff from the meeting.

21 | 23. At that point, the Deputy Sheriff told me that the Supervisors did not want me there
22 | and that specifically Supervisor Jane Kim had asked that I be removed. I have no reason to believe
23 | that Supervisor Kim had requested my improper removal except the hearsay testimony of the
24 | Deputy Sheriff but if she or any individual supervisors contributed to the improper arrest and
25 | removal of the plaintiff they are herein sued as Doe defendants.

26 | 24. Just a few moments after that the Deputy Sheriff told me that I was indeed under
27 | arrest and from then on I followed all of the Deputy Sheriff’s directions and instructions and with
28 | his hand gripping my tricep, I was led from the Supervisor’s Chamber.

1 25. At that point, I was led to a holding cell in the basement without a chair for about
2 an hour, and then was given a chair.

3 26. I was never given any "Miranda" warning even though I asked about it several
4 times. I was asked questions a number of times, and declined to make any comments. In response
5 to one of these questions, I responded, "You saw what I saw." The Deputy Sheriff stated that he
6 had not seen the incident. He then asked me to make a statement for "his report." At that point
7 and fully aware that I had not been "Mirandized" I gave him the basic facts outlined in the
8 paragraphs above.

9 27. After about an hour and one half had gone by I was told that I was being charged,
10 with violation of Penal Code §602.1(b), a misdemeanor which one of the Deputy Sheriffs read out
11 to me as follows:

12 "Any person who intentionally interferes with any lawful business
13 carried on by the employees of a public agency open to the public,
14 by obstructing or intimidating those attempting to carry on business,
15 or those persons there to transact business with the public agency,
16 and who refuses to leave the premises of the public agency after
17 being requested to leave by the office manager or a supervisor of the
public agency, or by a peace officer acting at the request of the office
manager or a supervisor of the public agency, is guilty of a
misdemeanor, punishable by imprisonment in a county jail for up to
90 days, or by a fine of up to four hundred dollars (\$400), or by both
that imprisonment and fine."

18 28. Very shortly after that I was placed in handcuffs with my arms behind my back, and
19 frisked, I was led out to the driveway of City Hall in full public view, and placed in the aluminum
20 box of a police van with a narrow aluminum step for a seat only slightly deeper than the depth of
21 my arms in cuffs for the ride to the Hall of Justice, at 850 Bryant Street.

22 29. At the Hall of Justice I was given my belongs, the handcuffs were removed. I was
23 told that repeated subsequent incidents would be subject to increasingly harsh consequences. I
24 was told that I was not permitted to return to City Hall that day.

25 30. Then I was given a "Certificate of Release" under Penal Code §851.6 and let out
26 the door.

27 //

28

1 **FIRST CAUSE OF ACTION**

2 (FALSE ARREST AND FALSE IMPRISONMENT)

3 Plaintiff incorporates by reference the allegations of paragraphs 1 through 30, inclusive, as
4 though fully set forth herein.

5 31. As described above, at the Board of Supervisors Meeting of September 13, 2011,
6 the plaintiff was seized and arrested during the course of a public meeting by the defendants and
7 each of them maliciously and without warrant or order of commitment or any other legal authority
8 of any kind, when plaintiff had not committed any crime or public offense. Defendants took the
9 plaintiff into custody led him around the halls and the basement by a circuitous route, removed his
10 possessions from him, and then held him in a cell without a chair. Then the defendants searched
11 him, placed him in restrains, placed him in a oven-sized aluminum box and transported him to the
12 Hall of Justice. The defendant initially gave vague explanations for his arrest as refusing to
13 comply, and then finally accused plaintiff of committing the offense of violation of Penal Code
14 §602.1(b), but in fact the offense had not occurred, nor did defendants have probable cause to
15 believe that it had occurred or that plaintiff had committed it.

16 32. The facts, as outlined above, do not constitute the violation of Penal Code
17 §602.1(b) or any other statute. The conduct of the plaintiff did not constitute obstruction,
18 intimidation, interference in any way, either intentional or unintentional. As far as refusing to
19 leave, under the provisions of Government Code §54950, et seq., that request to leave cannot be
20 exercised arbitrarily or for political motives without breaching the public policy in favor of open
21 and accessible public meetings.

22 33. The use of the power of arrest cannot be used as a political tool to discourage the
23 views public officials disagree with and promote the views of others.

24 34. It is clear that the root cause is that David Chiu, and some other supervisors,
25 believe that they derive political benefits and some political stature from the encouragement of
26 mob rule. This is not consistent with the values of a civil society.

27 35. It is also clear that neither David Chiu nor the other supervisors would have used
28 this incident to slander me and have me removed from the meeting if they were not seeking

1 retribution for my criticism of their policies and practices in the past.

2 36. The conduct of the defendants as outlined above constitute an abuse of state power
3 for political motives and in violation of state law and public policy.

4 37. The plaintiff was deprived of his liberty and held without just cause which
5 constituted false imprisonment. False arrest and false imprisonment are common law torts. As a
6 part of the tort described above, the plaintiff also invaded the plaintiff's privacy and intentional
7 inflicted emotional distress upon him. The actions of the defendants as herein alleged were done
8 willfully, wantonly, maliciously and oppressively and with negligent disregard of the plaintiff's
9 welfare justifying an award of punitive damages.

10 38. As a proximate result of defendants' actions, as alleged in this complaint, plaintiff
11 was deprived of liberty and the exercise of rights of public participation.

12 39. The plaintiff was profoundly shocked and disturbed by this incident. Monetary
13 damages alone will not afford adequate relief for the deprivation of the plaintiff's constitutional
14 rights. The actions of defendants caused plaintiff to suffer damages as set forth below.

15 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
16 hereinafter set forth.

17 **SECOND CAUSE OF ACTION**

18 **(BATTERY COMMITTED BY UNLAWFUL ARREST)**

19 Plaintiff incorporates by reference the allegations of paragraphs 1 through 39, inclusive, as
20 though fully set forth herein.

21 40. At the time of the plaintiff's arrest as described above, the plaintiff was led away
22 with physical force with the Sheriff's deputy holding the plaintiff's arm in his grip. After the
23 plaintiff was led by a circuitous route to the basement plaintiff was placed in a holding cell without
24 a chair. Subsequent to that the plaintiff was searched in his person, placed in restrains with his
25 hands behind his back. At the time of the above-described events, and at all other pertinent times,
26 defendants had no warrant for the arrest of plaintiff, or other facts or information that constituted
27 probable cause that plaintiff had ever committed a crime so as to provide grounds for a lawful
28 arrest; nor did defendants have any facts or information that constituted a reasonable suspicion that

1 defendant was involved in any unlawful activity so as to provide grounds for any detention or
2 restraint whatsoever on plaintiff's freedom of movement, and that plaintiff's seizure and arrest was
3 therefore unlawful.

4 41. In doing the acts alleged above, defendants acted with the intent to make a contact
5 with plaintiff's person.

6 42. At all times stated herein, plaintiff found the contact made with his person by
7 defendants to be harmful and offensive to his person and dignity. The actions of defendants
8 caused plaintiff to suffer damages as set forth below.

9 43. At no time did plaintiff consent to any of the acts of defendant alleged above.

10 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
11 hereinafter set forth.

12 **THIRD CAUSE OF ACTION**

13 (VIOLATION OF FIRST AMENDMENT RIGHT OF FREE SPEECH)

14 Plaintiff incorporates by reference the allegations of paragraphs 1 through 43, inclusive, as
15 though fully set forth herein.

16 44. Defendant David Chiu and the other defendants herein have a policy of protecting
17 the rights of those individuals and entities who have monetary interests and connections to the
18 insiders in City Hall and those who represent those monetary interests, both legitimate and
19 illegitimate. In furtherance of that policy, Defendant David Chui and the other defendants have
20 acted to suppress free speech and the right to petition the government in all circumstances.

21 45. The defendant David Chiu appeared before the Library Commission and told them
22 that the Library Commission's tolerance of public comment was amazing. The clear implication
23 was that he and the Board of Supervisors are not so tolerant. The defendant was in attendance to
24 collect the quid pro quo of the naming of a branch library in his district for a person that he had
25 endorsed.

26 46. The defendant David Chiu and other defendants have suppressed public comment
27 by allowing only two minutes for public comment when the law allows public comment for "up to
28 three minutes" unless the number of speakers causes public comment to exceed thirty minutes.

1 The defendants, including David Chiu, have allowed only two minutes per comment when there
2 were as few as three speakers. The defendants once opened and closed public comment without a
3 single speaker in a situation when those interested in a special item had filled the chamber and
4 those interested in public comment were by necessity in an overflow room.

5 47. The defendant David Chiu and other defendants have ceased to give the agenda
6 item "General Public Comment" an item number to avoid the board rule that agenda items will
7 continue until completed. The motive is to fragment and disrupt public comment and lower its
8 priority below all other agenda items.

9 48. As a critic of private interests that are allowed to divert public assets to their own
10 benefit and of the irresponsibility of public officials that allows this diversion to take place, the
11 plaintiff has been a de facto "whistler-blower" of the diversion of public assets that he has
12 described as "one of the great civic scandals in San Francisco history." In one of his public
13 comment presentations plaintiff referenced "mindless politicians who just want to go to library
14 openings" and then ran a picture of David Chiu. This was in response to defendant David Chiu's
15 comment that he envies supervisors who have library openings in their districts. So the defendants
16 know that he holds them responsible for the irresponsible diversion of public resources.

17 49. The actions of the defendants against the plaintiff are simply the last overt act in the
18 campaign to disenfranchise and de-legitimize the critics of their self-serving and mutually
19 beneficial relationship with private commercial and fund raising interests and influence peddlers
20 who divert public assets to their own benefit without accountability to those such as David Chiu,
21 and the other defendants, who as public officials have a duty to protect the public interest.

22 50. Over time, citizens who regularly attend the Supervisors meeting are removed and
23 are never heard from again. Whether it is from the effect of the defamation or the threat of
24 continuing legal repercussions they are deterred from further attendance at the meeting. Except for
25 the fact that this lawsuit was on file within one week of the seizure and false arrest, I might have
26 subject to arrest each time I returned.

27 51. It is well known that this is the mechanism by which monied, commercial and
28 lobbying interests purchase their immunity from accountability and remain immune no matter how

1 destructive their actions are to the commonweal and the public commons.

2 52. As described above, the actions and policies of the defendants are inexplicable
3 without positing the motive of retaliation for the views and criticisms expressed by the plaintiff
4 including the benefits they derive from deference to private commercial and financial interests and
5 their exploitation masked by the encouragement of mob rule.

6 53. The actions and policies of the defendants are effectively retaliation for the
7 plaintiff's consistent and long-term exercise of his First Amendment rights. The actions of
8 defendants caused plaintiff to suffer damages as set forth below.

9 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
10 hereinafter set forth.

11 **FOURTH CAUSE OF ACTION**

12 (UNEQUAL TREATMENT IN VIOLATION OF FOURTH
13 AND FOURTEENTH AMENDMENTS)

14 Plaintiff incorporates by reference the allegations of paragraphs 1 through 53, inclusive, as
15 though fully set forth herein.

16 54. Defendants by the actions and policies described have unfairly, unequally and
17 unreasonably singled out plaintiff, for his political beliefs, and prevented him from receiving the
18 protection of public rights and privileges and participating in public discussion.

19 55. For this reason, the actions and policies of the plaintiffs violated the plaintiff's right
20 to the equal protection of the laws, as guaranteed and protected by the United States Constitution,
21 as well as guaranteed by the California Constitution. As such, defendants' practices constitute
22 differential treatment without probable cause. This differential treatment was designed to protect
23 certain interests and deny the protection of the laws to plaintiff and others similarly situated. As
24 part of this unequal treatment the plaintiff was seized and deprived of his liberty unlawfully and
25 without due process.

26 56. Defendants, while acting under the color of state law, deprived plaintiff of his right
27 to freely exercise his right of free expression and to participate in a public forum, in that the
28 defendants have undertaken a campaign to prevent plaintiff from expressing views inconsistent

1 with the private commercial benefit of influential commercial and financial interests.

2 57. The motive for this interference with plaintiff and abuse of state power is that the
3 defendants' derive political, personal and social benefits from the support of those commercial and
4 financial interests.

5 58. As a direct and proximate cause of defendants' actions, plaintiff has suffered
6 extreme embarrassment, humiliation, and emotional distress which was the clear intention of the
7 defendants.

8 59. Plaintiff has also suffered damages in excess of the minimum established for this
9 court. Plaintiff's damages are uncertain at this time, and plaintiff will amend this complaint to state
10 his damages with particularity once they are known.

11 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
12 hereinafter set forth.

13 **FIFTH CAUSE OF ACTION**

14 (RACIAL DISCRIMINATION UNDER COLOR OF LAW, 42 USC §1981)

15 Plaintiff incorporates by reference the allegations of paragraphs 1 through 59, inclusive, as
16 though fully set forth herein.

17 60. As described above, the harassment, threats of violence and intimidation was
18 motivated by the race and age of the plaintiff. The actions and policies of the defendants
19 amounted to the exercise of defendants' police power to further the objectives and animus of those
20 who had violated the rights of plaintiff.

21 61. Irrespective of whether the defendants, including the David Chui, other individual
22 supervisors, herein sued as Doe defendants, the San Francisco Sheriff's Department acted with or
23 without malice, their actions were in furtherance and aided and abetted that discrimination. The
24 defendants' action under color of law in furtherance of that discrimination is a violation of
25 plaintiff's rights under 42 U.S.C. §1981.

26 62. The actions of the defendants under color of law were motivated by the
27 implementation and institutionalization of that racial animus in furtherance of their own racial
28 policies and practices. The actions and policies of the defendants are effectively a policy to

1 discriminate against plaintiff and to block his enjoyment of rights and privileges under the U.S.
2 Constitution with the resulting harm and damage to the plaintiff.

3 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
4 hereinafter set forth.

5 **SIXTH CAUSE OF ACTION**

6 (INTERFERENCE WITH FIRST AMENDMENT, FREE SPEECH, 42 USC §1983)

7 Plaintiff incorporates by reference the allegations of paragraphs 1 through 62, inclusive, as
8 though fully set forth herein.

9 63. As described above, the defendants, and each of them, were cognizant of the
10 plaintiff's exercise of the right of free speech under the First Amendment to the US Constitution
11 and the right to petition for redress of grievances which rights were exercised in direct opposition
12 to their beneficial interest in the favoritism and exemption from accountability afforded to private
13 monied interests and the benefit that the defendants derive from currying favor with those
14 interests.

15 64. In acting as alleged in this complaint, defendants violated plaintiff's right to free
16 speech and right to petition for redress of grievances, guaranteed by the First Amendment to the
17 United States Constitution.

18 65. As a direct and proximate result of the defendants' actions described in this
19 complaint has suffered loss of reputation, deprivation of rights, and liberties, infliction of
20 emotional distress and other damages. The plaintiff suffered emotional and mental damages as a
21 result of the defendants' abusive and discriminatory conduct, including loss of future freedoms,
22 being stigmatized in the eyes of others, stature in the community diminished and loss of personal
23 and professional reputation. These damages reflect on the legitimacy of the plaintiff's efforts for
24 redress of grievances and it is these very damages that form the motive for the defendants'
25 conduct. These damages apply equally to the other causes of action herein.

26 66. In acting as is alleged in this complaint, defendants acted knowingly, willfully, and
27 maliciously, and with reckless and callous disregard for the plaintiff's federally protected rights.

28 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as

1 hereinafter set forth.

2 **SEVENTH CAUSE OF ACTION**

3 (INTERFERENCE WITH FOURTH AMENDMENT, UNLAWFUL SEIZURE, 42 USC §1983)

4 Plaintiff incorporates by reference the allegations of paragraphs 1 through 66, inclusive, as
5 though fully set forth herein.

6 67. As described above, the defendants, and each of them, were cognizant plaintiff had
7 not done anything that would justify his seizure and arrest and therefore knew that his arrest and
8 removal from the meeting was without due process and improper.

9 68. The Fourth Amendment to the US Constitution affords a clearly established
10 constitutional due process right not to be subjected to criminal charges on the basis of false
11 evidence deliberately fabricated by the government. The Fourth Amendment protects citizens
12 against an arrest without probable cause.

13 69. As described above, the complaint by plaintiff clearly alleges that the defendants
14 either knew or should have known that there was no probable cause to justify the seizure of the
15 plaintiff's person and that the plaintiff has a right to attend a public meeting and that absent such
16 probable cause only improper motives for the removal of the plaintiff were possible.

17 70. The defendants, and each of them, performed an affirmative action or participated
18 in another's affirmative act to subject the plaintiff to deprivation of his constitutional rights. In
19 addition, the defendants omitted to conduct the investigation and failed to act affirmatively on the
20 facts known to him to prevent the deprivation of the plaintiff's constitutional rights. The
21 defendants and each of them not only affirmatively acted, but in the alternative, set in motion a
22 series of acts by others that the defendants knew or reasonably should know would cause others to
23 inflict the constitutional injury. Each of the defendants acted under cover of law in causing the
24 deprivation of the plaintiff's constitutional right against unlawful seizure.

25 71. In acting as alleged in this complaint, defendants violated plaintiff's right against
26 unlawful seizure without due process as guaranteed by the Fourth Amendment to the United States
27 Constitution.

28 72. By means of their unlawful detention of plaintiff and the malicious charges they

1 placed against him, defendants and each of them, intentionally and with deliberate indifference
2 and callous disregard of the plaintiff's rights, deprived plaintiff of his right to be free of
3 unreasonable seizures, in violation of the Fourth and Fourteenth Amendments to the Constitution
4 of the United States and 42 U.S.C. §1983.

5 73. As a direct and proximate result of the defendants' actions described in this
6 complaint has suffered loss of reputation, deprivation of rights, and liberties, infliction of
7 emotional distress and other damages as described herein and below.

8 74. In acting as is alleged in this complaint, defendants acted knowingly, willfully, and
9 maliciously, and with reckless and callous disregard for the plaintiff's federally protected rights.

10 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
11 hereinafter set forth.

12 **EIGHTH CAUSE OF ACTION**

13 (INTERFERENCE WITH FOURTEENTH AMENDMENT

14 EQUAL PROTECTION, DUE PROCESS, 42 USC §1983)

15 Plaintiff incorporates by reference the allegations of paragraphs 1 through 74, inclusive, as
16 though fully set forth herein.

17 75. The actions of defendants as described above are violations of the Fourteenth
18 Amendment to the US Constitutions' protection of equal treatment and the right to due process.

19 76. The protections afforded by the US Constitution against violations of equal
20 treatment and due process are part and parcel of the free speech and freedom for unlawful seizure
21 set forth above. The due process clause of the Fourteenth Amendment constrains the power of the
22 state to accuse a citizen of an infamous crime. The Fourteenth Amendment to the US Constitution
23 affords the right of a citizen to be treated equally and with proper due process in the exercise of his
24 rights to life, liberty and the pursuit of happiness. The actions of the defendants described above
25 are clearly in violation of those protections.

26 77. In acting as alleged in this complaint, defendants violated plaintiff's rights to equal
27 treatment and due process as guaranteed by the Fourteenth Amendment to the United States
28 Constitution.

1 78. As a direct and proximate result of the defendants' actions described in this
2 complaint has suffered loss of reputation, deprivation of rights, and liberties, infliction of
3 emotional distress and other damages as described herein and below.

4 79. In acting as is alleged in this complaint, defendants acted knowingly, willfully, and
5 maliciously, and with reckless and callous disregard for the plaintiff's federally protected rights.

6 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
7 hereinafter set forth.

8 **NINTH CAUSE OF ACTION**

9 (DEFAMATION AND SLANDER)

10 Plaintiff incorporates by reference the allegations of paragraphs 1 through 79, inclusive, as
11 though fully set forth herein.

12 80. The effect of the actions of the defendants and each of them was to create the
13 slanderous innuendo that the plaintiff had been disruptive at the meeting and that it was a part of
14 his character to be both disruptive and to act illegal and outside the bounds of propriety. The
15 defendants sought to disseminate this slanderous innuendo to a wide distribution of people in the
16 community in which the plaintiff and they live.

17 81. This slanderous innuendo was an attempt to impugn the plaintiff's character and
18 reputation and to hold him up to the general opprobrium and censure in the community. This is an
19 attempt to harm the plaintiff in his efforts as a citizen active as a whistle-blower and to
20 disenfranchise and malign his responsible voice in the community.

21 82. The actions of the defendants as described above were particularly defamatory and
22 humiliating to the plaintiff and interfered with his reputation and stature in the community as a
23 responsible critic of waste in government and the privatization of public institutions and public
24 assets.

25 83. As a proximate result of defendants conduct as explained above, plaintiff has been
26 damaged financially and emotionally. He has suffered pain, loss of face and reputation. Plaintiff
27 has been humiliated, embarrassed and exposed to the ridicule of the community.

28 84. The foregoing conduct of defendants, was at all material times intentional,

1 malicious and oppressive and carried out with reckless disregard for plaintiff's safety and health
2 and rights and well-being, and this malicious and reckless intent entitles plaintiff to an award of
3 punitive damages.

4 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
5 hereinafter set forth.

6 **PRAYER FOR RELIEF**

7 As a direct and proximate result of the conduct of defendants, and each of them, plaintiff
8 has suffered and will continue to suffer extreme embarrassment, humiliation, and emotional
9 distress, as well as denial of the constitutional right to free speech, denial of right of freedom from
10 unlawful seizure, denial of equal protection of the laws, and the denial of participation in a public
11 forum.

12 WHEREFORE, plaintiff requests judgment against defendants as follows:

- 13 1. For compensatory damages, including general damages and special damages, in an
14 amount to be determined according to proof at trial;
- 15 2. For punitive damages, in an amount to be determined according to proof at trial;
- 16 3. A declaration of rights declaring defendants' policies and practices to be unconstitutional.
- 17 4. For reasonable attorney's fees, pursuant to 42 U.S.C. §1988 and other applicable
18 statutes;
- 19 5. For costs of suit incurred in this action; and
- 20 6. For such other and further relief as the court deems just and proper.

21 Dated: December 29, 2011

22
23 /s/
24 James Chaffee, In Propria Persona
25
26
27
28

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

OFFICE OF THE CITY ATTORNEY

Nichelle Flentroy
Claims Adjuster

DIRECT DIAL: (415) 554-4232
E-MAIL: NICHELLE.FLENTROY@SFGOV.ORG

November 1, 2011

James Chaffee
63 Stoneybrook Ave.
San Francisco, CA 94112

RE: Claim of James Chaffee / Claim Number 12-00791

Department: SHERIFF County Sheriff (06)
Incident Date: September 13, 2011
Claim Filed: October 7, 2011

NOTICE OF ACTION UPON CLAIM

PLEASE TAKE NOTICE THAT

An investigation of your claim filed with the City and County of San Francisco has revealed no indication of liability on the part of the City and County. Accordingly, your claim is DENIED.

WARNING

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a state court action on this claim. See Government Code section 945.6. This time limitation applies only to causes of action arising under California law for which a claim is mandated by the California Government Claims Act, Government Code sections 900 et. seq. Other causes of action, including those arising under federal law, may have shorter time limitations for filing.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Very truly yours,

DENNIS J. HERRERA
City Attorney

Nichelle Flentroy
Claims Adjuster

Claim of: James Chaffee

Claim Filed: October 7, 2011

I, Nichelle D. Flentroy, say: I am a citizen of the United States, over eighteen years of age, and not a party to the within action; that I am employed by the City Attorney's Office of San Francisco, Fox Plaza, 1390 Market Street, 7th Floor, San Francisco, CA 94102.

That on November 1, 2011 I served:

NOTICE OF ACTION UPON CLAIM

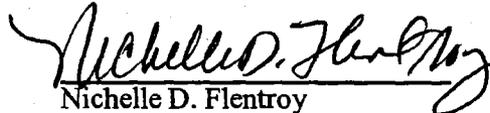
by placing a true copy thereof in an envelope addressed to:

James Chaffee
63 Stoneybrook Ave.
San Francisco, CA 94112

and by then sealing and depositing said envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California. The mailbox that I deposited said envelope is regularly maintained by the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 1, 2011 at San Francisco, California.


Nichelle D. Flentroy

DECLARATION OF SERVICE BY MAIL



Educate. Empower.

Executive Director

Tim Paulson

President

Mike Casey
Unite Here 2

Secretary Treasurer

Olga Miranda
SEIU 87

VP for Political Activities

Conny Ford
OPEIU 3

VP for Affiliate Support

Larry Mazzola, Sr.
Plumbers 38

VP for Community Activities

Howard Wallace
Pride at Work

Executive Committee

Alan Benjamin
OPEIU 3

Rafael Cabrera
TWU 250-A

Vince Courtney
Laborers 261

F.X. Crowley
IATSE 16

Sanjay Garla
AFSCME 3299

Gus Goldstein
AFT 2121

Art Gonzalez
IAM 1414

Maria Guillen
SEIU 1021

Michael Hardeman
Sign & Display 510

Dennis Kelly
United Educators of SF

Gunnar Lundeberg
Sailors Union of the Pacific

Rosa Faye Marshall
CLUW

Frank Martin del Campo
LCLAA

Larry Mazzola, Jr.
Plumbers 38

Robert Morales
Teamsters 350

Bob Muscat
IFPTE 21

Ken Oku
Operating Engineers 3

Thomas O'Connor
IAFF 798

John O'Rourke
IBEW 6

Fred Pecker
ILWU 6

Eileen Prendiville
California Nurses Association

Michael Sharpe
UFCW 648

Michael Theriault
SF Building Trades Council

John Ulrich
UFCW 5

James Wright
SEIU 1877

Sergeant at Arms

Hene Kelly
United Educators of SF

Trustees

Ron Lewis, IBEW 6
David Williams, SEIU 1021
Claire Zvanski, IFPTE 21

Secretary Treasurer Emeritus

Walter L. Johnson

February 22, 2012

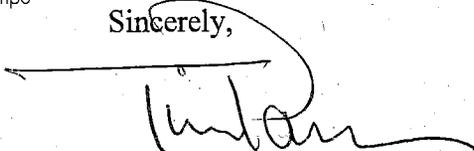
Mayor Ed Lee
City Hall
1 Dr. Goodlett Place, Room 200
San Francisco, CA 94102

Dear Mayor Lee,

Enclosed please find a resolution in support of workers at the San Francisco Redevelopment Agency. It was adopted by the San Francisco Labor Council on February 13, 2012.

Please feel free to call me with any questions regarding this issue.

Sincerely,


Tim Paulson
Executive Director

CC: Board of Supervisors

OPEIU3 AFL-CIO 11

RECEIVED
BOARD OF SUPERVISORS
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2012 FEB 27 PM 3:16
AKC

22

Executive Director

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AFSCME 3299

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Art Gonzalez
IAM 1414

Maria Guillen
SEIU 1021

Michael Hardeman
Sign & Display 510

Dennis Kelly
United Educators of SF

Gunnar Lundeborg
Sailors Union of the Pacific

Rosa Faye Marshall
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Secretary Treasurer Emeritus

Walter L. Johnson



Educate. Empower.

Resolution in Support of Redevelopment Agency Workers

Whereas, IFPTE 21 and SEIU 1021 members of the San Francisco Redevelopment Agency have received layoff notices and also will be losing their healthcare, and

Whereas, the City of San Francisco should protect their jobs and seniority, and

Whereas, these workers have provided decades of service to San Francisco,

Therefore be it Resolved that the San Francisco Labor Council supports the efforts of SEIU 1021 and other unions to ensure that these workers do not suffer and

Be it Finally Resolved the San Francisco Labor Council calls on Mayor Ed Lee and the Board of Supervisors to help protect these workers' jobs and healthcare and to work with SEIU 1021 and other unions to assist these workers.

Submitted by Rodger Scott, AFT 2121, and Alex Tonisson, IFPTE 21, and adopted by the San Francisco Labor Council on February 13, 2012.

Respectfully,

Tim Paulson
Executive Director

OPEIU3 AFL-CIO 11



File # 111171
BOS II - Done
C Pages

2-27-12

Supervisor Cohen &
Board Members

THANK U FOR HEARING OUR VOICE, FRIDAY
WAS A MESS, JOHN STEWART, URBAN STRATEGIES,
P. GE. - WOW, THE WHOLE HUNTER'S VIEW WAS IN THE
DARK - NO LIGHTS, RESIDENTS DIDN'T HAVE BACK
UP GENERATOR, FOOD - RESIDENTS PANIC HAD TO BE
TAKEN TO HOSPITAL - FOOD SPOIL, SHOOTING,
BREAKING, IN RESIDENTS UNITS (TRICKS) I WAS
EVEN SCARED, BUT WE MOTHER'S AGAINST CRIME
SERVISE RESIDENTS OF HUNTER'S VIEW TO THE
END, I KNOW WE SAVED LIVES, AND MADE
SURE THEY WERE SAFE, THANKS

P.S 227+229 Westpoint
IS NEEDED, NOW U SEE WHY

Ms. Jessie L. Eshe
Pres. H.V. Resident
Council
C.E.O. Mother's Against
Crime

240 8269

Mavis Williams 415 912-9627

(23)

BOARD of SUPERVISORS



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

Date:	February 27, 2012
To:	Honorable Members, Board of Supervisors
From:	Angela Calvillo, Clerk of the Board
Subject:	Form 700

This is to inform you that the following individuals have submitted a Form 700 Statement:

John Avalos, Supervisor, LAFCo – Annual
Carmen Chu, Supervisor, Annual
Andres Power, Legislative Aide – Assuming
Christine Durazo, Legislative Aide – Assuming
Dominica Henderson, Legislative Aide – Assuming
Gillian Gillett, Legislative Aide – Leaving
Edward Campana, Assessment Appeals Board, Assuming

24