

File 090922

Petitions and Communications received from July 7, 2009, through July 13, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 21, 2009.

From Department of Elections, regarding certification for the Mid-Market Special Sign District Initiative Petition. Copy: Each Supervisor (1)

From Office of the Clerk of the Board, submitting list of sole source contracts received from various city departments entered into during fiscal year 2008-2009. (2)

Department of Technology
District Attorney
Public Utilities Commission
Office of the Treasurer and Tax Collector
Recreation and Park Department
Department of Public Works

From James Chaffee, regarding the Federal governments new website to make public records on government spending more accessible. (3)

From Shona, regarding the Federal Justice Department's decision not to raid medical marijuana clubs. (4)

From Airport Commission, submitting request for waiver of Administrative Code Chapter 12B for Chevron USA, Inc. (5)

From Airport Commission, submitting request for waiver of Administrative Code Chapter 12B for Nixon Egli Equipment Company. (6)

From Airport Commission, submitting request for waiver of Administrative Code Chapter 12B for Oshkosh Trucking Corporation. (7)

From concerned citizens, submitting opposition to proposed legislation that would establish a Cigarette Litter Abatement Fee. File No. 090724, 13 letters (8)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. Copy: Each Supervisor, 4 letters (9)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. Copy: Each Supervisor, 20 letters (10)

From Office of the Clerk of the Board, submitting notice that the Office of the Clerk of the Board did not receive any "Watch Law" requests during FY 2008-2009. (11)

From Office of the Sheriff, submitting request for waiver of Administrative Code Chapter 12B for San Bruno Garbage Company. (12)

From concerned citizens, submitting opposition to proposed legislation regarding implementation of parking fees in City parks. File No. 090716, 2 letters (13)

From Capital Planning Committee, submitting recommendation on (1) the Eastern Neighborhoods Infrastructure Finance Working Group Final Report and (2) authorization of resolution to accept and expend the American Recovery and Reinvestment Act of 2009 grant funds for Local Street and Road Rehabilitation Projects. Copy: Each Supervisor (14)

From Richard Skaff, regarding the Department of Building Inspections Dimensional Tolerance Policy. Copy: Each Supervisor (15)

From Patrick Monette-Shaw, commenting that before any further strategic public policy decisions are made, an inventory of the capacity of current skilled nursing home beds in San Francisco must be kept updated and monitored closely, and evaluated against the expected gap between supply and demand. (16)

From Francisco Da Costa, regarding the relationship between the Bay Area Air Quality Management District and the Bayview Hunters Point community. (17)

From Frederick Stills, regarding the new homeless shelter policy of 14 days and then a 90 day stay, afterwards. Copy: Each Supervisor (18)

From Eula Walters, submitting opposition to demolishing the bridge between Ferry Park and the Maritime Park Plaza. Copy: Each Supervisor (19)

From Martin Winderl, commenting on the quality of life and the anti-business stance in San Francisco. Copy: Each Supervisor (20)

From Abdalla Megahed, regarding the proposed budget for the City and County of San Francisco. (21)

From State Assemblywoman Fiona Ma, urging the State Public Utilities Commission to preserve the uniform state-wide service rates of California's Lifeline program. (22)

From Stephen Heersink, commenting that San Francisco is no longer liberal or tolerant, much less democratic, but is competing to be as progressive as the former U.S.S.R. before it fell into oblivion. (23)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Safeway, Inc. (24)

From Department of Technology, reporting that the Department of Technology received a check for \$375,000.00 from Comcast Cable Communications on July 1, 2009 for funding of cable public access operations. (Reference No. 20090519-004) (25)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interest for Jamie Cantwell, Legislative Assistant to Supervisor David Chiu, Assuming. (26)

From Office of the Mayor, submitting letter vetoing four pieces of legislation that amend the Rent Ordinance, pending in File Nos. 090276, 090277, 090278 and 090279; finally passed on June 30, 2009. Copy: Each Supervisor, City Attorney (27)

From James Miller, suggesting that monitoring Golden Gate Park's entrances and issuing timed parking slips as is done in parking garages would eliminate the need to install meters everywhere in the park. File No. 090779, Copy: Each Supervisor (28)

From Pieratt, submitting opposition to proposal to install parking meters in Golden Gate Park. File No. 090779, Copy: Each Supervisor (29)

From Police Department, submitting request for waiver of Administrative Code Chapter 12B for Fleetcor Technologies dba Chevron. (30)

From Human Services Agency, submitting an update on the Human Services Agency implementation of JOBS NOW, the subsidized employment program funded with Federal stimulus dollars. File No. 090820, Copy: Budget and Finance Clerk (31)

From US Army Corps of Engineers, submitting public notice regarding proposed project at Deer Creek Village in Sonoma County. (32)

From concerned citizen, submitting opposition to proposed tax on cigarettes to pay for litter clean-up. File No. 090724 (33)

From Fire Department, regarding the Fire Department's response to the Pacific Gas & Electric vault fire on June 5, 2009. (Reference No. 20090609-006) (34)

From State Fish and Game Commission, regarding proposed changes in regulations relating to the commercial herring fishery. (35)

From concerned citizen, submitting opposition to closing any fire stations in San Francisco. (36)

From concerned citizen, submitting opposition to any budget cuts in the Public Defender's Office. (37)

DEPARTMENT OF ELECTIONS
City and County of San Francisco
www.sfelections.org



JOHN ARNTZ
Director


c: BOS

①

HAND DELIVERED

July 9, 2009

ANGELA CALVILLO, CLERK OF THE BOARD
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 JUL -9 PM 2:34
BY 

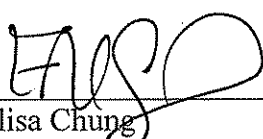
RE: CERTIFICATION FOR THE **MID-MARKET SPECIAL SIGN DISTRICT INITIATIVE PETITION.**

Enclosed is a copy of the letter sent to the proponent of the above named petition, certifying that the petition did contain sufficient valid signatures to qualify for the upcoming November 3, 2009 Municipal Election to be held in the City and County of San Francisco.

If you should have any questions or need additional information, please call me at (415) 554-4374.

Sincerely,

John Arntz
Director of Elections

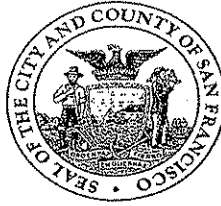
By: 
Erlisa Chung
Voter Services Supervisor



Encl.: Copy of Certified letter to Proponent

Cc: Honorable Gavin Newsom; Mayor
San Francisco Elections Commission
John Arntz, Director of Elections
Dennis Herrera, City Attorney

①



CERTIFIED MAIL: 7001 1940 0001 0678 5232

July 9, 2009

Peter Bagatelos
380 West Portal Ave #F
San Francisco, CA 94127

Re: CERTIFICATION FOR THE *MID-MARKET SPECIAL SIGN DISTRICT INITIATIVE PETITION*.

Dear Mr. Bagatelos,

As provided in *California Elections Code, Chapter 2, Article 1, Section 9115 (a)*, a random sample of 500 signatures (of the total 12,553 submitted) for the *Mid-Market Special Sign District Initiative Petition* established that the number of valid signatures of registered San Francisco voters was sufficient for the initiative to qualify for the next regularly scheduled election.

Based on this statistical sampling, the total number of valid signatures submitted on this petition was determined to be greater than the 7,168 signatures required for the initiative to be included in the November 3, 2009 Municipal Election.

I hereby certify that the *Mid-Market Special Sign District Initiative Petition* qualify for the November 3, 2009 Municipal Election in the City and County of San Francisco.

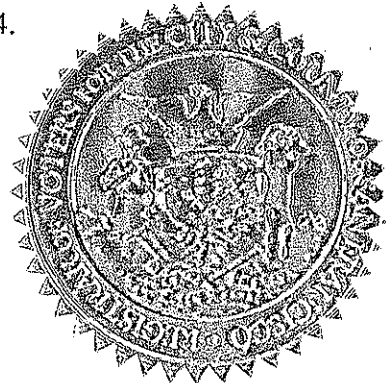
If you should have any questions, please contact me at (415) 554-4374.

Sincerely,

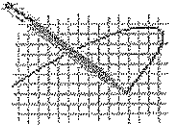
John Arntz
Director of Elections

By: _____

Erlsia Chung
Voter Services Supervisor



cc: Honorable Gavin Newsom; Mayor
San Francisco Elections Commission
John Arntz, Director of Elections
Angela Calvillo, Clerk of the Board
Dennis Herrera, City Attorney



Christine
Martin2/DTIS/SFGOV
07/09/2009 11:48 AM

To board.of.supervisors@sfgov.org
cc Kendall Fleck/DTIS/SFGOV@SFGOV
bcc
Subject DT Sole Source Contracts for FY 08-09

2

Please find attached the Department of Technology's annual report of sole source contracts. If you have any questions, please contact Kendall Fleck, our Provisioning and Asset Manager, at 581-4066.

Thank you,
Christine
Christine Martin, CPA
Chief of Staff
Department of Technology
City and County of San Francisco
San Francisco, CA 94103
(415) 581-4097

-----Forwarded by Christine Martin2/DTIS/SFGOV on 07/09/2009 11:45AM -----

To: Christine Martin2/DTIS/SFGOV
From: Kendall Fleck/DTIS/SFGOV
Date: 07/07/2009 03:17PM
Subject: RE: Reminder: Sole Source Contracts and Annual Reports

Christine,

Please find attached the Sole Source report for fiscal 08-09.

Thanks,

Kendall

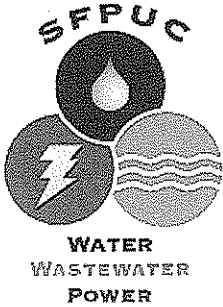


DTIS Sole Source Contract Rpt to BDS for FY0809.xls

2

DTIS Sole Source Contract Report to Board of Supervisors for FY0809

DEPT.	VENDOR NAME	TERM	AMOUNT	REASON
DTIS	AMERICAN MESSAGING	7/1/08-6/30/11	\$1,000,000.00	AMERICAN MESSAGING IS THE VENDOR SELECTED BY THE BAY AREA WATER USERS ASSOCIATION (BAWUA) TO PROVIDE EMERGENCY PAGING NOTIFICATION SERVICES AND IS THE ONLY VENDOR WHO CAN PROVIDE THIS ALPHANUMERIC PAGING SERVICE TO SFPUC AND SFPD.
DTIS	CA, INC.	10/1/07-10/1/09	\$118,737.00	LICENSE RENEWAL FOR PROPRIETARY CA SOFTWARE APPLICATIONS THAT SUPPORT THE DAILY OPERATIONS OF THE DTIS DATA CENTER.
DTIS	CONSTELLATION JUSTICE SYSTEMS	11/1/08-3/1/12	\$141,739.39	ANNUAL SOFTWARE MAINTENANCE FOR PROPRIETARY DAMON PROSECUTOR SOFTWARE USED FOR THE DISTRICT ATTORNEYS CASE MANAGEMENT SYSTEM.
DTIS	COOK PAGING	10/15/08-10/14/11	\$1,000,000.00	COOK PAGING IS CURRENTLY THE ONLY VENDOR WHO CAN PROVIDE EMERGENCY PAGING SERVICES TO MUNI EMPLOYEES THAT PROVIDES ADEQUATE COVERAGE IN AREAS SUCH AS MUNI TUNNELS.
DTIS	ENVIRONMENTAL RESEARCH SYSTEMS INSTITUTE	7/31/08-8/7/09	\$110,615.37	ANNUAL MAINTENANCE FOR PROPRIETARY ESRI GIS (GEOGRAPHIC INFORMATION SYSTEM) SOFTWARE USED BY ALL CITY DEPARTMENTS TO MAP, MANAGE AND STORE SPATIAL DATA.
DTIS	IBM	7/1/07-6/30/10	\$466,174.00	MAINTENANCE AND LICENSE RENEWAL FOR PROPRIETARY IBM OPERATING SYSTEM SOFTWARE THAT IS REQUIRED FOR THE OPERATION OF THE MAINFRAME AT ONE MARKET PLAZA. ADMIN. CODE 21.30
DTIS	IRON MT. OFF-SITE DATA PROTECTION	7/1/08-1/31/09	\$77,000.00	THIS IS AN INTERIM BLANKET ONLY; IS TO COVER UNTIL A NEW FOUR-YEAR TERM CONTRACT WITH OPTIONS IS AWARDED. IRON MOUNTAIN HELD THE EXPIRED CONTRACT. THEY WILL HOLD THE SAME PRICES AS THE EXPIRED CONTRACT. THERE COULD BE A COST INVOLVED TO MAKE CURRENTLY STORAGE
DTIS	ORACLE	8/25/08-8/27/09	\$181,238.62	BUSINESS INTELLIGENCE SUITE JUSTIS DATA WAREHOUSE
DTIS	ORACLE	5/30/08-12/9/09	\$37,028.71	MIDDLEWARE SOLUTION FOR JUSTIS HUB PROJECT
DTIS	ORACLE	5/31/09-5/30/10	\$111,065.35	LICENSING AND MAINTENANCE FOR PROPRIETARY ORACLE DATABASE ENTERPRISE EDITION, INTERNET APPLICATION SERVER ENTERPRISE EDITION AND ORACLE SOA SUITE FOR THE JUSTIS HUB PROJECT PER 21.30
DTIS	OWENS INFORMATION SYSTEMS	7/1/00-12/31/09	\$1,200,000.00	SOFTWARE MAINTENANCE AND SUPPORT FOR THE LEGACY COURT MANAGEMENT SYSTEM (CMS) THAT SERVES THE CITY'S LAW ENFORCEMENT AND JUDICIAL DEPARTMENTS THAT ARE RESPONSIBLE FOR THE CRIMINAL JUSTICE PROCESS IN THE CITY.
DTIS	PLANGRAPHICS, INC.	3/18/05-2/28/09	\$1,074,000.00	PROF-SERV-NOS PLANGRAPHICS HAS BEEN INVOLVED IN THE CRIMINAL JUSTICE SOFTWARE INTEGRATION PROJECT SINCE INCEPTION, AND CURRENTLY IS THE ONLY VENDOR WHO CAN COMPLETE THE PROJECT IN A TIMELY AND COST EFFICIENT MANNER.
DTIS	DUPLO USA CORP.		\$40,000.00	DUPLO'S DC45IS THE ONLY SLITTER/PERFORATOR MACHINE THAT ALLOWS USE OF CITY'S INDIGO PRINTERS MULT-UP TEMPLATE SLITTING BUSINESS CARDS IN SINGLE PASS. SOLE SOURCE VERIFIED THROUGH BID PROCESS RESULTING IN ONLY ONE RESPONSE- DUPLD.
DTIS	STRATUS TECHNOLOGIES	10/1/08-9/30/10	\$6,186.48	HARDWARE AND SOFTWARE MAINTENANCE FOR PROPRIETARY STRATUS MODEL 4300 SERVER THAT PROVIDES A CRITICAL MOBILE COMMUNICATIONS GATEWAY FOR POLICE, FIRE ND DEPT. OF EMERGENCY MGT. MOBILE DATA TERMINALS.
DTIS	SYSCON JUSTICE SYSTEMS CANADA LTD	7/1/06-6/30/09	\$51,336.87	ANNUAL SUPPORT AND MAINTENANCE FOR PROPRIETARY SYSCON JUSTICE SYSTEMS CASE MANAGEMENT SOFTWARE USED BY THE ADULT PROBATION DEPARTMENT.
DTIS	TIBURON, INC.	3/2/09-3/1/12	\$1,500,000.00	MAINTENANCE FOR PROPRIETARY ICAD AND ECAD AUTOMATION SOFTWARE THAT IS USED FOR THE CITY'S 911 SYSTEM. SHOULD HAVE MAINTENANCE AGREEMENT WHEN PROCESSING ADPCS TRANSACTION.
DTIS	VENTURA COUNTY	5/1/09-4/30/10	\$49,297.00	ANNUAL PAYMENT TO VENTURA COUNTY FOR USE OF THEIR CONTRACT FOR GARTNER GROUP SUBSCRIPTIONS PER 21.16
DTIS	XEROX	5/1/09-6/30/12	\$103,401.91	XEROX IS THE ONLY VENDOR THAT CAN PROVIDE MAINTENANCE REPAIR SERVICES AND SUPPLIES FOR THE HIGH VOLUME EQUIPMENT USED BY REPRODUCTION AND MAIL SERVICES.
DTIS	XEROX	7/1/08-6/30/09	\$95,301.00	XEROX IS THE ONLY VENDOR THAT CAN PROVIDE MAINTENANCE REPAIR SERVICES AND SUPPLIES FOR THE HIGH VOLUME EQUIPMENT USED BY REPRODUCTION AND MAIL SERVICES.
		TOTAL	\$7,363,121.70	




SAN FRANCISCO PUBLIC UTILITIES COMMISSION

1155 Market St., 11th Floor, San Francisco, CA 94103 • Tel. (415) 554-3155 • Fax (415) 554-3161 • TTY (415) 554.3488



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 JUL -9 PM 2:44

BY 

July 6, 2009

GAVIN NEWSOM
MAYOR

ANN MOLLER CAEN
PRESIDENT

F.X. CROWLEY
VICE PRESIDENT

FRANCESCA VIETOR
COMMISSIONER

JULIET ELLIS
COMMISSIONER

ED HARRINGTON
GENERAL MANAGER

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

Dear Ms. Calvillo:

Per the requirements of Sunshine Ordinance Section 67.24(e), attached is a list detailing the sole source contracts the San Francisco Public Utilities Commission has entered into during the past fiscal year.

If you require additional information, please do not hesitate to contact me at 554-1600.

Sincerely,



Ed Harrington
General Manager

Enclosure: List of Sole Source Contract

San Francisco Public Utilities Commission -- Sole Source Contracts -- FY 2008-09

Term	Vendor	Amount	Reason
3/1/09 to 3/1/14	Oracle	\$237,900.00	The SFPUC currently uses Primavera Contract Manager (PCM) software for Water System Improvement Program (WSIP) projects during the construction phase to mitigate construction risks. PCM has proven to be an effective document management, job/contract cost, and project controls solution that promotes visibility of staff and contractor performance, streamlines document administration and facilitates tracking and managing cost exposure, delays, and construction schedule progress. The SFPUC currently has 16 "concurrent" licenses for PCM that are shared by various staff. However, these types of licenses are no longer available and the SFPUC must purchase "individual" licenses. This contract is for procurement of 150 individual Oracle PCM Licenses and the accompanying software support and maintenance.
9/26/08 to 8/16/09	Cornell University, Office of Sponsored Programs	\$370,000.00	Cornell University is providing specialized civil engineering and laboratory testing services to support the Bay Division Pipeline 3 and 4 design upgrades at the Hayward Fault. The Hayward fault crossing is particularly challenging because the fault is divided into at least three separate traces at this location, anyone of which is projected to move in the near future. Failure to design test the pipeline design may result in failure of the pipeline re-fit during the next seismic event. Cornell University has the only facility in this country with a laboratory large enough to perform large scale testing of fault rupture effects and to provide the associated laboratory testing services.
Tentative (Contract to be certified by 6/30/09)	InStep Software, LLC	\$132,000.00	As a condition of funding from an Environmental Protection Agency Water Security Grant, the SFPUC is obligated to implement a water quality Consumer Complaint Surveillance software program. Part of this program includes a commitment by the SFPUC to integrate its current GIS capabilities with its existing InStep data historian and web enabling tool. The historian software application functions to accumulate and store real-time water quality data and is the repository for all on-line water quality data. The proposed eDNA software is a real-time data historian used to collect, store, display and report extremely large amounts of water quality data. Once deployed, the resultant tool will allow water quality inspectors to assess real time customer complaints and on-line data, and potentially provide early warning of a water quality event. The existing data management system utilizes proprietary InStep components, so it is necessary for InStep to access the program source code in order to integrate the various components. InStep Software will provide proprietary software licensing of the eDNA Web software, software development and integration, and accompanying support and maintenance services.
Tentative (Contract to be certified by 6/30/09)	Ohlone Preserve Conservation Bank	\$79,200.00	Pursuant to the California Environmental Quality Act and resource agency regulation, compensation for impacts to at-risk natural resources is required either by the creation or enhancement of habitat, or the use of mitigation banking. A conservation bank is similar to a financial bank, and is established to permanently protect privately or publicly owned lands that are managed for endangered, threatened, and other at-risk species. The U.S. Fish and Wildlife Service and California Department of Fish and Game approve habitat or species credits based on the natural resource values on the bank lands. The purpose of

San Francisco Public Utilities Commission – Sole Source Contracts – FY 2008-09

Term	Vendor	Amount	Reason
Tentative (Contract to be certified by 6/30/09)	Ohlone Preserve Conservation Bank	\$26,500.00	<p>this contract is to purchase 4.4 acres of conservation credits to mitigate adverse environmental impacts anticipated during Water System Improvement Program construction activities at the Alameda Siphons Project site. Ohlone Preserve Conservation Bank is the only Conservation bank in the Alameda Region that offers habitat credits for all three species which could be impacted in the area (California tiger salamander, Alameda whipsnake and California red-legged frog.)</p> <p>Pursuant to the California Environmental Quality Act and resource agency regulation, compensation for impacts to at-risk natural resources is required either by the creation or enhancement of habitat, or the use of mitigation banking. A conservation bank is similar to a financial bank, and is established to permanently protect privately or publicly owned lands that are managed for endangered, threatened, and other at-risk species. The U.S. Fish and Wildlife Service and California Department of Fish and Game approve habitat or species credits based on the natural resource values on the bank lands. The purpose of this contract is to purchase 1.2 acres of conservation credits to mitigate adverse environmental impacts anticipated during Water System Improvement Program construction activities at the SARHOS Project site. Ohlone Preserve Conservation Bank is the only Conservation bank in the Alameda Region that offers habitat credits for all three species which could be impacted in the area (California tiger salamander, Alameda whipsnake and California red-legged frog.)</p>

CPAGE

Adam Shearer/TTX/SFGOV
07/08/2009 11:40 AM

To board.of.supervisors@sfgov.org
cc David Augustine/TTX/SFGOV@SFGOV, Susie
Choy/TTX/SFGOV@SFGOV
bcc
Subject Sole Source Contracts FY 08-09 -- TTX

Hello,

Please find attached the Office of the Treasurer and Tax Collector's list of all existing sole source contracts, including those entered into during Fiscal Year 08-09, as required by Sunshine Ordinance Section 67.24(e). Let me know if you have any further questions or issues with the attachment.

Thanks,

Adam Shearer
Office of the Treasurer & Tax Collector
City Hall, Room 140
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4638
Phone: 415.554.4485
Fax: 415.554.5507
<http://www.sfgov.org/treasurer>



Sole Source FY 08-09 -- Treasurer and Tax Collector.xlsx

Office of the Treasurer and Tax Collector
SOLE SOURCE CONTRACTS FOR FISCAL YEAR 2008-09

<u>TERM</u>	<u>VENDOR</u>	<u>AMOUNT</u>	<u>REASON</u>
07/01/08 - 6/30/09	Academyx Inc.	10,000	Fees due for training sessions unavailable from another source
08/01/06 - 07/31/09	B N Y Mellon Trust Company NA	1,064,000	Banking services not otherwise available
03/21/06 - 12/31/09	Bid4Assets	28,000	Services not otherwise available
07/01/08 - 6/30/09	Bloomberg	35,000	Research services not otherwise available
07/01/08 - 6/30/09	Calif. Municipal Revenue & Tax Assoc. Inc.	500	Membership fees
07/01/08 - 06/30/09	Columbia Ultimate Business Solutions	155,000	Software maintenance agreement
07/01/08 - 6/30/09	Compulaw LTD	2,000	Fees due for subscription not otherwise available
07/01/08 - 06/30/09	Employment Development Department (EDD)	3,000	EDD data is unique and confidential, this data is not available elsewhere
07/01/08 - 6/30/09	First American Corelogic Inc.	500	Fees due for subscription not otherwise available
07/01/08 - 6/30/09	First American Real Estate Solutions	500	Fees due for subscription not otherwise available
07/01/08 - 6/30/09	Institute for Management Studies	1,000	Fees due for training sessions unavailable from another source
07/01/08 - 6/30/09	Institutional Shareholder Services Inc.	7,000	Fees due for subscription not otherwise available
07/01/08 - 6/30/09	League of Calif. Cities Peninsula Div.	300	Membership fees
07/01/08 - 6/30/09	Nacha - Electronic Payments Assoc.	5,000	Fees due for membership and training sessions not otherwise available
01/01/08 - 12/31/10	Netvantage	100,000	Maintance agreement on existing equipment
07/01/08 - 6/30/09	OPEX Corporation	28,470	Maintance agreement on existing equipment
07/01/08 - 6/30/09	Pacer Service Center	500	Fees due for subscription not otherwise available

Office of the Treasurer and Tax Collector
SOLE SOURCE CONTRACTS FOR FISCAL YEAR 2008-09

07/01/08 - 6/30/09	Pivot Interiors Inc.	102,000	City-required vendor for City Hall interior maintenance
07/01/08 - 6/30/09	The Recorder	1,500	Periodical subscription not available from another source
07/01/08 - 6/30/09	San Francisco Business Times	300	Periodical subscription not available from another source
07/01/08 - 6/30/09	State Bar of California	2,000	Membership fees
07/01/08 - 6/30/09	State Board of Equalization	1,000	Fees due for subscription not otherwise available
07/01/08 - 6/30/09	Sungard	40,000	Investment services not otherwise available
07/01/08 - 6/30/09	TransUnion	45,000	Sole compliant vendor
07/01/08 - 6/30/09	U C Regents -- Continuing education of the Bar	2,000	Fees due for subscription not otherwise available
07/01/08 - 6/30/09	Union Bank	45,000	Financial services not otherwise available
07/01/08 - 6/30/09	United States Postal Service	9,000	Postage from U.S. Postal Service
07/01/08 - 6/30/09	Wall Street Journal	1,000	Periodical subscription not available from another source



Sean
McFadden/RPD/SFGOV

07/07/2009 03:11 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject FY08-09 Sole Source Log

Hello:

Attached is the list of RPD sole source contracts for fiscal year 08-09. Please feel free to contact me if you have any questions regarding this submittal.

Thanks.

Sean



bos0809solesource 070709.pdf

Save the earth—don't print this email



Sean McFadden
Recreation and Park Department
Purchasing/Contract Administration
501 Stanyan Street
San Francisco, CA 94117
(415) 831-2779; Facsimile (415) 668-3330
Sean.McFadden@sfgov.org



**Sean
McFadden/RPD/SFGOV**

07/07/2009 03:11 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject FY08-09 Sole Source Log

Hello:

Attached is the list of RPD sole source contracts for fiscal year 08-09. Please feel free to contact me if you have any questions regarding this submittal.

Thanks.

Sean



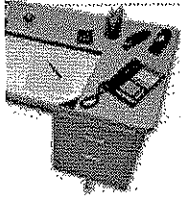
bos0809solesource 070709.pdf

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Sean McFadden
Recreation and Park Department
Purchasing/Contract Administration
501 Stanyan Street
San Francisco, CA 94117
(415) 831-2779; Facsimile (415) 668-3330
Sean.McFadden@sfgov.org

C. Pose



Eugene
Clendinen/DA/SFGOV
07/10/2009 03:47 PM

To Board of Supervisors/BOS/SFGOV@SFGOV
cc Sheila Arcelona/DA/SFGOV@SFGOV, Angela
Calvillo/BOS/SFGOV@SFGOV
bcc
Subject Sole Source

Please find attached the Department's required listing of sole source contracts.



District Attorney Sole Source List 2008 - 09.pdf

Eugene G. Clendinen
Chief Financial Officer
Office of District Attorney Kamala D. Harris
850 Bryant Street, Rm 313
San Francisco, CA 94103
Phone: (415) 553-1895
Fax: (415) 553-9700
Eugene.Clendinen@sfgov.org

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2



KAMALA D. HARRIS
District Attorney

July 10, 2009

Angela Calvillo, Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689

Dear Ms. Calvillo: *Angela*

The District Attorney's Office is providing the Clerk of the Board of Supervisors with this memorandum in compliance with Sunshine Ordinance Section 67.24(e) which requires that at the end of each fiscal year each City Department provide the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year. Below are the sole source contracts of the District Attorney's Office for fiscal year 2008 - 09. If you have any questions please feel free to contact me at (415) 577-4429.

Sole Source Contracts for District Attorney's Office -- Fiscal Year 2008-2009

Term	Vendor	Amount	Reason
7/1/08--6/30/09	SAGE Project, Inc. Standing Against Global Exploitation	90,000	First Offender Prostitution Diversion Program for First-Time Sex Offenders.
7/1/08--6/30/09	CUAV, Inc. Community United Against Violence, Inc.	215,000	Assistance to victims of violent/hate crimes in Gay/Lesbian/Bisexual/Transgender community.
11/7/07--6/30/09	Helen Karr	76,000	Assistance in prosecution of real estate fraud transactions by expert in elder abuse (fraud).
10/22/07--9/30/09	Rockne Harmon	140,000	Assistance in development of Cold Case Unit to investigate and prosecute "cold cases" using DNA evidence.

Sincerely,

Eugene Clendinen
Eugene Clendinen
Chief Financial Officer

City and County of San Francisco



Gavin Newsom, Mayor
Edward D. Reiskin, Director



Phone: (415) 554-6920
Fax: (415) 554-6944
TDD: (415) 554-6900
www.sfgov.org/dpw

Department of Public Works
Office of the Director
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4645

July 9, 2009

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors
City Hall, Room 244
San Francisco, CA 94102

Reference: FY 2008-09 List of Sole Source Contracts

Dear Ms. Calvillo:

In accordance with the City's Sunshine Ordinance (Administrative Code Chapter 67), this letter is to inform you that the Department of Public Works is reporting that we did not award any sole source contracts for the fiscal year 2008-2009.

If you have any questions or need additional information, please contact Robert Carlson of my staff at 554-4831.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Reiskin".

Edward D. Reiskin
Director

2



"James Chaffee"

07/08/2009 03:31 PM

To <Bevan.Dufty@sfgov.org>,
<board.of.supervisors@sfgov.org>,
<Carmen.Chu@sfgov.org>, <Chris.Daly@sfgov.org>, "David"
cc
bcc

Subject Chaffee -- Federal model for accessibility to records

3

Dear Friends,

Just in case you missed it, the Federal government has launched a new website to make public records on government spending more accessible called "USASpending.gov."

Well it is not actually that new, but there is a breakthrough offering announced June 29, called "IT Dashboard" which tracks all Information Technology contracts agency by agency. Presumably the access to information and the use of statistics and graphics will set a standard for other levels of government as well.

The San Francisco Controller and the various budget offices should be looking at this very carefully. This level of accessibility should yield all sorts of dividends, yet the San Francisco Board of Supervisors seems to be going in the other direction.

Please take a look at what is possible.

<http://www.usaspending.gov/index.php>

James Chaffee

3



Axis Love
07/07/2009 03:12 PM

To
cc sf-mmj >, David Shinn
<David.Shinn@stgov.org>, Ricardo Rendon
bcc
Subject Re: [SFBayCannabisCommunity] Re: Justice Department will no longer raid medical marijuana clubs/Holder Vows..

I agree what and why is SFPD watching co-ops and collectives in sf , on taxpayers time? Don't we have some unsolved homicide's? -with an ordinance that would make these actions illegal - ? and completely ignorant statements? -what the officers - can somehow?? now, see if someone has cancer? its called profiling - and if these laws don't sit well with this officer? I mean how does law enforcement deal with an officer making such a peudical statement to the press? That is in direct oppoitsiton to the community and the law that govern the city ?

So whose attending the police commission hearing with Axis on this matter? not to mention we still have to deal with an officer giving expert? testimony? in federal case against medical cannabis providers - which supervisor Campos -was looking into?

All of these concerns should be presented to the community oversight of lowest priority - and we must fill seats to move forward with addressing our concerns as community! We checked in with the office clerk and apparently Mira and Mesha are still officially on the committee?? -

My suggestions are as follows -

1] we set meeting with Deputy Chief Shinn , and present our concerns with him before

we present at the police commission - its just more effective and respectful ,since we have a good relations with him .

We inquire with MIRA and Mesha to take their seats at the committee this month ,one last time- so we can have the correct number of voting members to make our concerns actionable.

Then we make sure our other applicant's are heard before the rules committee ASAP so that we can move forward?

Thoughts?

In Solidarity!

and requesting that we all use well moderated cannabis lists to be effective on our points of unity and not be distracted by personal attacks. Our civil harassment case will be heard this friday.

Shona ✓

On Mon, Jul 6, 2009 at 10:30 PM, Michael

te:

in regards to the quote:

The dispensaries were also becoming difficult for the cops to countenance. "It's a huge scam," said Captain Rick Bruce of the San Francisco police, telling the New York Times that dealers were hiding behind the law. "We see guys coming out of these places, and the only description I can come up with is that it looks like a Cheech and Chong movie. They are what you would call your traditional potheads; whether they have a medical condition beyond that is subject to debate."

Why the hell are cops watching who is coming out of potclubs?? Why are they not catching robbers and murderers?
and how can you tell who is sick or not?? Are you a cop or a doctor??

puleeze !!!

M420

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Yahoo! for Good

Get inspired

by a good cause.



CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number: _____

▶ Section 1. Department Information

Handwritten initials: JAD, JY, JW

Department Head Signature: *Jackson Wang*

Name of Department: Airport Commission / Auto Shop

Department Address: Building 682, McDonnell Road, SFO

Contact Person: Derek Fliess

Phone Number: 650-821-5411

Fax Number: 650-821-5428

▶ Section 2. Contractor Information

Contractor Name: Chevron USA, Inc.

Contact Person: 5

Contractor Address: P.O. Box 9560 Concord, Calif. 94524

Vendor Number (if known): 04877

Contact Phone No.: _____

▶ Section 3. Transaction Information

Date Waiver Request Submitted: May 26, 2009

Type of Contract: Blanket

Contract Start Date: July 1, 2009
\$1,000.00

End Date: June 30, 2010

Dollar Amount of Contract: _____

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

Chapter 12B

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

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

A. Sole Source

B. Emergency (pursuant to Administrative Code §6.60 or 21.15)

C. Public Entity

D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 7/6/09

E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on: _____

F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on: _____

G. Local Business Enterprise (LBE) (for contracts in excess of \$5 million; see Admin. Code §14B.7.1.3)

H. Subcontracting Goals

HRC ACTION	
12B Waiver Granted: _____	14B Waiver Granted: _____
12B Waiver Denied: _____	14B Waiver Denied: _____
Reason for Action: _____	
HRC Staff: _____	Date: _____
HRC Staff: _____	Date: _____
HRC Director: _____	Date: _____

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.

Date Waiver Granted: _____

Contract Dollar Amount: _____

5



DEPT BLANKET PO RELEASE - PROGRESS PAYMENT
AIRPORT COMMISSION

PO NUMBER: DPAC09000658
PO AMOUNT: \$1,000.00

TO: CHEVRON U S A INC
P O BOX 9560
CONCORD CA 94524-1956

PO PRINT DATE: 07/31/2008

PHONE :
VENDOR ID: 04877

TERMS: NET
FOB : DEST

ISSUE DATE : 07/30/2008

BPO # : BPAC09000522 <<
EFF. DATE : 07/01/2008
EXP. DATE : 06/30/2009

DELIVER TO: SAN FRANCISCO INTERNATIONAL AIRPORT
CONTACT: AUTO SHOP/DEREK FLIESS
PHONE: 650-821-5421
C/O STOREKEEPER, MAINT. BLDG. #682
SAN FRANCISCO CA 94128-0000

AUTHORIZED SIGNATURE: _____

DATE : JUL 31 2008
PHONE: **NOTICE**

ORIGINAL ORDER MUST BE SIGNED TO BE VALID

Your purchasing authority
for this document is OMP.
Please observe purchasing
limitation(s).

INVOICE TO: S.F. AIRPORT COMMISSION (ACI01)
P.O. BOX 8097
SAN FRANCISCO CA 94128

TERMS:

THIS IS AN ESTIMATE OF THE AMOUNT OF MONEY THAT THE CITY MAY SPEND WITH YOU OVER THE STATED PERIOD FOR THE GOODS OR SERVICES DESCRIBED. THIS IS NOT A PROMISE THAT THE CITY WILL SPEND THE ESTIMATED AMOUNT OR ANY OTHER AMOUNT. THIS IS A PROGRESS PAYMENT RELEASE AGAINST A DEPARTMENTAL BLANKET PURCHASE ORDER RECORDED WITH YOU. IT AUTHORIZES PAYMENT FOR AN INDIVIDUAL TRANSACTION WITH YOU IN THE AMOUNT STATED ABOVE (PO AMOUNT). THIS PAYMENT WILL BE DEDUCTED FROM THE TOTAL AMOUNT AUTHORIZED IN THE BLANKET PURCHASE ORDER. THE DEPARTMENTAL BLANKET AUTHORIZATION REFERENCE NUMBER APPEARS ON THIS DOCUMENT AS THE "BPO" (BLANKET PURCHASE ORDER) NUMBER.


THE DEPARTMENT WILL PLACE SPECIFIC ORDERS UNDER THIS PROGRESS PAYMENT RELEASE PURCHASE ORDER BY PHONE OR FAX. THOSE ORDERS WILL REFER TO THE "PO" (PURCHASE ORDER) NUMBER ON THIS DOCUMENT. THIS "PO" NUMBER MUST APPEAR ON YOUR INVOICES.

IF THE AUTHORITY ON THE DEPARTMENTAL BLANKET AUTHORIZATION ("BPO") REFERRED TO ABOVE IS "OMP" THEN THE DEPARTMENT IS ONLY AUTHORIZED

Airport Commission
San Francisco International Airport
City and County of San Francisco

Inter-Office Memorandum

To: Clerk of the San Francisco Board of Supervisors
From: Derek Fliess
Date: 6/29/2009
Re: Chevron USA (No potential Contractors Comply Waiver)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 JUL -7 PM 1:20
BY 

The Auto Shop at the San Francisco International Airport uses a Chevron USA credit card for emergency roadside repairs and for fueling City owned vehicles that have traveled out of the area on City business. Having this credit card available for the Auto Shop to use in emergencies is vital to the Auto Shop.

Attached are the HRC 201 and letter of justification for your review and approval. A copy of this document has been sent to Tamra Winchester with the Human Rights Commission.

If you have any questions please feel free to call me.

Thank You,



Derek Fliess
Airport Fleet Manager
San Francisco International Airport
FOM, Auto Shop
Derek.Fliess@flysfo.com
Phone: (650) 821-5421
Fax: (650) 821-5428



CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

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

Section 1. Department Information

Department Head Signature: Jackson Wang for
 Name of Department: Airport Commission / FOM Auto Shop
 Department Address: Building 682, McDonnell Road, SFO
 Contact Person: Derek Fliess
 Phone Number: 650-821-5411 Fax Number: 650-821-5428

FOR HRC USE ONLY	
Request Number:	

Section 2. Contractor Information

Contractor Name: Nixon Egli Equipment Company Vendor No.: 13420
 Contractor Address: 2044 S. Vineyard Ave.
 Contact Person: Carl Bahnsen Contact Phone No.: 909-930-1822

Section 3. Transaction Information

Date Waiver Request Submitted: May 26, 2009 Type of Contract: Blanket
 Contract Start Date: July 1, 2009 End Date: June 30, 2010 Dollar Amount of Contract: \$50,000.00

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

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

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

- A. Sole Source
- B. Emergency (pursuant to Admin. Code §6.60 or 21.15)
- C. Public Entity
- D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on:
- E. Gov't Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on:
- F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on:
- G. Subcontracting Goals
- H. Local Business Enterprise (LBE) (for contracts in excess of \$5 million; see Admin. Code §14B.7.1.3)

HRC ACTION	
<input type="checkbox"/> 12B Waiver Granted	<input type="checkbox"/> 14A Waiver Granted
<input type="checkbox"/> 12B Waiver Denied	<input type="checkbox"/> 14A Waiver Denied
Reason for Action:	
HRC Staff:	Date:
HRC Staff:	Date:
HRC Director:	Date:

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.	
Date Waiver Granted: _____	Contract Dollar Amount: _____

6

FAML9560 V5.1
LINK TO:

CITY AND COUNTY OF SAN FRANCISCO--NFAMIS
VENDOR CLASS/STATUS CODE

06/11/2009
2:25 PM

VENDOR NUMBER: 13420 - NIXON-EGLI EQUIPMENT CO
VENDOR SUFFIX: 01

S	CLS	STA	DESCRIPTION	SRT	FRQ	DATE-1	DATE-2	PREF %	CERTIFICATE
	BUS	TAX	EXP DT&CERT NUM				06/30/2010		199722
	FI3	YES	HRC3 INTERIM						
	FO3	YES	HRC FORM3 PRIOR						
	F12	YES	HRC 12B FORM ON				06/30/1993		
	HB	REQ	REQR 12B COMPLY				06/05/1997		
	HBC	YES	COMPLIES						
	HBN	YES	COMPLIES						
	HCA	DEC	HCADECLAR:FILE						
	MCO	DEC	MCO DECLARATION						
	PRO	YES	PROFIT ORGANIZA						

F1-HELP F2-SELECT F4-PRIOR F5-NEXT
F7-PRIOR PG F8-NEXT PG F9-LINK F11-CLASS F12-STATUS
G014 - RECORD FOUND

May 26, 2009

Price Terms

Nixon Egli Equipment Company supply parts for the Airports two Wirtgen grinders, Link Belt crane, and our Gradall forklift. Nixon-Egli is the only dealer in Northern California for our Link Belt crane and both of our Wirtgen Grinders. Nixon-Egli is the only authorized dealer for Gradall. The Wirtgen Grinder removes asphalt and concrete from taxiways, runways, and roadways where the placement of new asphalt is required. The Link Belt crane and Gradall perform numerous duties from placing new pipe into ditches where water main breaks occur to lifting material and machinery on top of buildings.

This vendor is the only authorized dealer where we can purchase parts from for these pieces of equipment. Verification has been supplied by the attached letters from the manufacture. As per the letter dated April 19th, 2007, the vendor is offering up to 10% discounts on parts. In communicating with the parts manager, the pricing terms stated are fair.

This vendor has been doing business with the City for over ten years. Nixon –Egli has been a fixture in California for over 40 years. Also note that this vendor currently has the City contract for rental equipment.



Derek Fliess
Fleet Manager
San Francisco International Airport
FOM, Auto Shop
Derek.Fliess@flysfo.com
Phone: (650) 821-5421
Fax: (650) 821-5428

BPO Vendor Information Form

To Whom It May Concern:

Vendors doing business with the City & County of San Francisco's departments must provide the required information stated below. The information is for annual Department Blanket Orders set up between the City departments and the vendors.

- 1) Pricing Terms: DEALER LIST
DISCOUNTS VARY BASED ON
QUANTITY AND VOLUME OF ORDER
- 2) Payment Terms: 2% 10 N30
- 3) Delivery Terms: FOB DESTINATION. Delivery/freight charges should be included in material/product cost. PPD & ADD
- 4) Delivery Time: 1 TO 10 DAYS FROM TRACY VIA FEDEX/TRUCK

Definitions

Pricing Terms: State what type of pricing terms vendor is offering to the City departments for products purchased. Examples: retail pricing, list pricing, 50% discount off list, etc.

Payment Terms: What is the vendor's payment term? Examples: Net 30, 1%10N30, 2%25N30, etc.
Payment term stated on this form must be the same on all invoices.

Delivery Terms: All shipments must be FOB Destination. Shipping/freight cost should be included in material/product cost.

Delivery Time: State the standard turnaround time for delivery of products upon receipt or placement of order. Example: 2 Days, 3 weeks, etc.

Vendors must fill out and sign all required information and submit to requesting City department.

Company Name: NIXON-EGLI EQUIPMENT COMPANY

Contact Name: RANDY DAVIS PARTS MANAGER

Signature: [Handwritten Signature]

Telephone Number: 209-830-8600 Fax No: 209-830-8472

Date: 5-20-09



WIRTGEN AMERICA

6030 Dana Way · Nashville, TN 37013
Phone (615) 501-0600 · Fax (615) 501-0691

5/20/09

City and County of San Francisco
Purchasing Department
1800 Jerrold Avenue
San Francisco, CA 94124
Attn: Central Shops

Please let this letter serve as verification that Nixon-Egli Equipment Company is the exclusive authorized dealer of all Wirtgen products (which includes Wirtgen Milling Machines, HAMM Compaction Machines, and Voegel Pavers) for parts, sales, and service in Northern California. Any questions maybe directed to the undersigned.

Failure to have service and warranty performed by an authorized dealer for Wirtgen equipment voids any warranty by this manufacturer.

Regards,

A handwritten signature in black ink, appearing to read "Greg Cox".

Greg Cox
Parts Sales Development Specialist
Wirtgen America, Inc.

NIXON-EGLI EQUIPMENT CO.

- SO. CALIFORNIA: 12030 Clark St., Santa Fe Springs, CA 90670-3709 • (562) 944-8061 • FAX (562) 946-9575
 NO. CALIFORNIA: 24701 Clawiter Road, Hayward, CA 94545-2225 • (510) 783-1711 • FAX (510) 732-9652

May 20th 2009

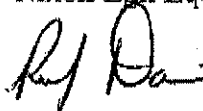
San Francisco International Airport
Airport Maintenance Department
Attn: Peter Acton
P.O. Box 8097 Bldg 692
San Francisco, CA 94128

Dear Mr. Acton:

This letter is your guarantee that the City & County of San Francisco and all its departments will receive our most favorable pricing. Discounts may vary based on quantity purchased and mfg pricing at the time of shipment, and can range from 0-10% except on already discounted or sale items.

All orders will have freight prepaid & add to destination with a normal lead-time of two days from date of order. Exceptions would include special orders from factories; however, we will provide an estimated time of arrival for your convenience. Our payment terms are 2% 10 Net 30 days from date of invoice. You will receive a statement reflecting the prior month's activity and payments.

Sincerely,
Nixon-Egli Equipment Company



Randy Davis
Parts Manager

Link-Belt Construction Equipment Company
2651 Palumbo Drive
P.O. Box 13800
Lexington, Kentucky 40583-3800
(859) 263-5200



May 20, 2009

To Whom it May Concern:

Re: Link-Belt Authorized Dealer

This letter is to inform your purchasing department that NIXON EGLI EQUIPMENT COMPANY is the northern California sole factory authorized dealer for Link-Belt. Use of unauthorized parts and/or service could void factory warranty.

If you have any questions or require additional information, please email or call me at 859-264-6357.

Sincerely,

A handwritten signature in cursive script that reads 'Vi Brine'.

Vi Brine
Customer Service Supervisor



Gradall Industries, Inc.

406 Mill Ave SW
New Philadelphia, OH 4466
Phone 330-339-2211 Fax 330-339-8468

May 20th 2009

To Whom It May Concern;

Nixon Egli Equipment Company is under contract with Gradall Industries as the only authorized distributor of Gradall Excavators in the state of California. Therefore they are the only authorized source of sales, parts and service for the state of California.

If you have any questions or concerns, please feel free to contact me at 281-384-5849.

Sincerely



Monroe Cooper
Regional Product Support Manager



DEPT BLANKET PO RELEASE - PROGRESS PAYMENT
AIRPORT COMMISSION

PO NUMBER: DPAC09000653
PO AMOUNT: \$50,000.00

TO: NIXON-EGLI EQUIPMENT CO
2044 S VINEYARD AVE
ONTARIO CA 91761-7748

PO PRINT DATE: 07/31/2008
CONTACT: CARL BAHNSEN/GREGG
PHONE : 909-930-1822
VENDOR ID: 13420

TERMS: 2.00% 10 DAYS X
NET 30
FOB : DEST

ISSUE DATE : 07/30/2008

BPO # : BPAC09000488
EFF. DATE : 07/01/2008
EXP. DATE : 06/30/2009

DELIVER TO: SAN FRANCISCO INTERNATIONAL AIRPORT
CONTACT: AUTO SHOP/DEREK FLIESS
PHONE: 650-821-5421
C/O STOREKEEPER, MAINT. BLDG. #682
SAN FRANCISCO CA 94128-0000

AUTHORIZED SIGNATURE:

DATE : JUL 31 2008
PHONE:

ORIGINAL ORDER MUST BE SIGNED TO BE VALID

INVOICE TO: S.F. AIRPORT COMMISSION (ACI01)
P.O. BOX 8097
SAN FRANCISCO CA 94128

TERMS:

THIS IS AN ESTIMATE OF THE AMOUNT OF MONEY THAT THE CITY MAY SPEND WITH YOU OVER THE STATED PERIOD FOR THE GOODS OR SERVICES DESCRIBED. THIS IS NOT A PROMISE THAT THE CITY WILL SPEND THE ESTIMATED AMOUNT OR ANY OTHER AMOUNT. THIS IS A PROGRESS PAYMENT RELEASE AGAINST A DEPARTMENTAL BLANKET PURCHASE ORDER RECORDED WITH YOU. IT AUTHORIZES PAYMENT FOR AN INDIVIDUAL TRANSACTION WITH YOU IN THE AMOUNT STATED ABOVE (PO AMOUNT). THIS PAYMENT WILL BE DEDUCTED FROM THE TOTAL AMOUNT AUTHORIZED IN THE BLANKET PURCHASE ORDER. THE DEPARTMENTAL BLANKET AUTHORIZATION REFERENCE NUMBER APPEARS ON THIS DOCUMENT AS THE "BPO" (BLANKET PURCHASE ORDER) NUMBER.

THE DEPARTMENT WILL PLACE SPECIFIC ORDERS UNDER THIS PROGRESS PAYMENT RELEASE PURCHASE ORDER BY PHONE OR FAX. THOSE ORDERS WILL REFER TO THE "PO" (PURCHASE ORDER) NUMBER ON THIS DOCUMENT. THIS "PO" NUMBER MUST APPEAR ON YOUR INVOICES.

IF THE AUTHORITY ON THE DEPARTMENTAL BLANKET AUTHORIZATION ("BPO")

Airport Commission
San Francisco International Airport
City and County of San Francisco

Inter-Office Memorandum

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 JUL -7 PM 1:20

BY DF

To: Clerk of the San Francisco Board of Supervisors
From: Derek Fliess
Date: 6/29/2009
Re: Nixon Egli Sole Source

Nixon-Egli is the only dealer in California that can supply parts for the Airports Link Belt crane, Gradall material mover, and both of our Wirtgen Grinders. All these specialized pieces of equipment are vital to the Airport. The Wirtgen Grinder removes asphalt and concrete from taxiways, runways, and roadways where the placement of new asphalt is required. The Link Belt crane performs numerous duties from placing new pipe into ditches where water main breaks occur to lifting material and machinery on top of buildings. The Gradall is a special material mover that can reach areas a forklift cannot.

Without this vendor supplying parts to the Auto Shop for maintenance and repairs of these pieces of equipment, the Airport would have to spend significant funds to rent equipment to perform major tasks at the Airport

Attached are the HRC 201 and letter of justification for your review and approval. A copy of this document has been sent to Tamra Winchester with the Human Rights Commission.

If you have any questions please feel free to call me.

Thank You,



Derek Fliess
Airport Fleet Manager
San Francisco International Airport
FOM, Auto Shop
Derek.Fliess@flysfo.com
Phone: (650) 821-5421
Fax: (650) 821-5428



CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

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

Section 1. Department Information

Department Head Signature: Jackson Song for
 Name of Department: Airport Commission / FOM Auto Shop
 Department Address: Building 682, McDonnell Road, SFO
 Contact Person: Derek Fliess
 Phone Number: 650-821-5411 Fax Number: 650-821-5428

FOR HRC USE ONLY	
Request Number:	

Section 2. Contractor Information

Contractor Name: Oshkosh Truck Corporation Vendor No.: 13945 (7)
 Contractor Address: P.O. Box 2566, Oshkosh, WI.
 Contact Person: Thomas Cihowiak Contact Phone No.: 920-235-9400

Section 3. Transaction Information

Date Waiver Request Submitted: May 26, 2009 Type of Contract: Blanket
 Contract Start Date: July 1, 2009 End Date: June 30, 2010 Dollar Amount of Contract: \$30,000.00

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

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

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

- A. Sole Source
- B. Emergency (pursuant to Admin. Code §6.60 or 21.15)
- C. Public Entity
- D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on:
- E. Gov't Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on:
- F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on:
- G. Subcontracting Goals
- H. Local Business Enterprise (LBE) (for contracts in excess of \$5 million; see Admin. Code §14B.7.1.3)

HRC ACTION	
<input type="checkbox"/> 12B Waiver Granted	<input type="checkbox"/> 14A Waiver Granted
<input type="checkbox"/> 12B Waiver Denied	<input type="checkbox"/> 14A Waiver Denied
Reason for Action:	
HRC Staff:	Date:
HRC Staff:	Date:
HRC Director:	Date:

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.	
Date Waiver Granted:	Contract Dollar Amount:

(7)

May 26, 2009

Price Terms

The San Francisco International Airport has nine Oshkosh Crash / Fire trucks that are in service in case of emergencies on the Airfield. These vehicles are state of the art Airport / Rescue / Firefighting vehicles (ARFF) that meet the FAA's FAR 139 requirements. Oshkosh ARFF trucks are manufactured in Oshkosh Wisconsin by the Oshkosh Truck Corporation.

Parts for these vehicles are manufactured and sold only from Oshkosh Truck Corporation. Oshkosh truck has agreed to sell the City parts at 33% below list. Seeing how this is the only source to purchase Oshkosh truck parts, I believe this is the best price we can get for replacement parts for these vehicles. This vendor has been supplying parts, service, and new vehicles for over 20 years.



Derek Fliess
Automotive Machinist Supervisor 1
San Francisco International Airport
FOM, Auto Shop
Derek.Fliess@flysfo.com
Phone: (650) 821-5421
Fax: (650) 821-5428

BPO Vendor Information Form

To Whom It May Concern:

Vendors doing business with the City & County of San Francisco's departments must provide the required information stated below. The information is for annual Department Blanket Orders set up between the City departments and the vendors.

- 1) Pricing Terms: 33 % off current parts price list
- 2) Payment Terms: Net 30 Days
- * 3) Delivery Terms: FOB DESTINATION. Delivery/freight charges should be included in material/product cost. freight would be prepay + add to invoice as a separate line item.
- 4) Delivery Time: on demand

Definitions

Pricing Terms: State what type of pricing terms vendor is offering to the City departments for products purchased. Examples: retail pricing, list pricing, 50% discount off list, etc.

Payment Terms: What is the vendor's payment term? Examples: Net 30, 1%10N30, 2%25N30, etc.
Payment term stated on this form must be the same on all invoices.

* Delivery Terms: All shipments must be FOB Destination. Shipping/freight cost should be included in material/product cost. Please see above

Delivery Time: State the standard turnaround time for delivery of products upon receipt or placement of order. Example: 2 Days, 3 weeks, etc.

Vendors must fill out and sign all required information and submit to requesting City department.

Company Name: OSHKOSH Corporation

Contact Name: Tom Bunck

Signature: Thomas Bunck

Telephone Number: (800) 222-6635 Fax No: (920) 233-9649

Date: 5/26/09

OSHKOSH CORPORATION

ISO 9001 CERTIFIED

2307 OREGON STREET
POST OFFICE BOX 2566
OSHKOSH, WISCONSIN 54903-2566
920-235-9151



San Francisco Int'l Airport
Attn: Derek Fliess
PO Box 8097
San Francisco, CA. 94128

May 26, 2009

Thank you for your recent request for parts support of your Oshkosh Airport / Fire / Rescue (ARFF) vehicles.

Oshkosh Corporation acknowledges that it is the sole source for all Oshkosh ARFF vehicles we have produced for the SAN FRANCISCO INT'L AIRPORT. We carry a great deal of service parts specifically for our ARFF vehicles to meet our entire customer's needs.

Because of the unique parts related to the airport ARFF vehicles, there are no Oshkosh approved dealers. We have found that customers demands along with the FAA's, FAR 139 requirements, does not allow anything but expeditious services and many items would not be available through local sources. Therefore, our parts and service department has always been available to meet the customers needs. Our normal business hours are from 7:30 A.M. to 4:00 P.M. (CST); with emergency parts service available 24 hours a day, 365 days a year, through our (800)222-6635 direct phone line.

We will allow you a 33% discount from the current Oshkosh Parts Price list. Delivery for most items ordered would be within 30 days after receipt of order. Non-stock items would be at manufacturer's lead-time, although we would make every effort to expedite items required on an emergency order.

I would ask you to make the contract out to "OSHKOSH CORPORATION", effective Feb 5, 2008 we have change our name from Oshkosh Truck Corp.

Oshkosh Corporation will agree to sell replacement parts to San Francisco Int'l Airport in accordance with the attached Terms & Conditions.

Thank you once again for your request. Should you have any questions, please feel free to contact me at 1-800-222-6635, or my fax no. is (920)233-9649

Sincerely,

A handwritten signature in black ink that reads "Thomas J. Bunck". The signature is written in a cursive style with a long horizontal line extending to the right.

Thomas J. Bunck

SR. ARFF Parts Sales Admin./Airport Municipal Products



DEPT BLANKET PO RELEASE - PROGRESS PAYMENT
AIRPORT COMMISSION

PARTS
ONLY

PO NUMBER: DPAC09000654
PO AMOUNT: \$20,000.00

TO: OSHKOSH TRUCK CORP
P O BOX 2566
OSHKOSH

WI 54903-2566

PO PRINT DATE: 07/31/2008

CONTACT: THOMAS G CIHOWIAK
PHONE : 920-235-9400
VENDOR ID: 13945

TERMS: NET 30
FOB : DEST

ISSUE DATE : 07/30/2008

BPO # : BPAC09000490 <<
EFF. DATE : 07/01/2008
EXP. DATE : 06/30/2009

DELIVER TO: SAN FRANCISCO INTERNATIONAL AIRPORT
CONTACT: AUTO SHOP/DEREK FLIESS
PHONE: 650-821-5421
C/O STOREKEEPER, MAINT. BLDG. #682
SAN FRANCISCO CA 94128-0000

AUTHORIZED SIGNATURE: _____

DATE : JUL 31 2008
PHONE: _____

ORIGINAL ORDER MUST BE SIGNED TO BE VALID

INVOICE TO: S.F. AIRPORT COMMISSION (ACI01)
P.O. BOX 8097
SAN FRANCISCO CA 94128

TERMS:

THIS IS AN ESTIMATE OF THE AMOUNT OF MONEY THAT THE CITY MAY SPEND WITH YOU OVER THE STATED PERIOD FOR THE GOODS OR SERVICES DESCRIBED. THIS IS NOT A PROMISE THAT THE CITY WILL SPEND THE ESTIMATED AMOUNT OR ANY OTHER AMOUNT. THIS IS A PROGRESS PAYMENT RELEASE AGAINST A DEPARTMENTAL BLANKET PURCHASE ORDER RECORDED WITH YOU. IT AUTHORIZES PAYMENT FOR AN INDIVIDUAL TRANSACTION WITH YOU IN THE AMOUNT STATED ABOVE (PO AMOUNT). THIS PAYMENT WILL BE DEDUCTED FROM THE TOTAL AMOUNT AUTHORIZED IN THE BLANKET PURCHASE ORDER. THE DEPARTMENTAL BLANKET AUTHORIZATION REFERENCE NUMBER APPEARS ON THIS DOCUMENT AS THE "BPO" (BLANKET PURCHASE ORDER) NUMBER.

THE DEPARTMENT WILL PLACE SPECIFIC ORDERS UNDER THIS PROGRESS PAYMENT RELEASE PURCHASE ORDER BY PHONE OR FAX. THOSE ORDERS WILL REFER TO THE "PO" (PURCHASE ORDER) NUMBER ON THIS DOCUMENT. THIS "PO" NUMBER MUST APPEAR ON YOUR INVOICES.

IF THE AUTHORITY ON THE DEPARTMENTAL BLANKET AUTHORIZATION ("BPO") REFERRED TO ABOVE IS "OMP" THEN THE DEPARTMENT IS ONLY AUTHORIZED



DEPT BLANKET PO RELEASE - PROGRESS PAYMENT
AIRPORT COMMISSION

LABOR
ONLY

PO NUMBER: DPAC09000655
PO AMOUNT: \$10,000.00

TO: OSHKOSH TRUCK CORP
P O BOX 2566
OSHKOSH

WI 54903-2566

PO PRINT DATE: 07/31/2008

CONTACT: THOMAS G CIHOWIAK
PHONE : 920-235-9400
VENDOR ID: 13945

TERMS: NET 30
FOB : DEST

ISSUE DATE : 07/30/2008

BPO # : BPAC09000490 <<
EFF. DATE : 07/01/2008
EXP. DATE : 06/30/2009

DELIVER TO: SAN FRANCISCO INTERNATIONAL AIRPORT
CONTACT: AUTO SHOP/DEREK FLIESS
PHONE: 650-821-5421
C/O STOREKEEPER, MAINT. BLDG. #682
SAN FRANCISCO CA 94128-0000

AUTHORIZED SIGNATURE: _____

DATE : JUL 31 2008
PHONE: _____

ORIGINAL ORDER MUST BE SIGNED TO BE VALID

INVOICE TO: S.F. AIRPORT COMMISSION (ACI01)
P.O. BOX 8097
SAN FRANCISCO CA 94128

TERMS:

THIS IS AN ESTIMATE OF THE AMOUNT OF MONEY THAT THE CITY MAY SPEND WITH YOU OVER THE STATED PERIOD FOR THE GOODS OR SERVICES DESCRIBED. THIS IS NOT A PROMISE THAT THE CITY WILL SPEND THE ESTIMATED AMOUNT OR ANY OTHER AMOUNT. THIS IS A PROGRESS PAYMENT RELEASE AGAINST A DEPARTMENTAL BLANKET PURCHASE ORDER RECORDED WITH YOU. IT AUTHORIZES PAYMENT FOR AN INDIVIDUAL TRANSACTION WITH YOU IN THE AMOUNT STATED ABOVE (PO AMOUNT). THIS PAYMENT WILL BE DEDUCTED FROM THE TOTAL AMOUNT AUTHORIZED IN THE BLANKET PURCHASE ORDER. THE DEPARTMENTAL BLANKET AUTHORIZATION REFERENCE NUMBER APPEARS ON THIS DOCUMENT AS THE "BPO" (BLANKET PURCHASE ORDER) NUMBER.

THE DEPARTMENT WILL PLACE SPECIFIC ORDERS UNDER THIS PROGRESS PAYMENT RELEASE PURCHASE ORDER BY PHONE OR FAX. THOSE ORDERS WILL REFER TO THE "PO" (PURCHASE ORDER) NUMBER ON THIS DOCUMENT. THIS "PO" NUMBER MUST APPEAR ON YOUR INVOICES.

IF THE AUTHORITY ON THE DEPARTMENTAL BLANKET AUTHORIZATION ("BPO") REFERRED TO ABOVE IS "OMP" THEN THE DEPARTMENT IS ONLY AUTHORIZED

Airport Commission
San Francisco International Airport
City and County of San Francisco

Inter-Office Memorandum

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 JUL -7 PM 1:20

BY DF

To: Clerk of the San Francisco Board of Supervisors
From: Derek Fliess
Date: 6/29/2009
Re: Oshkosh Truck Sole Source

The Airport has eight Airport / Rescue / Firefighting (ARFF) trucks that are in service for emergencies on the Airfield. Parts for these vehicles are manufactured and sold only from Oshkosh Truck Corporation. There are no Oshkosh approved dealers. Please approve this Sole Source request so the Airport Auto Shop may purchase these specialized parts from Oshkosh Truck Corporation. The Auto Shop will then be able to continue to maintain these vehicles, and continue to meet the FAA's FAR 139 requirements.

Attached are the HRC 201 and letter of justification for your review and approval. A copy of this document has been sent to Tamra Winchester with the Human Rights Commission.

If you have any questions please feel free to call me.

Thank You,



Derek Fliess
Airport Fleet Manager
San Francisco International Airport
FOM, Auto Shop
Derek.Fliess@flysfo.com
Phone: (650) 821-5421
Fax: (650) 821-5428



CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

BLANKET SOLE SOURCE FORM
(HRC-12B-104)

To use the blanket sole source exception to Administrative Code Chapters 12B and 12C, the contracting department is encouraged to first make good faith efforts to obtain compliance, or partial compliance, from the prospective contractor. If such efforts fail, the department must complete this form and submit it to the Human Rights Commission (HRC). HRC will not grant or deny individual requests; upon filing, the exception is granted. HRC will maintain departmental files on the use of this exception and reserves the right to audit departments and revoke the use of this exception where misuse is found. **Use of this form is permitted ONLY where the contract amount at issue is for less than \$250,000.**

Department: Airport Commission / FOM Auto Shop Date Submitted: 5/26/2009

Contact Name: Derek Fliess Phone: 650-821-5411

Dept. Head Signature: *Jackson Wang* Date of Contract: 7/1/09

Name of Contractor: Oshkosh Truck Company Contract Dollar Amount: \$30,000.00

(Contract Amount Must Be Less Than \$250,000)

This contract qualifies for a sole source waiver because it is a (check one):

- Contract to purchase postage from the U.S. Postal Service.
- Maintenance agreement where use of a maintenance service provider other than the manufacturer would void a warranty.
- Contract for the acquisition of proprietary equipment where the equipment to be acquired is the only equipment compatible with equipment currently owned or operated by the City and is unavailable from another source.
- Computer software maintenance agreement where the City does not have access to the source codes and such access is necessary to perform the maintenance; or where software has been developed for the City and the City does have access to the source codes but the source codes may not be modified without the developer's consent.
- Contract for the payment of fees associated with memberships, conferences, educational presentations, training sessions or publications that are unavailable from another source and are provided by a governmental, professional or trade organization or association.

(OVER)



25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033



TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
<http://www.sfhrc.org>



- Contract for the acquisition of materials printed by any federal, state, local or regional governmental entity that are unavailable from another source.
- Contract for the acquisition or use of periodicals, trade journals, newspapers, online research services or legal treatises that are unavailable from another source.
- Contract for the employment of student interns where effort has been made to recruit students from any available educational institution that complies with the requirements of San Francisco Admin. Code Chapters 12B and 12C.
- Contract for fees associated with the use of federal, state or regional parks or bridges.
- Contract for parts to repair, or goods to use with equipment owned by the City where the part or good is required for proper operation of the equipment and is available only from the manufacturer of the equipment.
- Property contract between the City and a financial institution where the financial institution is entering into the property contract as a result of foreclosure proceedings and where the previous contractor has defaulted on a loan agreement between the previous contractor and the financial institution.
- Contract for the acquisition and/or borrowing of cultural and educational items and exhibits that are unavailable from another source.
- Contract for the insuring, transporting, storage or curation of cultural and educational exhibits and collection items where the contractor to perform the work has been designated by the lender and use of this designated contractor is required by the loan agreement.
- Contract with any federal, state, local or regional governmental agency or entity to the extent the contract is related to the regulatory functions of such agency or entity, including licensing, inspection, permit, application fees, fines and taxes.
- Lease or permit of City Right of Way property to adjacent landowners where the contracting officer determines that there are no other potential users of the property.

FAML9560 V5.1
LINK TO:

CITY AND COUNTY OF SAN FRANCISCO--NFAMIS
VENDOR CLASS/STATUS CODE

06/11/2009
2:21 PM

VENDOR NUMBER: 13945 - OSHKOSH TRUCK CORP
VENDOR SUFFIX: 01

S	CLS	STA	DESCRIPTION	SRT	FRQ	DATE-1	DATE-2	PREF	%	CERTIFICATE
			BUS DND NO SF PRESENCE							
			F03 YES HRC FORM3 PRIOR							
			HB REQ REQR 12B COMPLY				06/05/1997			
			PRO YES PROFIT ORGANIZA							

F1-HELP F2-SELECT F4-PRIOR F5-NEXT
F7-PRIOR PG F8-NEXT PG F9-LINK F11-CLASS F12-STATUS
G014 - RECORD FOUND



July 6, 2009

John Avalos, Chair
Budget & Finance Committee
City/County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

(P)

STATE BOARD OF DIRECTORS

OFFICERS

Saad Hirmez, *Chairman*
San Diego District
Apple Tree Supermarket
J.P. Sethi, *Vice Chairman*
Central Valley District
Sethi Enterprises
Patrick Mahan, *Secretary*
Sacramento District
Pine Cove Bottle Shop
Eisa Joby, *Treasurer*
Los Angeles District
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Tony Konja
San Diego District
Keg N Bottle
Basil Zetouna
San Diego District
Pat's Liquor
Ramzi Murad
San Diego District
A Mart
Basil Raffo
San Diego District
Market To Market
Doug Dallo
San Diego District
Dallo Enterprises
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The Market Place
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Elite Liquor
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San Diego District
Ace Liquor

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Stephanie Shah
Anheuser-Busch Companies
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Steve Cross
Nestle/Dreyers
Mark Gorney
Moneygram International

PRESIDENT & CEO
Mark Arabo

**VICE PRESIDENT OF
GOVERNMENT RELATIONS &
COMMUNITY OUTREACH**
Samantha Dabish, Esq.

GENERAL COUNSEL
Spencer C. Skeen, Esq.
Procopio, Cory, Hargreaves &
Savitch LLP

Re: Ordinance 090724 - Cigarette Litter Fee: Oppose

Dear Supervisor Avalos and Committee Members:

On behalf of the Neighborhood Market Association, a non-profit trade association representing over 2,000 small retail family-owned businesses throughout California, I am writing to you to express our opposition to the proposed cigarette litter "fee." While I appreciate that the City is seeking to generate new revenues to fill the budget deficit, charging a so-called "fee" on one particular product is bad policy and it will have a negative impact on independent retail businesses and lower income individuals

Moreover, there is a disconnect in the logic of the ordinance. Increasing the already high cost of tobacco will increase the incentive for and probability of purchases outside of the county, but it does nothing to stem the illegal disposal of cigarettes within the county. We believe that a more prudent approach would be to enforce the litter laws already on the books and stop placing additional, unnecessary cost burdens on the taxpayers of San Francisco.

Finally, taxpayers already foot the bill for public works, including litter pick-up. It is unfair to put revenue generating "fees" on the back of one particular group when the public is already paying for this service. In addition, the City's own audit found that a variety of other types of litter were more prevalent than cigarette butts, noting that MUNI tickets were a significant part of paper litter in the City. It is unfair to burden smokers, whether they litter or not, with an additional tax while ignoring other sources of litter.

For these and other reasons, I respectfully ask that you oppose implementing a fee on cigarette litter.

Respectfully,

Mark Arabo
President & CEO

cc: Mayor Gavin Newsom
Members of the Board of Supervisors
Gail Johnson, Budget & Finance Committee Clerk

(8)

The Neighborhood Market Association - Representing over 2,000 members, employing over 21,000 people and over \$3.6 Billion of gross profits annually to the State of California!

C: BOS
E-pages



"Samantha Dabish"
<sdabish@neighborhoodmarket.org>

07/07/2009 10:42 AM

To <John.Avalos@sfgov.org>, <gavin.newsom@sfgov.org>, <board.of.supervisors@sfgov.org>, <gail.johnson@sfgov.org>

cc "Mark Arabo" <marabo@neighborhoodmarket.org>

bcc

Subject Re: Ordinance #090724 - Cigarette Litter Abatement Fee

090724

Dear Budget Committee Representatives:

Please see attached, a letter regarding proposed Ordinance # 090724 - the Cigarette Abatement Fee, from our organization. The Neighborhood Market Association represents over 2,000 independent retailers throughout the state. We urge you to consider our members' interests when discussing this matter.

We thank you for your time and consideration.

Sincerely,

Samantha Dabish, Esq. | Vice President
Government Relations and Community Outreach
Neighborhood Market Association
Phone: (800) 979-4427 • Facsimile: (619) 464-8440
www.neighborhoodmarket.org



Ltr to SF Budget Committee.pdf

July 9, 2009

San Francisco Board of Supervisors

City Hall

San Francisco, CA 94102

Dear Supervisors

I heard about your proposal to create a new tax on cigarettes to pay for litter clean up. I am opposed to your proposal because I will have to increase the price my customers pay for cigarettes. I also don't like the tax because I already keep the sidewalk in front of my store very clean everyday. I doubt very much that you will be giving me a break on taxes for that or help me to get the gum off the sidewalk which is worse than cigarette butts.

I hope that you consider my position on this new tax and vote no.

Sincerely,

Basim K

owner of Mike's Liquors

S-F CA 94110

7/8/09

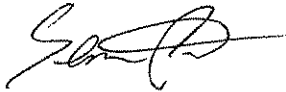
To: Board of Supervisors
From: Sean Patel
Mission Grocers

Re: Cigarette litter fee

My letter to you is to ask you to vote no on a new fee on cigarettes sold in San Francisco. The cigarette fee is just another tax on small business. I operate a market in the Mission and cannot afford another tax and the threat of more taxes to come at all levels of government.

You propose that smokers pay for the tax, but as a retailer I have to collect, account and pay for it. And more, I already clean the sidewalk in front of my store to keep it clean of all types of trash. This tax is totally unfair and not necessary.

Thank you for considering my views.

A handwritten signature in black ink, appearing to read "Sean Patel", written in a cursive style.

July 9, 2009

Mayor Newsome
San Francisco Board of Supervisors
City Hall
San Francisco, CA

Mayor Newsom and Board of Supervisors:

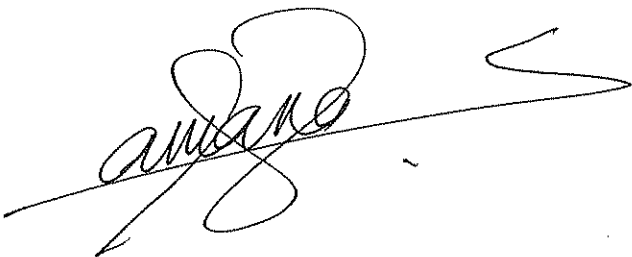
As an owner of a smoke shop in the city, my business is directly impacted every time there is an increase in tobacco taxes.

When the federal tobacco tax was raised earlier this year, the price of cigarettes went up over 60 cents. My customers complained about the price increase and my business declined as a result of the new tax.

Adding another 20 cents to the cost of a pack of cigarettes is a bad idea, especially since the tax is supposed to pay for cleaning up cigarette butts. I think it will encourage more people throw their butts on the sidewalks and streets.

People won't stop smoking. They will just buy their cigarettes on the internet or outside the city if the price gets too high.

Please reject the cigarette tax.

A handwritten signature in black ink, appearing to read 'Walla's', with a long horizontal line extending to the right.

Walla's Smoke Shop
San Francisco, CA 94110

July 10, 2009

Mayor Gavin Newsome
City Hall
San Francisco, CA

Dear Mayor Newsome

Each morning, before I open my shop, I clean the sidewalk. Most of the other merchants on the street do the same.

There are no cigarette butts on the sidewalk but there is a lot of gum. Why is the city targeting cigarettes for a special tax? Why not gum?

I don't I should be responsible for collecting a tax for the city to clean up the sidewalk when it is something I do each day.

Mid City Market

SF, Ca 94109

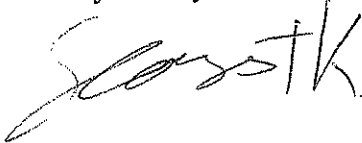
~~Es, H&A~~

Supervisor David Campos
San Francisco Board of Supervisors
San Francisco, CA 94102

Dear Mr. Campos,

I am just writing to ask that you vote no on the cigarette litter fee. Owning and operating a store in the district is very challenging and more taxes makes it much harder. The proposal to increase the cigarette fee would be charged to my customers, but I have to file the necessary paperwork collect the fees and pay the fees which creates a lot more work for me. I also think it is unfair to tax just smokers for litter.

Thank you for your time.

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

Mission Smoke Shop

San Francisco 94110

Copy to Mayor Newsom

July 9, 2009

To: San Francisco Board of Supervisors

From: Noor Ali

I own Tobacco Plaza, a smoke shop in the Mission District. We have only been in business for four months. I understand that the city wants to raise the tobacco tax by another .20 cents. If this tax increase is passed, I will be forced to raise the price of cigarettes again and I am afraid that it will drive away customers.

It is so difficult to run a small business. This tax is bad for business and bad for our customers. Please don't pass this tax.

A handwritten signature in black ink, appearing to read "Noor Ali", with a stylized flourish at the end.

San Francisco Board of Supervisors
City Hall
San Francisco, CA

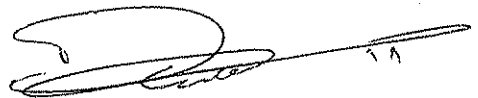
Dear Members of the Board:

I just learned that the Board is planning to raise the price of cigarettes by twenty cents to help pay to clean the streets.

This is unfair. Please think about the people this tax will impact. My customers cannot afford to pay more for cigarettes and increased prices will hurt my business.

Tropicum Market.

S.F. CA 94110 -

A handwritten signature in black ink, appearing to be a stylized name, possibly "John" or "John Doe", with a long horizontal line extending to the right. The signature is written over the address information.

July 7, 2009

Dear Mayor Newsom,

We own a small grocery store in the City. When the cigarette tax was raised earlier this year, many of our customers complained. The complaints got so bad that we now only sell 1 brand of cigarettes. This has had a serious impact on our business.

Now we understand that the city wants to tax cigarettes another twenty cents to pay city workers to pick up cigarette butts off the sidewalk. What about all the other trash on the streets?

We already pay too many taxes and our customers cannot afford to keep paying more. We are struggling to stay in business. If we raised prices in our store like the city raises taxes, we would be out of business because people would shop somewhere else.

If San Francisco keeps raising taxes, you will drive all of our customers away.

Please consider the impact that all of these tax increases have on the people that live and work in the city and vote no on the cigarette tax.



Downtown Grocery

San Francisco, CA

Fadhil Radman
Radman's Produce Market
San Francisco, CA 94102

July 8, 2009

The Honorable John Avalos
Chairman, Budget and Finance Committee
San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

Dear Chairman Avalos:

Why has the city singled out cigarettes for a special litter tax? When I walk down the street, I see food wrappers, newspapers, gum and cups in the gutters. Why doesn't the city charge a tax on McDonalds and Starbucks trash? I'm sure these big corporations are better able to absorb the cost than a small business like mine.

This tax is a bad idea. We already pay our taxes to have the streets cleaned. It is unfair and will encourage more people to buy cigarettes and other items that they might have purchased in my store outside the city limits or at a chain store.

In this economy, the City should be trying to help small businesses and residents survive, not burden them with increased taxes.

The city needs to set budget priorities before turning to the public to ask for more money. I urge you to reject the cigarette tax.

Sincerely,

Fadhil Radman

A handwritten signature in black ink, appearing to read 'Fadhil Radman', written over a faint printed name.

File: 090724
cpage

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 JUL 10 AM 10:04

July 9, 2009

BY DB

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Ordinance 090724 – Cigarette Litter Fee

Dear Supervisors:

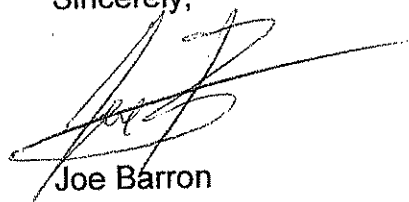
I am writing to you to express my opposition to the proposed cigarette litter "fee." My business partner and I purchased the historic Grant's Smoke Shop several years ago after the late Mr. Grant passed away. As a first-time owner of a small business, there were many aspects of this business we only began to learn once taking ownership. Providing quality products for our loyal customers, meeting administrative demands and making payroll are challenges even in a good economy. This proposed measure raises a number of concerns: how do we comply with the ordinance since we are not equipped to be tax collectors, the added administrative cost of collecting and paying the proposed fee and raising prices in this economy.

Moreover, by increasing the price of cigarettes and tobacco in the county, the measure gives an incentive to purchase tobacco products outside the county. However, it does nothing to stem the illegal disposal of cigarettes within the county. I suggest that a more prudent approach would be to enforce the litter laws already on the books and stop placing additional, unnecessary cost burdens on the taxpayers of San Francisco.

Finally, taxpayers already foot the bill for public works, including litter pick-up. It is unfair to put revenue generating "fees" on the back of one particular group when the public is already paying for this service. Will the revenue generated from this fee be used to only collect cigarettes and tobacco products? And where will it end? Will candy and fast food wrappers be next?

For these and other reasons, I respectfully ask that you oppose implementing a fee on cigarette litter.

Sincerely,



Joe Barron

Copy to: Mayor Gavin Newsom

Mayor Newsome
City Hall
San Francisco Calif.

Dear Mayor Newsome

Why are you singling out smokers to pay for cleaning the streets?
Cigarettes are not the only litter on the streets,

I thought littering was against the law. Instead of increasing taxes on cigarettes, why doesn't the city enforce litter laws already on the books. That way, you could get money from everyone who throws trash on the streets not just smokers.

Khalil Kanari

Page Town & Smok Shop

S.F. CA 94110

Khalil Kanari

07/10/09 11:30 FAX


APFL 3600

001

CPAGE
File: 090724

7/8/09


To: Board of Supervisors
From: Sean Patel
Mission Grocers
Re: Cigarette litter fee

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 JUL 10 AM 11:47
BY 

My letter to you is to ask you to vote no on a new fee on cigarettes sold in San Francisco. The cigarette fee is just another tax on small business. I operate a market in the Mission and cannot afford another tax and the threat of more taxes to come at all levels of government.

You propose that smokers pay for the tax, but as a retailer I have to collect, account and pay for it. And more, I already clean the sidewalk in front of my store to keep it clean of all types of trash. This tax is totally unfair and not necessary.

Thank you for considering my views.





lisa salazar

To board.of.supervisors@sfgov.org

cc

07/02/2009 10:44 AM

bcc

Please respond to

Subject Restore Sharp Park

change
C: BOS

9

History: This message has been forwarded.

Thank you for taking the first step to transform our publicly owned land at Sharp Park from an exclusive, underused, and budget-breaking golf course into a community-centered model for endangered species recovery, natural flood control, outdoor recreation, and sustainable land use.

I strongly support Supervisor Mirkarimi's proposed ordinance to transfer Sharp Park to the National Park Service as part of the Golden Gate National Recreation Area or to jointly manage the park with the Park Service. The ordinance would also require the city's Recreation and Parks Department to develop a plan, schedule, and budget for restoring Sharp Park habitat for endangered species on the site, a welcome change from the mismanagement of recent years. I urge the city and county of San Francisco to restore Sharp Park as a coastal lagoon and wetland habitat for endangered species. Please follow through by passing this important legislation.

Sharp Park Golf Course has a long history of environmental problems because of its poor design and unfortunate placement on a coastal lagoon. The course has had problems with flooding and drainage ever since opening, and the Department has created new and significant environmental impacts. The current operation of the golf course harms wetland habitat and causes illegal take of two federally listed species, the California red-legged frog and the San Francisco garter snake.

The golf course is a significant money-loser for San Francisco that makes no sense to maintain at a time when the city has cut the Recreation and Parks Department staff and the long-term golf prospects at the site are slim. Combine that with the problems with endangered species, wetland destruction, flooding, and sea-level rise, and it is clear that restoration of Sharp Park to a natural state is the best option for the area.

Ecological restoration is the most fiscally responsible method of managing Sharp Park and dealing with flood management issues at the site. Compared to the costs of implementing capital improvements necessary to maintain the golf course combined with the high potential for massive civil penalties for harming endangered species, restoration alternatives seem to be the most fiscally prudent method for retaining recreational uses of the area.

San Francisco's 2004 recreational study shows that the number-one recreational demand in San Francisco is more hiking and biking trails -- and golf came in 16th. San Francisco already has six public golf courses, and about 50 other golf courses are within a 45-minute drive of Sharp Park. Restoring Sharp Park will help meet recreational demand through hiking and biking trails, picnicking spots, camping facilities, a world-class nature center, a gateway to the San Mateo County Golden Gate National Recreation Area lands, and educational opportunities sorely needed in San Mateo County. Restoration will also ensure the continued existence and abundance of endangered species at Sharp Park.

Please transfer Sharp Park to the National Park Service or jointly manage the property with the Service to restore Sharp Park as a coastal lagoon and

9

C: BOS



Shirley Byrne

To board.of.supervisors@sfgov.org

cc

07/09/2009 08:18 PM

bcc

Please respond to

Subject Restore Sharp Park

Thank you for taking the first step to transform our publicly owned land at Sharp Park from an exclusive, underused, and budget-breaking golf course into a community-centered model for endangered species recovery, natural flood control, outdoor recreation, and sustainable land use.

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Please transfer Sharp Park to the National Park Service or jointly manage the property with the Service to restore Sharp Park as a coastal lagoon and wetland habitat for endangered species.



Stephanie Jackson

To board.of.supervisors@sfgov.org

cc

07/07/2009 06:20 PM

bcc

Please respond to

Subject Restore Sharp Park

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MING ONG

To board.of.supervisors@sfgov.org

cc

07/06/2009 08:11 PM

Please respond to

bcc

Subject Restore Sharp Park

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Please transfer Sharp Park to the National Park Service or jointly manage the property with the Service to restore Sharp Park as a coastal lagoon and wetland habitat for endangered species.



Tony Belway

07/09/2009 08:44 AM

To "Recpark.commission@sfgov.org"
<Recpark.commission@sfgov.org>,
"gavin.newsom@sfgov.org" <gavin.newsom@sfgov.org>,
cc "info@spublicgolf.com" <info@spublicgolf.com>

bcc

Subject Sharp Park Golf Course

10

History: This message has been forwarded

Dear Mayor Newsom, Honorable Supervisors and Commissioners,

I am a San Francisco resident, writing to urge you to preserve the historic 18-hole Sharp Park Golf Course.

The golf course is a world treasure, designed by the greatest designer in history, and is heavily played by men and women of all ages and ethnic groups. And it is affordable.

San Francisco's stewardship of the Sharp Park golf course has allowed for the continued survival of several species that are not found any more in other parts of Pacifica. The changes proposed in the proposed open space plan will require bringing in heavy equipment to log over 13,000 trees, and excavate hundreds of acres of habitat to "restore" the area. Letting the seawall "go to nature" will ensure the extinction of amphibians on the western portion of the golf course (the lagoon). Maintaining the sea wall and lagoon requires revenues that will be lost if the course is closed. Golf Courses, when managed correctly, without pesticides and herbicides, can be role models for environmental stewardship. If anything, we should be looking to improve Sharp Park, expanding its potential instead of limiting it.

The Sharp Park facility is the most important civic venue in Pacifica. The course regularly hosts fund raisers for local school programs. Even as a San Francisco resident, I have gone there many times for non-golf meetings and events. There is no where else in Pacifica to do this. The people of Pacifica have helped support Sharp Park, and the City of San Francisco, for decades. We have an obligation to work with them at this time, before we make unilateral decisions that impact the lives of others.

NEW ADDRESS EFFECTIVE APRIL 27, 2009
Telephone numbers remain the same.

San Francisco, CA 94111-9796

10



Tony Belway

07/09/2009 08:44 AM

To ""Recpark.commission@sfgov.org"
<Recpark.commission@sfgov.org>,
"gavin.newsom@sfgov.org" <gavin.newsom@sfgov.org>,
cc ""info@sfpublishgolf.com" <info@sfpublishgolf.com>

bcc

Subject Sharp Park Golf Course

C: B25
1 page

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NEW ADDRESS EFFECTIVE APRIL 27, 2009
Telephone numbers remain the same.

San Francisco, CA 94111-9796

C-BS
C-pages



Robert Marquez

com>

07/09/2009 10:40 AM

To Sean.elsbernd@sfgov.org, board.of.supervisors@sfgov.org,
gavin.newsom@sfgov.org, Recpark.commission@sfgov.org
cc info@spublicgolf.com

bcc

Subject Save Sharp Park Golf Course

Dear Mayor Newsom, Honorable Supervisors and Commissioners,

I grew up in San Francisco. As a kid i would go play golf with my father at lincoln. Those are great memories i have. I now live in San Bruno. I now play Sharp Park golf course once or twice a week. The frogs and snake are there and so is the golf course. Please leave it as it is. I am writing to urge you to preserve the historic 18-hole Sharp Park Golf Course.

The golf course is a world treasure, designed by the greatest designer in history, and is heavily played by men and women of all ages and ethnic groups. And it is affordable. Even in tough economic times--maybe especially in such times--it is important that we have our great recreational and public spaces to enjoy nature and each other.

Yours Truly, Robert Marquez

C: BOS
c - pages



jlanderson/
07/09/2009 12:07 PM

To Recpark.commission@sfgov.org, gavin.newsom@sfgov.org,
Sean.elsbernd@sfgov.org, board.of.supervisors@sfgov.org
cc jlanderson@pga.com
bcc
Subject Sharp Park

To: Mayor Gavin Newsome
SF Parks and Rec Dept.

I write this as a resident PGA professional in the Bay Area who has worked as a golf professional in SF, Marin and Sonoma Counties. It seems as if city officials have no regard for the history of Sharp Park, John McLaren or Alister Mackenzie. This golf course is not only historic but represents an avenue for people to be outside in a place that has been set aside for people willing to pay money to be there.

It seems so short-sighted to shut down a viable golf course for the preservation of the red legged frog and garter snake. As humans we have the ability to co-exist with nature. We have that choice. I don't want to downplay the importance of the preservation of wildlife but as humans we can make this work for all parties involved.

I read somewhere that once a golf course goes away it never comes back. I fear this will be the reality of Sharp Park golf course if it were to close. I don't understand the logic of putting more importance on animals over people especially when the two can co-exist in this particular instance.

I wish city officials would dedicate their time to determining how humans and wildlife CAN co-exist instead of spending time and resources determining IF humans and wildlife should co-exist.

Jeff Anderson
Mill Valley, Ca.

cc-Bos
c-Padgs



Laurie Bolard

07/08/2009 06:25 PM

To Recpark.commission@sfgov.org, gavin.newsom@sfgov.org,
Sean.elsbernd@sfgov.org, board.of.supervisors@sfgov.org
cc info@sfpublicgolf.com

bcc

Subject Save Sharp Park Golf Course

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Yours Truly,

Laurie Bolard

Laurie Bolard

Corte Madera, CA 94925



Judy,
07/09/2009 08:42 PM

To Recpark.commission@sfgov.org, gavin.newsom@sfgov.org,
Sean.elsbernd@sfgov.org, board.of.supervisors@sfgov.org
cc info@spublicgolf.com

bcc

Subject Save Sharp Park Golf Course

Dear Mayor Newsom, Honorable Supervisors and Commissioners,

I am a San Francisco resident, and apparently snakes and frogs are more important than people. I invite you to come to Sharp Park Golf Course and actually meet some of the people whom you wish to deny a healthy recreational activity. After working for almost 40 years in San Francisco to pay property and business taxes for schools I never used, to have the one activity I use in this City denied in my retirement years, is downright depressing. When I compare what other cities do to support their golfing community, San Francisco's is minimal at best, but remember, we are VOTERS.

Judy Martin

Dell Studio XPS Desktop: Save up to \$400 - Limited Time Offer



Peter Emblad

07/08/2009 05:05 AM

To Recpark.commission@sfgov.org, gavin.newsom@sfgov.org,
Sean.elsbernd@sfgov.org, board.of.supervisors@sfgov.org

cc

bcc

Subject Save sharp park

Dear Mayor Newsom, Honorable Supervisors and Commissioners,

I am a San Francisco resident, writing to urge you to preserve the historic 18-hole Sharp Park Golf Course.

The golf course is a world treasure, designed by the greatest designer in history, and is heavily played by men and women of all ages and ethnic groups. And it is affordable. Even in tough economic times--maybe especially in such times--it is important that we have our great recreational and public spaces to enjoy nature and each other.

Yours Truly,

Peter W Emblad, MD



"Toland. Patrick"

07/07/2009 08:39 PM

To <Recpark.commission@sfgov.org>,
<gavin.newsom@sfgov.org>, <Sean.elsbernd@sfgov.org>,
<board.of.supervisors@sfgov.org>
cc <info@sfpUBLICgolf.com>

bcc

Subject Save Sharp Park Golf Course

Dear Mayor Newsom, Honorable Supervisors and Commissioners,

I am a San Francisco native, former resident and current employer, writing to urge you to preserve the historic 18-hole Sharp Park Golf Course.

The golf course is a world treasure, designed by the greatest designer in history, and is heavily played by men and women of all ages and ethnic groups. And it is affordable. Even in tough economic times--maybe especially in such times--it is important that we have our great recreational and public spaces to enjoy nature and each other.

Yours Truly,

Patrick Toland



"Dave McCarroll"

07/07/2009 08:10 AM

To <Recpark.commission@sfgov.org>,
<gavin.newsom@sfgov.org>, <Sean.elsbernd@sfgov.org>,
<board.of.supervisors@sfgov.org>
cc <info@sfpublicgolf.com>

bcc

Subject Save Sharp Park Golf Course

Dear Mayor Newsom, Honorable Supervisors and Commissioners,

I am not a San Francisco resident, writing to urge you to preserve the historic 18-hole Sharp Park Golf Course. I am an avid golfer and friend to the environment. Both of these courses are important to the city of San Francisco and the Bay Area.

The golf course is a world treasure, designed by the greatest designer in history, and is heavily played by men and women of all ages and ethnic groups. And it is affordable. Even in tough economic times--maybe especially in such times--it is important that we have our great recreational and public spaces to enjoy nature and each other.

Yours Truly,

Dave McCarroll



"Kevin Greggans"

07/07/2009 11:15 AM

To <Recpark.commission@sfgov.org>,
<gavin.newsom@sfgov.org>, <Sean.elsbernd@sfgov.org>,
<board.of.supervisors@sfgov.org>
cc <info@sfpUBLICGOLF.COM>

bcc

Subject Save Sharp Park Golf Course

Dear Mayor Newsom, Honorable Supervisors and Commissioners,

I am a 4th generation San Franciscan and South San Francisco resident, writing to urge you to preserve the historic 18-hole Sharp Park Golf Course.

The golf course is a world treasure, designed by the greatest designer in history, and is heavily played by men and women of all ages and ethnic groups. And it is affordable. Even in tough economic times--maybe especially in such times--it is important that we have our great recreational and public spaces to enjoy nature and each other.

Yours Truly,

Kevin Greggans

So. San Francisco

Justin Hughes


San Francisco, CA 94107

July 9, 2009

Mayor Gavin Newsom
City Hall
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA. 94102

San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA. 94104

San Francisco Recreation and Park Commissioners
McLaren Lodge
501 Stanyan St.
San Francisco, CA. 94117

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 JUL 10 AM 11:17
BY 

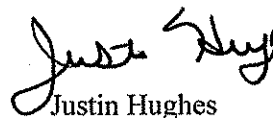
SAVE SHARP PARK GOLF COURSE

Dear Mayor Newsom, and Honorable Supervisors and Commissioners,

I am a San Francisco resident, writing to urge you to preserve the historic 18-hole Sharp Park Golf Course. In a city with a \$4.4 billion budget, I believe it is important to preserve healthy activities for our citizens. How has this city failed so miserably? Prior generations not only could afford to keep this course open, but they were able to afford to build the course. It is a sad state we are in that we can't simply afford to maintain what our ancestors so generously built for us.

The golf course is a world treasure, designed by the greatest designer in history, and is heavily played by men and women of all ages, ethnic groups, and types. And it is affordable. Even in tough economic times—maybe especially in such times—it is important that we have our great recreational and public spaces to enjoy nature and each other.

Yours truly,


Justin Hughes

cc: San Francisco Public Golf Alliance

27


epays

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

July 9, 2009

2009 JUL 10 AM 11:26

Dear Board of Supervisors:

BY 

I am a teacher and coach at Galileo High School in San Francisco and a lifetime city resident.. I have benefited from playing golf at every venue since childhood. I certainly believe we should provide every possible action to preserve Sharp Park and Lincoln Park golf courses due to many reasons. I have played both courses since childhood, and enjoyed their splendor. I have never encountered a frog or snake anywhere, especially the marshland area of Sharp Park. No one ventures in to the wetlands area to disturb the habitat. Man and nature can certainly coincide and commune naturally.

We need to keep the sites and even employ Park and Rec. to enhance the courses, even with our very limited budget. I coach golf and baseball, using many S.F. Park and Rec. facilities for my teams. I have seen the deplorable conditions forced upon the fields and golf venues that make play and safety a risk. These parks are important and valuable to the people of the area. We need this and other historic places preserved and supported for so many reasons. Do not turn your indifference to this matter. This government will disappoint many constituents and participants.

Most Sincerely,



Don Papa

District 7(Ellsburnd)

Alberta M. Acosta
The Jolly Rovers Golf Club

Pacifica, CA 94044

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 JUL 10 AM 11:30

BY _____



July 8, 2009

The San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

SAVE THE INTEGRITY OF THE SHARP PARK GOLF COURSE


Dear Honorable Supervisors,

I am the President of the Jolly Rovers Golf Club. This club has 60 members, all senior golfers. We play each month at a different course throughout the Bay Area. It is important that the courses be affordable, walkable and accessible. Many of our members are residents of San Francisco. We have attended several of the San Francisco Golf Task Force meetings and have stated our support for this local golf course.

On behalf of the club's 60+ members, I urge you to oppose the move to close Sharp Park or reduce it to a 9-hole course. This Alister MacKenzie treasure is indispensable to San Francisco for its historical and architectural significance and public value.

In addition to being the city's most architecturally significant golf course, Sharp Park is the most affordable for San Francisco golfers. Our club supports protection of the natural species that live on the course, but we reject and oppose—and ask you to oppose—any measures that fail to offer a compromise: the retention of Dr. MacKenzie's famous links as an affordable, eco-friendly 18-hole golf course.

Thank you for your consideration,



Alberta M. Acosta
President

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. 544-5227

MEMORANDUM

Date: July 9, 2009
To: Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board *A. Calvillo*
Subject: Watch Law Requests (USA Patriot ACT)

Chapter 2, Article IV, Section 2.20 (f) requires the Clerk of the Board of Supervisors to prepare an annual report on all Watch Law (USA Patriot Act) requests received by the Board of Supervisors during the prior fiscal year.

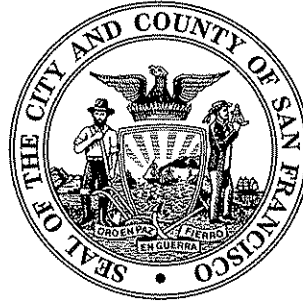
The Board of Supervisors did not receive any Watch Law requests during Fiscal Year 2008-2009.

11

11

City and County of San Francisco

OFFICE OF THE SHERIFF



Michael Hennessey
SHERIFF

(415) 554-7225

12

Date: 07/8/09

To: Angela Calvillo
Clerk of the Board of Supervisors

From: Michael Hennessey
Sheriff

Subject: Request for Waiver of applicable San Francisco Administrative Code Requirements for Garbage Collection Services for the San Francisco County Jails in San Bruno, CA to Be Provided by San Bruno Garbage Company, Vendor #16179 in the amount of \$120,000, FAMIS #BPSH1000008 for the Term July 1, 2009 to June 30, 2010.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 JUL - 9 AM 10:00
BY PC

The San Francisco Sheriff's Department (SFSD) requests your approval of the above referenced sole source request for the reasons set forth in this memo.

The San Bruno, CA Municipal Code Section 10.20.050 provides that San Bruno, CA City Council "may provide for the issuance of an exclusive permanent contract for the collection of garbage and rubbish with the city in the manner and upon the terms set forth in this chapter." Please refer to the language attached to this memo.

San Bruno Garbage Company is the company contracted by the City of San Bruno for garbage collection under the provisions of San Bruno's municipal Code.

Please call Maureen Gannon (CFO) at 415-554-4316 with any questions you may have regarding this request.

12



CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number: _____

► Section 1. Department Information

Department Head Signature: *Maureen Gannon*
 Name of Department: Sheriff
 Department Address: 1 Dr Carton B. Goodlett Place, Rm#456, San Francisco, CA
 Contact Person: Maureen Gannon, CFO
 Phone Number: 554-4316 Fax Number: 554-7050

► Section 2. Contractor Information

Contractor Name: San Bruno Garbage Co., Inc. Contact Person: _____
 Contractor Address: 101 Tanforan Avenue, San Bruno, CA 94066
 Vendor Number (if known): 16179 Contact Phone No.: _____

► Section 3. Transaction Information

Date Waiver Request Submitted: 07/1/09 Type of Contract: _____
 Contract Start Date: 7/1/09 End Date: 6/30/10 Dollar Amount of Contract: \$120,000

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

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

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

- A. Sole Source
- B. Emergency (pursuant to Administrative Code §6.60 or 21.15)
- C. Public Entity
- D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: _____
- E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on: 7/19/09
- F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on: _____
- G. Local Business Enterprise (LBE) (for contracts in excess of \$5 million; see Admin. Code §14B.7.1.3)
- H. Subcontracting Goals

HRC ACTION	
12B Waiver Granted: _____	14B Waiver Granted: _____
12B Waiver Denied: _____	14B Waiver Denied: _____
Reason for Action: _____	
HRC Staff: _____	Date: _____
HRC Staff: _____	Date: _____
HRC Director: _____	Date: _____

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.	
Date Waiver Granted: _____	Contract Dollar Amount: _____

C-Page
B&F Clerk



Raymond:
07/07/2009 12:06 PM

To John.Avalos@sfgov.org, Ross.Mirkarimi@sfgov.org,
Carmen.Chu@sfgov.org, David.Campos@sfgov.org,
Bevan.Dufty@sfgov.org, board.of.supervisors@sfgov.org
cc Michela.Alioto-Pier@sfgov.org, David.Chui@sfgov.org,
Chris.Daly@sfgov.org, Sean.Eisbernd@sfgov.org,
Eric.L.Mar@sfgov.org, Sophie.Maxwell@sfgov.org,
bcc
Subject Comments on Item 7 on the Budget & Finance Committee's
July 8th Agenda

#090716

Dear Members of the BOS Budget and Finance Committee:

The Planning Association for the Richmond (PAR, San Francisco's largest membership supported neighborhood organization) opposes the proposed ordinance in BOS File Number 90716 under the seventh item on your committee's agenda tomorrow because the imposition of parking fees in any property under the jurisdiction of the Recreation and Park Department, except for its parking lots for sports and entertainment venues (e.g., Candlestick, Kezar, etc.), is inappropriate. PAR does not believe it is appropriate for the City's recreation and park facilities to be used as a cash cow for its general fund in times of fiscal distress.

Raymond R. Holland, President
Planning Association for the Richmond (PAR)
3145 Geary Boulevard, #205
San Francisco, CA 94118-3316
(415) 668-8914
president@sfparr.org or raymondsnf@aol.com

An Excellent Credit Score is 750. See Yours in Just 2 Easy Steps!

(B)

(13)

C - Pages
B & F Clerk



JoAnne Birmingham

>
Sent by:
jmbirmingham@gmail.com

07/08/2009 09:27 AM

To John.Avalos@sfgov.org, Ross.Mirkarimi@sfgov.org,
Carmen.Chu@sfgov.org, David.Campos@sfgov.org,
Bevan.Dufty@sfgov.org, board.of.supervisors@sfgov.org
cc David.Chiu@sfgov.org, Michela.Alioto-Pier@sfgov.org,
Sean.Elsbernd@sfgov.org, Chris.Daly@sfgov.org,
Eric.L.Mar@sfgov.org, Sophie.Maxwel@sfgov.org, Kathy

bcc

Subject Comments on Item 7 on the Budget & Finance Committee's
July 8th Agenda

#090716

July 8, 2009

Supervisor John Avalos

Supervisor Carmen Chu

Supervisor Ross Mirkarimi

Budget and Finance Committee

San Francisco Board of Supervisors

City Hall

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102-4689

RE:; Comments on Item 7 Budget and Finance Committee Agenda for July 8, 2009:
Proposed City Park Parking Fees

Ladies and Gentlemen:

The Seacliff Properties Assoc. (SPA) is writing this letter to oppose the Recreation and Parks Department's proposal to implement parking fees in City parks, in particular Lincoln Park, which is adjacent to our neighborhood.

The intended purpose of the City's parks is to provide open space and recreation that is available for all residents. Charging for parking in the parks as a short-term budget fix makes the parks less available to many people, the City less livable, and defeats the overall mission of both Rec and Parks and the City government itself. Whatever measures are implemented, they will be an eyesore and impediment in what are supposed to be parks, not parking lots.

In general, parking fees in City parks will have a significant impact on surrounding neighborhoods. This has not been considered.

This is clearly illustrated in the case of Lincoln Park itself, which is targeted as the initial pilot project for this program. Numerous groups use this park, some for hiking, some for golf, some to visit the Palace of Legion of Honor or the Holocaust memorial, and some who travel through the park as part of their daily commute. Tourism is the City's second largest industry, and Lincoln Park is a tourist destination. It is part the 49 Mile Drive. It has unparalleled views of the Golden Gate. It is the western end of the historical Lincoln Highway, the U.S.'s first transcontinental highway finished in 1915.

Usage of the park simply will be suppressed with imposition of parking fees and restrictions. Like it or not, most people resent paying for parking, especially in an area that is relatively uncongested compared to the downtown. Restricting parking will increase parking congestion in surrounding neighborhoods, including our own, since this is where people will park to avoid paying for it. Our parking places are already almost full. This will only make the problem worse, and it will generate no revenue for the City.

There are two proposals being considered for Lincoln Park, one involving meters, the other tollgates at both entrances. Neither proposal is attractive, but the favored proposal of having gates at either end of the park is the worse of these two. Having experience in navigating parking lot booths in many places including the City, we know that it is unlikely that one toll taker or ticket dispenser could keep pace with the traffic that flows through the park at many times of the day. The result is predictable – long lines, congestion spilling over into the adjacent residential streets, and exasperated drivers and residents. This will also create traffic flow issues for the adjacent neighborhoods since the park in a major east-west thoroughfare for those who want to avoid the congestion of Clement Street.

We are told these gates will be staffed from 7am to 10pm every day. Will they be open after that? If not, it also raises congestion issues.

Staffing these gates 15 hours everyday, as indicated, would require at least four full-time employees every day, seven days a week, meaning the addition of 6-7 FTEs without even considering administrators. Even with an outside operator, this will be a significant expense, and if the gates were staffed directly by City – for which we imagine there might be political pressure – it would be much more expensive, given the full expense burden of each City employee, including hours, overtime, benefits and accrual of pension liabilities. This approach will involve very high fixed costs, without even considering the capital costs involved, necessarily making generating net revenues for the City risky.

In order for residents to understand the proposal and be given a comment fully on it, Rec and Parks needs to disclose it proposed budgets, its estimates, and its budget assumptions so that we as City residents ourselves can evaluate whether or not this proposal actually is likely to raise the net revenue projected for the City. Without this information, disclosure is inadequate and incomplete.

If there are this many problems with a small pilot project in Lincoln Park, it is easy to imagine how these problems would be multiplied when applied to the remaining parks in the City

Therefore for the reasons stated above, the SPA respectfully requests that this proposal be rejected.

Yours sincerely,

JoAnne Birmingham

For the Seacliff Properties Association

Cc: Mayor Gavin Newson

Supervisor Michela Alioto-Pier

Supervisor David Campos

Supervisor David Chiu

Supervisor Chris Daly

Supervisor Bevan Dufty

Supervisor Sean Elsbernd

Supervisor Eric Mar

Supervisor Sophie Maxwell

Recreation and Parks Department

Lincoln Park Homeowners Assoc.

Planning Association for the Richmond

Seacliff Properties Association

Golden Gate Park Conservancy

Lincoln Highway Association, California Chapter



Capital Planning Committee

RECEIVED
CAPITAL PLANNING SUPERVISORS

2009 JUL 10 AM 10:05

Edwin M. Lee, City Administrator, Chair

MEMORANDUM

BY

RE

July 9, 2009

To: Supervisor David Chiu, Board President

From: Edwin Lee, City Administrator & Capital Planning Committee Chair *Edwin Lee*

Copy: Members of the Board of Supervisors
Angela Calvillo, Clerk of the Board
Capital Planning Committee

Regarding: Recommendation on (1) Eastern Neighborhoods Infrastructure Finance Working Group Final Report and (2) Authorization of Resolution to Accept-Expend American Recovery and Reinvestment Act of 2009 Grant Funds for Local Street & Road Rehabilitation Projects

17

In accordance with Section 3.21 of the Administrative Code, on July 6, 2009 the Capital Planning Committee (CPC) reviewed materials from the Eastern Neighborhoods Infrastructure Finance Working Group and the Department of Public Works. The CPC's recommendations are set forth below.

1. Board File Number TBD: Per Resolution 510-08, the Eastern Neighborhoods Finance Working Group submitted a report on Strategies for Funding the Public Improvements in the Eastern Neighborhoods Area Plans (ENAP). The report evaluates funding alternatives for meeting infrastructure needs identified in the ENAP.

Recommendation: The CPC approved the report with the following adjustments to the report's recommendations on page three:

- Commission a consultant study (Recommendation #3) prior to selecting funding tool(s) (Recommendation #1)
- Clarify that the adoption of a clear statement of policy regarding the use of Tax Increment Financing (Recommendation #2) is specific to the ENAP.

Comments: The CPC approved the report with a vote of 10-0. Committee members or representatives in favor were: Ed Harrington, Public Utilities Commission; Nani Coloretti, Mayor's Budget Director; David Noyola, Board President's Office; John Rahaim, Planning Department; Ed Reiskin, Department of Public Works;

14

Daley Dunham, Port of San Francisco; Amit Gosh, Municipal Transportation Agency; Cindy Nichol, San Francisco International Airport; Rhoda Parhams, Recreation and Parks Department; and Nadia Sesay, Controller.

- 2. Board File Number 090862: Resolution authorizing the Department of Public Works (DPW) to accept and expend federal American Recovery and Reinvestment Act (ARRA) of 2009 funds available for local street and road rehabilitation projects.**

Recommendation: Support adoption of the resolution authorizing DPW to accept and expend federal grant funds.

Comments: The CPC approved the report with a vote of 8-0. Committee members or representatives in favor were: Ed Harrington, Public Utilities Commission; Nani Coloretti, Mayor's Budget Director; David Noyola, Board President's Office; Daley Dunham, Port of San Francisco; Cindy Nichol, San Francisco International Airport; Rhoda Parhams, Recreation and Parks Department; Gary Hoy, Department of Public Works; and Nadia Sesay, Controller.



"Richard Skaff"

07/06/2009 06:59 PM

To "Carolyn Jayin" <Carolyn.Jayin@sfgov.org>
cc <louis.verdugo@doj.ca.gov>, <janet.l.blizard@usdoj.gov>, "Gavin Newsom" <Gavin.Newsom@sfgov.org>, <board.of.supervisors@sfgov.org>, bcc

Subject FW: Department of Building Inspection Dimensional Tolerance Policy

C. BOS
e-pages

15

7/6/09

Carolyn Jayin
Executive Secretary to the Director
Department of Building Inspection
1660 Mission Street, 6th Floor
San Francisco CA 94103

Ms. Jayin,

Has my correspondence (see attached below) to the San Francisco Department of Building Inspection regarding your Dimensional Tolerance Policy been lost? My concerns have clearly been relayed to the Department for quite some time with no acceptable response.

I look forward to a timely response from the Director.

Thank you.

Richard Skaff, Executive Director
Designing Accessible Communities

Mill Valley, CA 94942

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

From: Richard
Sent: Friday, January 09, 2009 3:40 PM
To: 'Carolyn Jayin'
Cc: 'Gavin Newsom'; 'board.of.supervisors@sfgov.org'; 'susan.mizner@sfgov.org'; 'louis.verdugo@doj.ca.gov'; 'janet.l.blizard@usdoj.gov'; 'Thorman, David'; 'Conrad, Richard'
Subject: RE: Department of Building Inspection Dimensional Tolerance Policy

1/9/09

Carolyn Jayin

15

Executive Secretary to the Director
Department of Building Inspection
1660 Mission Street, 6th Floor
San Francisco CA 94103

Ms. Jayin,

Thank you for your email.

Although I appreciate your email update, I'm quite concerned that I'm only now receiving a response from the San Francisco Building Department to my December 18, 2008 email. I do expect that the Department's response will be forthcoming soon, hopefully within the next ten business days.

Richard Skaff

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

From: Carolyn Jayin [mailto:Carolyn.Jayin@sfgov.org]

Sent: Friday, January 09, 2009 9:34 AM

To:

Subject: Re: Department of Building Inspection Dimensional Tolerance Policy

Mr. Skaff,

We are in receipt of your emails to Acting Director Vivian Day. Staff is in the process of reviewing your request, and will contact you upon completion of their review.

Thank you for bringing this matter to our attention.

Carolyn Jayin
Executive Secretary to the Director
Department of Building Inspection
1660 Mission Street, 6th Floor
San Francisco CA 94103
415-558-6131 Phone
415-558-6225 Fax
Email: Carolyn.Jayin@sfgov.org
Web: www.sfgov.org/dbi

----- Forwarded by Vivian Day/DBI/SFGOV on 01/09/2009 09:28 AM -----

"Richard"

12/31/2008 02:34
PM

"Vivian Day"
<Vivian.Day@sfgov.org>

To

<susan.mizner@sfgov.org>, "'Gavin Newsom'" <Gavin.Newsom@sfgov.org>, <board.of.supervisors@sfgov.org>, <louis.verdugo@doj.ca.gov>, <janet.l.blizard@usdoj.gov>

cc

Subject

FW: Department of Building
Inspection Dimensional Tolerance
Policy

12/31/08

Ms. Vivian Day, Acting Director
San Francisco Department of Building Inspection 1660 Mission Street San
Francisco, CA 94103

Ms. Day,

I am re-sending you the attached email since I have not as yet had a
response from you.

Also, in reviewing the Department's web site, I found that your web staff
directory appears to only available in PDF format and nowhere in that
document could I find the name of the Department's ADA Coordinator.

I look forward to your timely response to both emails.

Thank you.

Richard Skaff
From: Richard Skaff [mailto:
Sent: Thursday, December 18, 2008 5:27 PM
To: Vivian.Day@sfgov.org
Cc: 'Gavin Newsom'; 'board.of.supervisors@sfgov.org';
'susan.mizner@sfgov.org'; 'louis.verdugo@doj.ca.gov'; 'Thorman, David';
'Conrad, Richard'; 'janet.l.blizard@usdoj.gov'
Subject: Department of Building Inspection Dimensional Tolerance Policy

12/18/08

Vivian L. Day, Acting Director
Department of Building Inspection
City and County of San Francisco
1650 Mission Street, 6th Floor
San Francisco, CA 94103

Ms. Day,

I am writing to ask that you take the action to immediately remove the San
Francisco Department of Building Inspection policy titled "Dimensional
Tolerances for New and Existing Construction".

Although the Department's policy may not be as extreme in its
interpretations as the "Reasonable Construction Tolerances for Disable
Access Construction" policy created by the Orange Empire Chapter of ICC
policy (see attached), it is my opinion that many of the assumptions within

your Department's policy are similarly problematic in that I believe they directly conflict with California Building Code, Title 24 and its intent, to assure accessibility within the built environment. In 2002, the Attorney General informed the Orange Empire Chapter that their policy was in conflict with California Building Code and regulations(see attached letter). In your Department's tolerance policy, the items listed as "t" through "bb" clearly state that there are no "reference" available to support such tolerances yet the policy supports their use.

During my tenure with the City of San Francisco, when this policy was being discussed at a number of public meetings held by Building Department staff, I clearly stated my opinion, the same opinion that I have today. It is my opinion that the Department of Building Inspection's Construction Tolerance policy is an "underground regulation" and illegal. I felt then as now, that this policy is in violation of state building code and state regulations protecting the rights of persons with disabilities.

Additionally, I am very concerned that the policy was updated by your staff in January, 2008. Was the process used to update the policy carried out in a public forum with input sought from the disability community including the Mayor's Office on Disability and the Mayor's Disability Council? Was the policy and its most recent update reviewed and agreed to by the California Department of Justice, the State Architect's Office and/or the California Building Standards Commission?

I look forward to your timely response.

Richard Skaff

Mill Valley, CA 94941[attachment "City of San Francisco Construction Tolerance Policy-September 16-1998-Updated-01-01-08.pdf" deleted by Carolyn Jayin/DBI/SFGOV] [attachment "California Attorney General Letters re Orange Empire ICC Construction Tolerance Policy.pdf" deleted by Carolyn Jayin/DBI/SFGOV] [attachment "Construction Tolerances - Orange Empire Chapter of ICBO-Ron Mincer.pdf" deleted by Carolyn Jayin/DBI/SFGOV]

From: Richard Skaff

g]

Sent: Thursday, October 25, 2007 8:20 PM
To: 'Isam Hasenin (isam.hasenin@sfgov.org)'
Cc: 'louis.verdugo@doj.ca.gov'; 'Baker, Kevin'; Gloria Ochoa (Gloria.Ochoa@sen.ca.gov); 'david.thorman@dgs.ca.gov'; 'Richard.Conrad@dgs.ca.gov'; 'lozanoe@csus.edu'; 'Gavin Newsom'; 'board.of.supervisors@sfgov.org'
Subject: San Francisco Department of Building Inspection - Administrative Bulletin AB-014 - Dimensional Tolerances for New and Existing Construction

10/25/07

Mr. Isam Hasenin, Director
Department of Building Inspection
1660 Mission Street
San Francisco, California 94103

Mr. Hasenin,

It was a pleasure seeing you at the Board of Supervisors Land Use Committee

meeting this week. I hope you are finding your new position with the City of San Francisco a positive, interesting and challenging experience.

As I stated during our brief "hello" at the hearing, I was surprised by the agenda item regarding the Board of Supervisors adoption of the 2007 California Building Code. My question about the agenda item was whether the Department of Building Inspection (DBI) was asking the Board to support any local changes or additions to the recently adopted State Building Code, Title 24 access codes for persons with disabilities. I was pleased to be assured by you and Mr. Kornfield that no changes to the 2007 California Building Code access sections were being proposed by DBI.

Today, I visited your Department's web site. I would like to inform you that although your web site must be accessible to everyone, including those visitors who are blind and using a screen reading program, your site has photos, called "jpgs", and at least one of the photos on your Department's home page appears to have no backup written description to assure that a screen reading program used by a blind visitor would be able to "see" what the photo visually describes to a sighted visitor. Another of your site's pages, showing the Department's "GIS Permit Tracking Application" appears to be completely inaccessible to persons who are blind. Although I understand that the program used for that page is dynamic so that individuals can actually see satellite photos of building sites throughout the City, I would think that there could be an alternate format available for those visitors whose software can't function with the GIS tracking system.

While visiting your Department's site, I took the time to review the section titled "Administrative Bulletins" and was surprised to find one of the Department's bulletins, AB-014, that I apparently wasn't aware of in 1999 when it appears to have been prepared and then approved by Mr. Kornfield ("Update reviewed by Laurence M. Kornfield, Chief Building Inspector, DBI, Technical Services Division, May 21, 1999"). I was surprised because I remember that during my tenure as a City employee, there was an attempt by the Department to adopt a similar Construction Tolerance Bulletin. At that time it was my understanding (obviously an incorrect understanding) that the Department had made the decision to not go forward with the adoption of a Bulletin allowing construction tolerances.

I have attached a copy of the California Attorney General's letter to the Orange Empire ICC Chapter regarding its' policy on construction tolerances. It would be my hope that after reviewing the letter from the California Department of Justice, you and the Building Department's Commission would reconsider Administrative Bulletin AB-014 and make the right decision to strike it from your list of Administrative Bulletins. It is my belief that this document creates an "underground" regulation that is not only inappropriate but, I believe, illegal. I'm not only surprised but disappointed that the City would allow such a policy to be created and hope that as the newly appointed Director, you will correct that mistake.

I look forward to your timely response to the issues I have raised in this email and thank you in advance for your consideration of my request.

Richard Skaff, Executive Director
Designing Accessible Communities

Mill Valley, Ca. 94942

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pmonette-shaw

et>

07/06/2009 10:17 PM

Please respond to

To undisclosed-recipients;;

cc

bcc Board of Supervisors/BOS/SFGOV

Subject "Laguna Honda Hospital: Pot-bellies vs. Beds"; Significantly Negative Impact of CPMC's Cathedral Hill Hospital Plans; and San Francisco's Dementia Summit

16

----- Message from pmonette-shaw <Pmonette-shaw@earthlink.net> on Sun, 05 Jul 2009 18:28:31 -0700

To: undisclosed-recipients;;

Subj: "Laguna Honda Hospital: Pot-bellies vs. Beds"; Significantly Negative Impact of CPMC's
ect: Cathedral Hill Hospital Plans; and San Francisco's Dementia Summit

On the eve of a long-overdue "Dementia Summit" that will be held at San Francisco's City Hall on July 8 to begin planning for the long-expected "silver tsunami" of 26,868 San Franciscans over the age of 55 who will develop Alzheimer's and other dementias by the year 2030, just 21 years from now, key questions about skilled nursing home level-of-care remain unanswered.

California Pacific Medical Center's plans will have a significant and negative impact on the overall availability of skilled nursing beds in San Francisco just five years from now, if its Cathedral Hill Hospital plans are implemented, cutting 180 of such licensed beds, pushing San Francisco's loss of licensed skilled nursing beds since 1997 to 926, since too many facilities are converting from long-term to short-term care, exacerbating the need for vanishing, affordable long-term skilled nursing facility level-of-care options.

Before any further strategic public policy decisions are made, an inventory of the capacity of current skilled nursing home beds in San Francisco must be kept updated and monitored closely, and evaluated against the expected gap between supply and demand.

After all, that's what long-term care planning is supposed to do.

My new article, "Laguna Honda Hospital: Pot-bellies vs. Beds?" at www.stopLHHdownsize.com, explores related issues.

16



Francisco Da Costa
07/07/2009 02:58 PM

To JSMITH BAAQMD <JSMITH@BAAQMD.GOV>
cc
bcc Board of Supervisors/BOS/SFGOV
Subject The inept and arrogant BAAQMD discriminates the Bayview
Hunters Point community.

17

It is a shame that the Bay Area Air Quality Management District continues
(BAAQMD)
to treat the Bayview Hunters Point community with disdain:

<http://www.indybay.org/newsitems/2009/07/03/18605559.php?printable=true>

Francisco Da Costa

17

C: BOS
C pages



Frederick Stills

07/07/2009 12:12 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject new homeless shelter policy 14 day and then 90 day stay,
afterwards can't return to shelter (unrealistic and illogical
and inhumane)

i am physically disabled i have necrosis of the hip and broken toes i walk on a cane when i have to i have applied for low income housing since 2006 i have never been answered by two different places and one place stated my history reports did not come back so i had to fill out new forms, the new homeless shelter is unrealistic and illogical and inhumane if there is no available residency in public or private housing then how and why should a rule be imposed upon a human being when it is impossible to have what is not there ,don't you think some logic should be applied to this rule are not the persons or person whom made this rule human what if the same person was in the same situation and just could not have proper housing applied to their living situation would they feel comfortable sleeping outside with the rats and mice and birds, i do not desire legal confrontation concerning my living situation just a fair chance to gain humane living conditions, i have been a published poet since a very young age i am in the historical section of the main library in a rare quarterly of the black writers workshop founded by Buriel Clay i do not wish to meet him in the after life life is a joining cycle if you help me you help yourself we all need each other. please reply i have 97 days left before i am sent to the streets and i have applied for housing and am still waiting

18

18

Rescind

C. BOS

CITIZENS for OPEN SPACE and to RETAIN the VAILLANCOURT FOUNTAIN

San Francisco, CA 94111

Founder/Representative: Eula M. Walters

July 9, 2009

To: Planning Commission President Ron Miguel and all other Commissioners.

From: Eula Walters (see above Caption) -- I represent 2300 Signees who want Ferry Park to remain a green Park as it is.

Re: My June 18 Request by me that you Rescind your vote to use Down-Town Funds of \$1,712,000 to do unnecessary renovation of Ferry Park.

STATEMENT: Please see my letter to you of June 23, and also my Three-minutes at the mike for reasons to begin with.

THE THIRD STORY LEVEL Bridge between Ferry Park and the Maritime Park Plaza must not be demolished because:

1. It is necessary for passage by people, like myself, on a daily basis to get where I want to go in my neighborhood of the Gateway Apts.
- 2: The General Manager and all people who work at the Maritime Bldg. use the Bridge daily and would for emergencies, also,
3. An inspector for the S.F. Fire Dept. came out this week and walked the area with me. His take was the Bridge should remain unless there is a compelling reason for its removal.
3. In case of Fire, earthquake or other emergencies, Ferry Park would be an escape area, and for first aid treatments.
4. Ferry Park is accessible to wheel chair persons. One of the wheel-chair bound officials from the Aid to Disabled office wheeled the park for an hour and a half with me walking by her wheel chair. At the end, she said there was no area that was not available to her by chair, no hills too steep. Hence we need no leveling of the platforms.
5. Former Chief Planner, Mr Amit Ghosh, invited me over to Planning Dept. and I gave a presentation for 45 minutes. At the end he said that the area where Ferry Park was contiguous with Justin Herman Plaza could possibly use some joining up with that area. I agree with that because some thoughtless person has placed that ghastly "heavy dirt" in a portion at the end of Clay Street. I have never liked those steps that Architect Boris Dramov put there, along with that single tree right in the walkway.
6. The Fire Chief's inspector said he had investigated the area and found that there were three third level bridges in this neighborhood, and two of them led down into a park, There was no complaint of any of them.
7. An architect in 1993 wrote in his assessment document re Ferry Park that "The pedestrian bridge to Maritime Plaza is the most generously-sized access way from the ground ground to the above-ground open-space network. It is the only one of all the access ways to the above ground network that can easily be made wheel-chair accessible, due to its gradual rise."
8. In opposition to the proposed curley-que sidewalks that the architect now proposed for the grassy area of Block 202 I have a map -- It shows a red pencil drawn through one such sidewalk by DPW Chief Fernando Cisnarous as he stated, "theres a sidewalk along the Embarcadero and that's enough. The park needs more green, not less."

This is all for today. Please rescind your vote and don't waste my hard-earned money nor my time.

Copy - Mayor Newsom, All supervisors

Eula Walters CRNA, J.D.

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2009 JUL 13 11:01 AM
 19

Page
cc: bas

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 JUL -8 AM 11:10

BY: MS

Martin Winderl

San Francisco, CA 94110

June 30, 2009

Subject: Quality of Life & Anti Business Stance of San Francisco

20

Board of Supervisors
1Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Board of Supervisors:

As I follow the footsteps of my day, I got up at 6:30 AM and as I sat at my kitchen table I noticed a forty foot elevator pavement chipper all across my driveway access, now there were places available near to park this large piece of machinery right new without blocking anyone access, as I ate 7:00 AM I assumed this was a temporary thing and trying to be tolerable and they would be moving in a short while. At 7:40 AM this large machinery monster was still there and I had go talk to the operator to move it just to get out to get out of my garage.

I went out for my morning needs and shopping, went down Valencia Street toward town, and watching the normal bicyclists crossing the red lights and an occasional motorcycle zig zagging between cars and the bicycle lane. I got to 21st Street & Mission Street, going south and there was a flexible bus at the bus stop, as I tried to pass, he pulled out crowding me and stayed straddled the white line dividing the two lanes, I had to get over into the oncoming traffic, people are honking at me so as not to have a head on wreck. I had to zoom around him defensive driving to have a chance, I got to 25th Street and Mission to shop for produce and the same bus driver is still straddling the while line dividing the lanes all way down the way.

It took me fifteen minutes just to turn a complaint on the Muni Driver through #311.

I proceed home and on 26th Street between Valencia Street & Guerrero they are towing cars. Now this has been posted for at least three weeks and no one has even been working there. There is a two way street of DPT to enforce the parking that contractors use rather than let the abuse go one, many the contractors are not even buying paying for the parking they are posting that they take, they are just going to local building supply and buying the signs and putting them up, and even if they are using them much longer than paid for.

So I was finally able to arrive back at home, and I decided to trim the tree since there was room left in the green recycling bin, when I got through and went inside to get the broom to clean up the mess and put trimmings in the recycle bin, as coming back out I just about got run over by a motorized bicycle on the sidewalk coming at me, who was going to the Michael's Day Care in

20

the middle of the block.

The traffic is so bad on Guerrero Street (a residential street) where my garage is, I have had to back into my garage just to get out in the morning, and even then I have to wait for two to three red light changes. The vehicles which make right hand turns on the red light northbound onto Guerrero Street are doing thirty five miles an hour within one hundred and fifty feet, and then many will cut me off to get the Day Care. The duration of the east west light is so short that there is hardly time enough for pedestrians to get across let alone vehicles to make right turn at 26th and Guerrero Street. Two to three times a week I have chase the vehicles out of driveway from the Michael's Day Care, which has a white zones.

I would also like to dispute the numbers of cigarette butts being a large part and the litter and forcing the merchants to pick up a larger portion of the cleaning. I reality the largest part of the litter is still the newspapers, pizza flyers, Chinese restaurant flyers and the throw away newspapers and especially the news racks at the bus stops of which people read the newspaper on top of them, only to leave it blow in the wind as they board the bus. And last of all we can't leave out the Greening of San Francisco, the trees being planted and preferred are fast growing and shed the leaves at all seasons, especially in the fall. This contributing a large amount to the excess debris and litter on the streets.

We hear the bicycle lanes increased the business on Valencia Street, I would invite somebody to look at he number of vacant stores and commercial places for rent on Valencia.

The decades of planning which has driven businesses out the area and many out of the City, the mix of businesses which we used to have, for the hype type of businesses we have now. This is why we have so many vacant and for rent stores on Valencia Street. Not only with old time businesses, not only had staying power in the down times the auto parts, the auto body, the paint stores, many of these even excelled. There are even stores going broke before they can open. The absorbent fees the City is charging and requirements is the cause of why some not even opening. The corner grocery stores were fazed out for larger stores so we had to drive, and now they are going broke. The small hardware stores were run out one way or another , whether it was because they weren't grand-fathered or additional requirements they couldn't afford.

We hear that Sunday Streets is making money for the merchants, not hardly, they will have a hard time surviving on snack foods and beverages. The local people won't even shop on Sunday Streets, because can't stand the mob, they can't park anywhere near, so the merchant have to live on snacks and beverages, except for the necessities of the local people. They will not carry their heavy bag full of produce or other purchases that far.

On Sunday Streets I walked down Valencia , 26th Street to 23rd Street, almost got run over by a bicyclists at 23rd & Valencia Street crossing the street to Mission Street. I walked home on Mission Street out to 26th and then to Guerrero Street. While on the way home I seen the Teen Challenge van going by three times looking for a parking place, now this a non-profit trying to do services for City, it doesn't say much for the Green part of Sunday Streets.

Each one of these street losings are great hardships on the local people even if the businesses did make any money which I have grave doubts. Now when the local people can't park from 2:00 AM in the morning the night before and not the day of the event till 3:00 PM this is a great hardship for the local people, whether it is the tenants, the landlord trying to maintain their property or the merchants. The City already knows there are not enough parking places to go around and has no incentive to create more, because they are making too much money on trying to make life miserable to the local people looking for parking spot. When the City takes block after block of parking spaces (18th Street to 24th Street on Valencia, and 19th Street) for an event like these it affects the quality of life. Think of all the extra pollution people created looking for parking space.

The following morning as driving down Mission Street I noticed Value Giant is closing.

If the City keeps balancing the revenue on the people rather cutting the overhead we are going to be in trouble. Look around and see where all your money is being spent, and how many extra people you have to do the job. The extortion under the name of low income housing is running the builders broke or causing them to just sit on the permits rather than create jobs. The so called survey of how any housing unit is flawed, especially after we drive the businesses away.

In closing I hope someone will wake up and look at what is happening. Who paid for all the additional cleanup from Sunday Streets?

Sincerely yours,

A handwritten signature in cursive script that reads "Martin Winderl". The signature is written in black ink and is positioned above the printed name.

Martin Winderl

July 7, 2009

RECEIVED
MAYOR'S OFFICE

09 JUL -8 PM 3:19

(2)

Dear San Francisco Mayor Gavin Newsom
and the President of Board of Supervisors:

2009 JUL -8 PM 3:56

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

My name, as you know, is Abdalla
Megahed.

I have lived in America for 27 years.

I have never violated the law during my life
in the United States.

Yes, I have an argument with former Mayor
Willie Brown and with Gavin Newsom in
favor of the poor people that can't fight for
themselves. Today I decided to fight with
both of you in favor of my city budget cut so
that I can try to help many of our poor
residents who lost their jobs and whose lives
have become more miserable than before.

Millions of people today went to Los
Angeles to say goodbye to the icon Michael
Jackson.

(21)

A ticket to his funeral cost them about \$2500, plus hotel, restaurant and a gift to take with them.

Mr. Mayor and the President David Chu:
I need your team's support to allow me to invite a million of Michael Jackson's fans including his family members and his friends, to be here with us to celebrate the 51st birthday of the King of Pop on August 29th, 2009 at Giant's stadium next month, which is bigger than Bill Graham Civic Auditorium.

Even though he is no longer with us, his legacy is going to be with us forever.

Mr. Mayor Gavin Newsom:
Are you ready for my challenge?
If you are, show me your support, and allow me to stop your budget cut with Michael Jackson's birthday party, in my city, at Giant's Stadium next month. I spoke with

some of our supervisors including those in the economic development office such as Mrs. Andrea Bruss, whose director Mr. Michael Cohen is out of the office for a couple of days. To be honest with you, I am glad that many of them like the idea, and they told me if the Mayor Gavin Newsom and the president of the supervisors has accepted my idea and work together to do it we can bring a lot of money to our city including hotels, rooms, restaurants, souvenirs. That is going to be the first action for our new police chief to keep the city and the visitors safe during this occasion. This will give him a chance to prove it that the mayor has made a good choice to bring a new chief from another state. I believe this will help the Mayor Gavin Newsom in his campaign for the governor of the state in the future. I learned that what happened yesterday in Los Angeles cost the city 4 million dollars. My idea is that we should charge the visitor for a ticket, and we should

also charge the vendor to sell souvenirs such as magazines, books, and T-shirts in many different designs. This will also give an opportunity to local artists to feature their designs. Finally, Mr. Mayor, you made a mistake by cutting the budget, and my idea can cover your mistake regardless of the bad life we have now in this moment. Let us use the ideas of CNN, Good Morning America and other TV programs who have been on the TV lately. We can have big screen TVs all over the stadium, close friend and the family members of Michael Jackson can be nice if we invite them to be with us on that day. If you need any help and more information, Mr. Mayor, let me give you my phone number again and again:

Before you sleep today, you will find that I have left two messages for you on your answering machine today.

Sincerely, *Abdalla Megahed*

Abdalla Megahed

Cc: Chief of Police

Heather Fong

And the New Chief of Police

Chief of Fire Department

Joanne White

District Attorney Camela Harris

Our City Supervisor

Economy Development Office

Director of Neighborhood, Michael Farra

Controller's office

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0012
(916) 319-2012
FAX (916) 319-2112

DISTRICT OFFICE
455 GOLDEN GATE AVENUE, #14600
SAN FRANCISCO, CA 94102
(415) 557-2312
FAX (415) 557-1178

Assembly California Legislature

FIONA MA
馬世雲
MAJORITY WHIP
ASSEMBLYWOMAN, TWELFTH DISTRICT



COMMITTEES
AGRICULTURE
HIGHER EDUCATION
HOUSING AND COMMUNITY
DEVELOPMENT
PUBLIC SAFETY
REVENUE AND TAXATION

July 1, 2009

Commissioner Michael R. Peevey, President
Commissioner Dian M. Grueneich
Commissioner John A. Bohn
Commissioner Timothy Alan Simon
Commissioner Rachelle Chong

State of California
Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: LifeLine Service Rates

Dear Commissioners,

I am writing to urge the California Public Utilities Commission (CPUC) to preserve the uniform state-wide service rates of California's LifeLine program.

Since the California Legislature created the LifeLine program, thousands of low-income households, the disabled, and seniors have had access to affordable basic phone service – a basic necessity for every Californian.

The proposal to eliminate LifeLine service at a uniform state-wide rate will put many Californians at risk of not having access to basic phone service.

California has been hard hit by the economic crisis and in times of great economic insecurity it is extremely important that Californians are provided all economic safeguards. Significantly increasing the existing rate of \$5.47 for basic phone service will eliminate the economic safeguard the LifeLine program provides to California's most vulnerable populations.

22

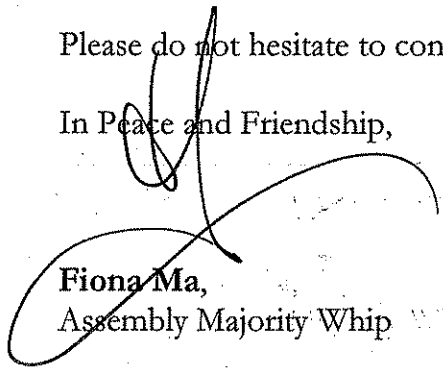
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 JUL -7 AM 11:10
BY [Signature]

22

I hope that the CPUC will continue to provide Californians with equitable and affordable phone service and not eliminate the uniform state-wide rate currently available to LifeLine customers.

Please do not hesitate to contact me or my staff with any questions.

In Peace and Friendship,



Fiona Ma,
Assembly Majority Whip

Cc: Gavin Newsom, Mayor of the City and County of San Francisco
Board of Supervisors, City and County of San Francisco
Assemblymember Felipe Fuentes, Chair, Assembly Committee on Utilities and
Commerce
Senator Alex Padilla, Chair, Senate Committee on Energy, Utilities and
Communications
Low-Income Oversight Board
Mark W. Toney, Ph.D., TURN Executive Director
Randy Shaw, Tenderloin Housing Clinic Executive Director
The Central City SRO Collaborative

page

D. Stephen Heersink

San Francisco, CA 94141

BY MS

2009 JUL 10 AM 11:24

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

(23)

July 3, 2009

The Board of Supervisors
City and County of San Francisco
Grove & Polk Streets
San Francisco, CA 94109

Addressee:

I realize the City and County of San Francisco is no longer liberal or tolerant— much less democratic, but is competing to be as progressive as the former U.S.S.R. before it fell into oblivion. When visitors from Saint Charles, MO, can score crystal methamphetamine, crack cocaine, and MDMA Ecstasy easier than they can procure a package of cigarettes, because a reformed alcoholic philanderer has gotten “Jesus,” San Francisco is no different from Afghanistan.

The Bored of Supervisors should be aware that the negative response from tourists will affect the City’s bottom line. Since the City is already broke and broken, what is the Bored doing about it?

Another couple from Manhattan left the City before the Freedom Day Pride Parade, offended that the City encourages the destruction of trees, impedes the construction of the Bay Bridge at the risk of its citizens over a shadow, and subsidizes Central American cocaine pushers’ relocation to camp, hoping for the return to the “sanctuary.” During Beloved’s and my trip to Argentina, a couple from D.C. discovered they could hire sex workers along Cesar Chavez Boulevard, who are only too willing to bareback and “go on the dole,” rather than act responsibly. Does U.C.S.F. really need the business?

Beloved’s and my favorite neighborhood French bistro in Noe Valley – despite immense popularity – ceased operations, because of the pandemic of microbial pathogenesis it could not control, much less the City’s public health department close the notorious and infamous 94114 Gold’s Gym with its Petri Dish and sexual assault in the public sauna rooms. Should not a sign warn those unsuspecting victims of involuntary sexual assault?

Meanwhile, since the former Mission armory became to *torture porn*, one wonders why feminists, homophiles, and common decency do not oppose to “torture sex?” While the Mayor’s only “success” story, most our friends find torture porn egregiously disagreeable. Why should anyone fret about Gitmo, Abu Grhaib, and Israeli slaughter of innocents, when the City promotes torture tours daily? Promoting rape, sexual abuse and assault, pedophilia and other paraphilia, may make Emperor Newsom and Rabbi Leno the ideal of the new progressive agenda, it has kept our friends and acquaintances from visiting San Francisco and its deplorable values.

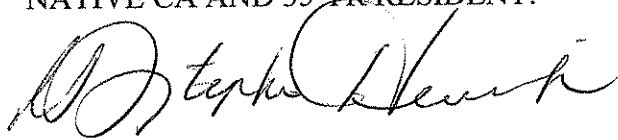
(23)

While the reformed alcoholic philanderer – our very own Ted Haggard, Mark Sanford, and Elliot Spitzer rolled into one, Emperor Newsom's "whether you like it or not" threats that lead to the repeal of marriage equality has cost California and the City greatly. I understand the Twisted Sisters' lap boy wants to be crowned Emperor Newsom in Sacramento, but that emperor has no clothes, and the nakedness is not pretty. While the Wizard's fire and brimstone of hypocritical correctness wins the day, the proud liberal tradition prior to neo-con Di-Fi's nearly recalled tenure in 1988 continues to slip daily into past memories.

Baghdad-by-the-Bay, coined by the late Herb Caen, has never been a more accurate epithet for the fascistic despotic politics of absurdity. The "wild jokers" at City Hall never have been more clownish.

Regards,

NATIVE CA AND 35 YR RESIDENT:

A handwritten signature in cursive script, appearing to read "Stephen Haggard". The signature is written in dark ink and is positioned below the typed name "STEPHEN HAGGARD".



CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number: _____
RECEIVED BOARD OF SUPERVISORS SAN FRANCISCO 2009 JUL 10 PM 3:24 BY _____

► Section 1. Department Information

Department Head Signature: [Signature]
 Name of Department: Animal Care & Control
 Department Address: 1200 15th Street, San Francisco, CA 94103
 Contact Person: Harold Powell
 Phone Number: 554-6914 Fax Number: 554-6156

► Section 2. Contractor Information

Contractor Name: Safeway Inc Contact Person: Customer Service
 Contractor Address: 5918 Stoneradge Mall Road Pleasanton CA, 94588
 Vendor Number (if known): 16135 Contact Phone No.: 925-467-3000

► Section 3. Transaction Information

Date Waiver Request Submitted: 06/26/2009 Type of Contract: Dept. Purchase Orders
 Contract Start Date: 07/01/2009 End Date: 06/30/2010 Dollar Amount of Contract: \$1,000.

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

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

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

- A. Sole Source
- B. Emergency (pursuant to Administrative Code §6.60 or 21.15)
- C. Public Entity
- D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 7/10/09
- E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on: _____
- F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on: _____
- G. Local Business Enterprise (LBE) (for contracts in excess of \$5 million; see Admin. Code §14B.7.1.3)
- H. Subcontracting Goals

HRC ACTION	
12B Waiver Granted: _____	14B Waiver Granted: _____
12B Waiver Denied: _____	14B Waiver Denied: _____
Reason for Action: _____	
HRC Staff: _____	Date: _____
HRC Staff: _____	Date: _____
HRC Director: _____	Date: _____

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.	
Date Waiver Granted: _____	Contract Dollar Amount: _____

27

24



ANIMAL CARE AND CONTROL DEPARTMENT

REBECCA KATZ
Acting Director

1200 15th STREET
SAN FRANCISCO
CALIFORNIA 94103
(415) 554-6364
FAX (415) 557-9950
TDD (415) 554-9704

June 17th, 2009

To Whom It May Concern ,

I am writing this letter to request a purchasing waiver for Safeway Corporation. Safeway Stores carry many of the essential groceries that the Animal Care Supervisor needs on a biweekly basis for the care of animals that come to our shelter. We do not have the luxury of planning for them because we are an open door shelter. Animals are brought in by citizens and we are mandated to care for them appropriately and humanely by City ordinance and by state law.

In reviewing the current City vendor list, we find that the status of all grocery-type stores available to us (except for Albertsons located on the other side of town and is exempt) are problematic. Some carry one or the other of the products but not all of the products we need. We buy some emergency fresh produce for reptiles and exotic birds, baby food for small mammals and Pedialyte for feeding underage animals. This service is essential to the continued success of the San Francisco Animal Care & Control in our nationally recognized animal shelter program.

No potential contractor is in compliance with the City requirements at this time. However, we are continuing to be vigilant for an alternative to Safeway.

I respectfully request that you permit a purchasing waiver for Safeway Corporation.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Brown".

Kathleen Brown
Deputy Director



City & County of San Francisco
**Department of
Technology**
Powered by Innovation

One South Van Ness Avenue, 2nd Floor
San Francisco, CA 94103-0948
Office: 415-581-4001 • Fax: 415-581-4002

DATE: July 7, 2009

TO: Angela Calvillo
Clerk of the Board
San Francisco Board of Supervisors

FROM: Chris A. Vein *CV*
Chief Information Officer

REFERENCE: Board of Supervisors Inquiry--Reference # 20090519-004
FILE NO.

25

MEMORANDUM

At the May 19, 2009 Board of Supervisors meeting, Supervisor Sean Elsbernd inquired as to the receipt by the Department of Technology of funding for cable public access operations from Comcast Corporation, and he requested that the Department of Technology notify the Board of Supervisors when this funding is received.

I am happy to report that the Department of Technology received a check for \$375,000.00 from Comcast on July 1, 2009. I have attached a copy of this check and cover letter for your records.

If you have any additional questions on this matter, please call me at 581-4001.

cc: Supervisor Sean Elsbernd

Enclosure



25



Comcast Cable
1485 Bayshore Blvd
San Francisco, CA 94124
Office: 415.715.0500
Fax: 415.715.0579
www.comcast.com

July 1, 2009

VIA HAND DELIVERY

Mr. Barry Fraser
Telecommunications Policy Analyst
Department of Technology
City & County of San Francisco
1 South Van Ness
San Francisco, CA 94102

09 JUL 09 11:57 AM

Re: Payment Per Settlement Agreement

Dear Barry:

Per our conversation last week and your subsequent e-mail dated June 24th, enclosed please find a substitute check in the amount of \$375,000 pursuant to that certain Agreement dated June 9th, 2009 by and between the City and County of San Francisco, and Comcast Cable Communications. Per your direction, this check is made payable to San Francisco City & County, Controller.

Should you have any questions regarding the enclosed, please do not hesitate to give me a call at 415-715-0549.

Very truly yours,

Lee-Ann Feling
Government Affairs Director
West Bay Area

Enclosure
Cc w/copy of enclosure:

Ron Vinson, Chief Administrative Officer, DOT



COMCAST FINANCIAL AGENCY CORPORATION
 A Comcast Cable Communications Group Company
 Mountain Division Office
 183 Inverness Drive West
 Englewood, Colorado 80112

REMITTANCE ADVICE

No. 249763967

Date : 29-JUN-09

Vendor Name : SAN FRANCISCO CITY &

Vendor No. : 150119

INVOICE NO.	INVOICE DATE	DESCRIPTION	DISCOUNT AMOUNT	NET AMOUNT
CR06100937	10-JUN-09	P-41 OVERNIGHT TO MRKT PEG SET	0.00	375,000.00
TOTAL			0.00	375,000.00

THE FACE OF THIS DOCUMENT HAS A MULTI-COLORED BACKGROUND, NOT A WHITE BACKGROUND.



COMCAST FINANCIAL AGENCY CORPORATION
 A Comcast Cable Communications Group Company
 West Division Office
 183 Inverness Drive West
 Englewood, Colorado 80112



No. 249763967
 5615447441
 675528343

Date - 29-JUN-09
 Valid After 180 Days

Pay Three Hundred Seventy-Five Thousand Dollars And 00 Cents *****

\$ *****375,000.00

To: SAN FRANCISCO CITY & COUNTY OF CA
 The: CONTROLLER
 Order: CITY HALL RM 316
 Of: SAN FRANCISCO, CA 94102

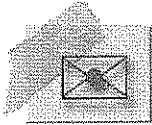
Authorized Signature

Authorized Signature

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK. HOLD AT AN ANGLE TO VIEW.

⑈ 249763967⑈ 15011915447441

675528343⑈



Chris Vein/DTIS/SFGOV

Sent by: Teresa Galvis

07/13/2009 07:36 AM

To Board of Supervisors/BOS/SFGOV@SFGOV

cc Angela Calvillo/BOS/SFGOV@SFGOV

bcc

Subject Fw: Response to Board of Supervisors Inquiry - Reference #20090519-004

Good morning:

The Department of Technology responded to the Board Inquiry on July 7th.

Please see the e-mail below.

Thank you.

Teresa
Executive Secretary
Department of Technology
(415) 581-4090

----- Forwarded by Teresa Galvis/DTIS/SFGOV on 07/13/2009 07:35 AM -----

From: Chris Vein/DTIS/SFGOV
To: Angela Calvillo/BOS/SFGOV@SFGOV
Cc: Sean Elsbernd/BOS/SFGOV@SFGOV
Date: 07/07/2009 09:38 AM
Subject: Response to Board of Supervisors Inquiry - Reference #20090519-004
Sent by: Teresa Galvis

Good morning:

Attached please find the response to Supervisor Sean Elsbernd's inquiry at the Board of Supervisor meeting of May 19, 2009.



Response to Board of Supv Inquiry on 5 19 09.pdf

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. 544-5227

96

Date: July 13, 2009
To: Members of the Board of Supervisors
From: Angela Calvillo, Clerk of the Board
Subject: Form 700

This is to inform you that the following individual has submitted a Form 700 Statement of Economic Interests to my office.

- ◆ Jamie Cantwell, Legislative Assistant to Supervisor David Chiu, assuming

26

Office of the Mayor
City & County of San Francisco



RECEIVED
BOARD OF SUPERVISORS
Gavin Newsom
SAN FRANCISCO

C:\BOS-11, AC
C page, CA, RC
ang: Renee

2009 JUL 10 PM 4:51

July 10, 2009

BY _____ *fju*

27

Members, Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Dear Supervisors:

This letter communicates my veto of the four pieces of legislation amending the Rent Ordinance, pending in File Nos. 090277, 090276, 090278, and 090279; finally passed on June 30, 2009.

I share the concern expressed by members of the Board of Supervisors that everyday San Francisco families are experiencing the impacts of the economic downturn. It is for this reason that we must pursue policies that make wise use of our City's resources to provide support for those most in need.

This legislative package likely would create a host of unintended consequences that would not benefit low income San Franciscans. The ordinance pending in File Number 090278 restricts landlords from increasing the rent in rent-controlled units if it would result in tenant "financial hardship" – defined primarily by a tenant's total rent exceeding 33% of their gross income. The purpose of the existing Rent Ordinance is to limit rent increases; this legislation converts the existing rent control program into an income-based private rental subsidy program. If rent control were to be amended in this way, the logical step for landlords would be to choose not to rent to lower-income households in the future.

The Office of Economic Analysis' review of this legislation raised similar concerns. The report concluded that creating an income-based cap on the amount of rent an individual can be charged could have the consequence of making it even more difficult for low-income renters to find local housing. According to the report, "**any landlord renting a vacant unit faces a clear financial incentive to discriminate against an applicant who could potentially claim financial hardship,**" and second, "**landlords can and will attempt to maintain the rental income of their properties by charging higher rents for vacant units.**" The Office of Economic Analysis estimated that the legislation could raise the market price of rental housing in the City by as much as 2.8% – an average increase of \$33 per month. It is this last estimation that the Office of Economic Analysis cited as the basis for the "negative economic impact" of this legislation. The office concluded that such an increase likely would generate wage inflation and weaken San Francisco's competitiveness. In the midst of an economic downturn, these would be extremely detrimental effects.

With respect to the ordinance capping the "banked" rent increase at eight percent, the legislation as proposed applies to all rent-controlled units, regardless of the tenants' ability to pay and without proof of financial hardship. The remaining two ordinances allow extra roommates with no consideration by the landlord of financial status of the tenants or compensation for additional

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roommates (without a petition from the landlord proving increased cost due to additional occupants). These ordinances were met with heartfelt concerns from a significant number of building owners who rent units in buildings where they themselves live. Other jurisdictions with very strong rent control laws still allow specified rent increases for additional roommates. Berkeley, for instance, allows landlords to raise rent 10% above the base.

All in all, these pieces of legislation ignore the question of whether the City should be using public policy to force landlords to subsidize households – especially given that there are no strong legislative controls to identify whether or not a household that might benefit from this legislation is truly a household in need, or simply a household facing a reduced income.

In addition, this legislative package ignores the costs to the City and landlords for the new rules that would be imposed. The Rent Board would be responsible for income verification proceedings on thousands of tenants, which could potentially cost hundreds of thousands of dollars. The legislation also calls for Rent Board hearings to verify tenant income, which would require the Rent Board to employ additional Administrative Law Judges. While increased burden on the Rent Board is not a reason in and of itself to disregard a proposed change, it is an important consideration, especially when the City is facing tough budgetary choices.

Moreover, the proposed legislative package takes steps that go beyond what can reasonably be defended in court. The City Attorney has advised that at least two of the pieces, File Nos. 090278 and 090279, face “significant risk of a successful legal challenge.” The City Attorney advised that both pieces are likely preempted by state statutes and violate the U.S. Constitution Article I, Section 10, Clause 1, as it relates to the right to enter a contract. Given the legal vulnerabilities and likely economic challenges, this package of legislation is unlikely to offer the intended assistance for renters and could adversely impact the City and County of San Francisco.

For these reasons, I am unable to support the legislation but remain committed to helping San Franciscans in need as we navigate these difficult financial times. Through the Human Services Agency and the Mayor’s Office of Housing, we offer a wide array of services to low income households in danger of eviction or homelessness due to an inability to pay rent. For Fiscal Year 2008-2009, the Human Services Agency’s Housing and Homeless Programs provided approximately \$4.4 million in rental assistance to low income San Franciscans. The funding goes to eviction prevention grants and assistance housing, move-in grants and assistance and temporary (12-24 month) rental subsidies, and is maintained in the proposed 2009-2010 budget. We have added another \$5.2 million in stimulus funds to provide further rental assistance, deposits, and emergency housing vouchers to low income households. These programs will provide critical added support through these difficult economic times. In contrast to the proposed legislation, these programs are targeted at those most in need.

Sincerely,



Gavin Newsom
Mayor

cc: Angela Calvillo, Clerk of the Board of Supervisors

CC: BOS
C-Page



James Miller

>

07/09/2009 03:13 PM

To <board.of.supervisors@sfgov.org>, <chris.daly@sfgov.org>, <director@walksf.org>, <friend@frp.org>, <gavin.newsom@sfgov.org>, <ross.mirkarimi@sfgov.org>

cc

bcc

Subject GGPark free parking

#090779

BoS and others...

28

After years and years of providing free, 24/7 parking to motorists who have been "uglifying" GGPark for so long, the City at last decides to take a first step in retrieving the long overdue revenue it has lost due to it's cowardice and stupidity. Many of us well remember the fight not too long ago to save GGPark from the underground garage and the destruction of nature it caused, a garage which remains 90% empty these days. Why? Why should you pay to park when you can park for free just a block away?

The question still remains: why is this proposal only for 1800 spaces? What about the remaining 7000 or so? Motorists are just as likely to abandon the metered parking spots for the 7000 free ones, just as they abandon the garage for the freebies today. It looks like just another half-assed attempt by the City.

Many of us well remember another half-assed attempt by the City to limit GGPark autos: so-called Healthy Saturdays. The City finally claimed to reach a compromise by closing off a mere 1/2 mile stretch of JFK drive to traffic on Saturdays. How is it working? Well, we still have no bike lanes there. We runners/bikers now enter the park and have to deal with ridiculous auto traffic for a mile or so, then we get our healthy auto-free 1/2 mile, then the remaining 2 miles of more auto congestion. I always thought compromise meant 50/50. What kind of compromise is it that gives you 5% of the roads an extra one day/week while autos get 95-100% 6+ days/week?

Why not monitor the park's entrances and issue timed parking slips as is done in parking garages. This would eliminate the need to install meters everywhere. However, even parking meters are not nearly as ugly and demoralizing as the SUVs which now constantly invade the park occupying so much space, diminishing the GGPark experience for all of us for so long now.

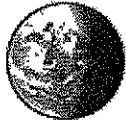
Thanks, especially to Mr. Avalos

James Miller

Lauren found her dream laptop. [Find the PC that's right for you.](#)

28

C: BOS
C-Page



"RPieratt"

07/09/2009 05:51 PM

To <board.of.supervisors@sfgov.org>

cc

bcc

Subject Parking meters in GG Park

#090779

29

I have lived in the Inner Sunset district for the last 15 years. I am vehemently **OPPOSED** to the Board of Supervisors plan (and the Mayor) to install parking meters in Golden Gate Park. The decision to do this is both outrageous and shortsighted.

The Board has decided that, due to the "budget crisis", they will look at doing this to raise more money. The REAL problem with the City's budget is that **ALL** (and I do mean **ALL**) of the people working for the City are **OVERPAID** and receive benefits that are both too generous and completely out of line with the private sector. Especially when it comes to health care and time off.

I don't see any proposals to roll back salaries or make employees pay more in premiums (in order for the the City to decrease their health care premiums). Do you see that anywhere? I didn't think so, and I bet we will never see anything similarly proposed. However, that is **EXACTLY** what should happen.

When we see ALL City employees working for 20% less than what they currently receive and paying current market rates for their health care premiums, then the budget crisis will go away by itself.

In fact, placing meters in Golden Gate Park will probably result in an **INCREASE** in the number of parking enforcement officers being hired to patrol those areas. Sort of ironic---more City employees hired, more outrageous benefits paid, ad nauseam.

I will NEVER vote for any incumbent running for any City office EVER again. If the person running has never held office, I will vote for that person. You people need to be sent the message that increasing fees, decrease services, and make it harder to live here will directly affect your paycheck. It affects the citizens of this city, and they are NOT allowed a voice.

29



CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

30

S.F. ADMINISTRATIVE CODE CHAPTERS 12B, 12C and 14A WAIVER REQUEST FORM (HRC Form 201)

Section 1. Department Information

Department Head Signature: [Signature]
 Name of Department: SFPD
 Department Address: 850 Bryant Street SF 94103
 Contact Person: Wendy Chan
 Phone Number: 553-1683 Fax Number: 553-1114

FOR HRC USE ONLY	
Request Number:	
BY <u>RC</u>	2009 JUL 13 AM 9:15
RECEIVED BOARD OF SUPERVISORS SAN FRANCISCO	

Section 2. Contractor Information

Contractor Name: Fleetcor Technologies DBA chevron Contact Person: 76065
 Contractor Address: P.O. Box 70887, Charlotte NC 28272
 Vendor Number (if known): 76065 Contact Phone No.: 800 242-8766

Section 3. Transaction Information

Date Waiver Request Submitted: 7/7/09 Type of Contract: Gasoline Purchase
 Contract Start Date: 7/8/09 End Date: 6/30/2010 Dollar Amount of Contract: \$20,000⁰⁰
 ADPICs Document Number: BPP1000007

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

- Chapters 12B and 12C
- Chapter 14A Note: Employment and DBE subcontracting requirements may still be in force even when a 14A waiver (type A or B) is granted.

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

- A. Sole Source
- B. Emergency (pursuant to Admin. Code §6.60 or 21.15)
- C. Disadvantaged Business Enterprise (DBE) (for contracts in excess of \$5 million; see Admin. Code §14A.12b)
- D. Subcontracting Goals
- E. Public Entity
- F. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 7/7/09
- G. Gov't Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on: _____
- H. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on: _____

HRC ACTION	
<input type="checkbox"/> 12B & 12C Waiver Granted	<input type="checkbox"/> 14A Waiver Granted
<input type="checkbox"/> 12B & 12C Waiver Denied	<input type="checkbox"/> 14A Waiver Denied
Reason for Action:	
HRC Staff:	Date:
HRC Staff:	Date:
HRC Director:	Date:

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types F, G & H.	
Date Waiver Granted:	Contract Dollar Amount:

30

CHECK LIST

You must complete each of the steps below before submitting this form:

I have attempted to get the contractor to comply with Administrative Code requirements. (Applies to Chapters 12B and 12C only.)

I have included a letter of justification explaining:

- The purpose of the contract.
- My department's efforts to get the contractor to comply (for Chapters 12B and 12C waivers).
- Why the contract fits the type of waiver being requested (for example, why it is a sole source).

I have answered all questions in Sections 1-3.

I have indicated (in Section 4) which Administrative Code Chapters need to be waived.

NOTE: The **ADPICS document number** should be created *before* you submit this form. If this is impossible, contact the HRC with the number as soon as it is created.

I have indicated (in Section 5) which waiver type is being requested.

For waiver types F, G and H, I have submitted a copy of this form to the Clerk of the Board of Supervisors.

ADDITIONAL INFORMATION

Contract Duration: Contracts entered into pursuant to a Chapter 12B or 12C waiver should be constructed for the shortest reasonable duration so that future contracts may be awarded to a Chapter 12B and 12C compliant contractor.

Chapter 14A. Sole Source, Emergency and DBE Waivers: Only the bid discounts and departmental good faith outreach efforts requirements of Chapter 14A may be waived. All other provisions of this Chapter still will be in force even if this type of waiver has been granted.

Chapter 14A. Subcontracting Waivers: Only the subcontracting goals may be waived. All other provisions of this Chapter still will be in force even if this type of waiver has been granted.

Waiver Types F, G and H: These waiver types have additional requirements:

1. The contracting department must notify the Board of Supervisor's that it has requested a waiver of this type.
2. The department must notify the HRC that it has used a waiver granted under one of these provisions. Such notification should take place within five days of the date of use by submitting to the HRC a copy of the approved waiver with the "Department Action" box completed.
3. Departments exercising waiver authority under one of these provisions must appear before a Board of Supervisors committee and report on their use of such waiver authority.

All modifications to waived contracts that increase the dollar amount of the contract must have prior HRC approval.

✓ Additional copies of this form may be downloaded at the Forms Center on the City's intranet at: <http://intranet/>.

✓ Read the **Quick Reference Guide to HRC Waivers** for more information; copies are available on the City's intranet at: <http://intranet/>.

➔ Send completed waiver requests to: HRC, 25 Van Ness Ave., Suite 800, San Francisco, CA 94102-6033.

☎ For further assistance, contact the HRC at 415-252-2500.

City and County of San Francisco



Gavin Newsom, Mayor

Human Services Agency

Department of Human Services
Department of Aging and Adult Services

Trent Rhorer, Executive Director

31

cc: BOS
a- Pages
B & P Clerk

File # 090820

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 JUL 10 PM 4:09
BY KC

MEMORANDUM

TO: Members, San Francisco Board of Supervisors
FROM: Trent Rhorer
DATE: July 10, 2009
RE: JOBS NOW! Subsidized Employment Program

This memo is to update you on HSA's implementation of JOBS NOW!, our subsidized employment program funded with federal stimulus dollars. A \$26.5 million grant accept and expend resolution and an ASO amendment related to this program will be before the Budget and Finance Committee on July 15th.

The American Reinvestment and Recovery Act of 2009 provided \$5 billion nationwide to create the Temporary Assistance to Needy Families (TANF) Emergency Contingency Fund (ECF), which provides 80% federal funds to pay for state and county expenditures on subsidized employment programs. HSA has set a goal of placing at least 1,000 individuals into jobs funded under this program, which will operate through September 30, 2010.

In April, my staff began conducting outreach to employers in the private and nonprofit sectors, as well as to other city departments, to create job placement slots. HSA staff will also recruit, screen and conduct a skills assessment of participants before placing them in a job. Once placed, HSA staff will provide ongoing supportive services and case management to all program participants, as well as job retention assistance to participating employers.

The job placements will be arrayed on a continuum designed to meet the needs and abilities of clients with a range of employment barriers and skill sets. The 1,000 job placements will be arranged into three tiers as follows:

- 1) Transitional employment slots at community-based organizations will be targeted to the lowest skilled clients who are in need of more intensive barrier remediation (e.g., soft skills training, basic literacy assistance, criminal record expungement, behavioral health needs).
- 2) Public sector placements at various city departments will be targeted to clients who have fewer employment barriers and somewhat higher skill sets required to perform effectively as a trainee for an entry-level City position.
- 3) Private sector placements with for-profit and nonprofit employers will be targeted to clients with the most job experience and highest skill levels. This program will reimburse employers for 100 percent of the employees' wages, but the employers must pay related costs, such as Social Security, Workers' Compensation, Unemployment Insurance, supervision, benefits, etc. Private employers will be asked to sign an agreement that they will make a good faith effort to retain the client as a permanent employee upon termination of the subsidy.

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Target Population

Current and former CalWORKs clients are the primary target population under this program. However, in the coming weeks we expect to receive state approval to expand the eligible population to include custodial and non-custodial parents of a dependent child in households with income below 200% of the Federal Poverty Level (\$36,620 for a family of three). These provisions will likely be included in State budget trailer bill language and the Governor's Office has expressed initial support of this concept.

Progress to Date

- HSA began enrolling CalWORKs recipients in the program in late May and has since placed 69 individuals into subsidized jobs. We have also identified 140 additional clients who are good candidates for this program and are conducting outreach to them.
- We have established a toll free number (1-877-JOB-NOW) that potential employers and job seekers can use to begin the enrollment process. The 311 Call Center is also equipped to make the appropriate referrals.
- HSA and OEWD issued a joint RFP in early June to solicit providers for the transitional employment program component of JOBS NOW! Awards will be made in late July.
- Also in June, HSA issued an RFQ to solicit private for-profit and nonprofit employers interested in participating in JOBS NOW!
- In collaboration with DHR, we have created special temporary requisitions in the 9910 and 9916 "public sector trainee" classifications to be used for the public sector JOBS NOW! placements. DHR has notified SEIU and Local 261 about the program. To date, several departments, including Rec Park, DPW, PUC, the Housing Authority, Environment, the Superior Court, MTA and the Public Defender have committed to participating in the program.
- HSA has hosted two community meetings, one meeting for city departments, and one meeting with the Chamber of Commerce to publicize the JOBS NOW! program.

If you would like additional information, please feel free to contact me (557-5846) or Noelle Simmons (557-5753) on my staff.



US Army Corps
of Engineers
San Francisco District

SAN FRANCISCO DISTRICT

Regulatory Branch
1455 Market Street, 16th Floor
San Francisco, CA 94103-1398

2009 JUL -8 AM 11:05

PUBLIC NOTICE

Project: Deer Creek Village, Sonoma County

32

NUMBER: 2002-27317N DATE: July 3, 2009 RESPONSE REQUIRED BY: August 2, 2009
 PERMIT MANAGER: Bryan Matsumoto PHONE: 415-503-6786 Email: Bryan.T.Matsumoto@usace.army.mil

1. INTRODUCTION: Mr. David Geiser, Merlone Geiser Management LLC, 3580 Carmel Mountain Road, Suite 260, San Diego, California 92130, (858) 350-1977, has applied to the United States Army Corps of Engineers (Corps), through his agent Wetlands Research Associates, Inc. (WRA) (Point of Contact: Mr. Douglas Spicher, 2169 East Francisco Boulevard, Suite G, San Rafael, California 94901, (415) 454-8868), for a Department of the Army Individual Permit to construct the Deer Creek Village Project. The project would be located in the City of Petaluma, Sonoma County, California (Figure 1). The applicant proposes to construct a commercial/retail shopping center and would cause the permanent loss of 0.60 acre of jurisdictional wetlands. The duration of authorization, should it be accepted, would be for five years from the date of the permit issuance. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

2. PROPOSED PROJECT:

Project Site: The Deer Creek Village (Project) would be located on an approximately 37-acre site comprising two legal parcels adjacent to Highway 101 and North McDowell Boulevard on the northern edge of Petaluma, Sonoma County, California (APNs 007-380-027 and 007-380-005) (Figure 1).

The project site is currently a vacant field that is maintained for fire control purposes through annual discing around the edges, and in the recent past was probably used for agriculture. It sits approximately 35 feet above sea level and is relatively flat with a slight downward slope to the

west. The principal source of hydrology is from direct precipitation. Drainage on the site is provided through sheetflow to the west and a swale that traverses the site from east to west. The swale collects water from areas to the east and drains into the Petaluma River. The Sonoma County Soil Survey (1972) indicates that the project site contains only the poorly drained Clear Lake clay, 0-2 percent slopes (CeA).

Through an inspection of the site to confirm the extent and location of Corps jurisdiction in 2008, it was determined that the project site contains 0.81 acre of jurisdictional wetlands, including the swale mentioned above. The wetlands were generally characterized by shallow depressions, except for the swale. Soil was confirmed to have a clay texture with low value and chroma in both upland and wetlands areas, however, the wetland areas generally displayed indicators of anaerobic conditions in the soil in the form of redoximorphic features. Vegetation within the wetland areas was generally dominated by penny royal (*Mentha pulegium*), meadow barley (*Hordeum hytrix*), Italian rye grass (*Lolium perenne*), rabbit-foot grass (*Polypogon monspeliensis*), and semaphore grass (*Pleuropogon californicus*).

Project Description: The applicant proposes to develop the property for commercial/retail shopping consisting of large retail stores, shops, and service offices covering approximately 314,983 square feet (Figures 2-4). The remaining areas will be driveways, parking, pedestrian pathways, storm water treatment features, and other associated infrastructure.

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Purpose and Need: The basic project purpose is to construct and operate a commercial retail and office development. The overall project purpose is to develop an economically feasible, commercial retail/service office shopping center in Petaluma with high visibility and multiple forms of access.

The applicant states that the project is needed to transform a current financial liability to a financially beneficial site. In addition, a retail sales leakage analysis for Petaluma has shown that a shopping center development of this type is needed so that residents of Petaluma and the general trade area do not have to drive to nearby communities to obtain the goods and services that this development will provide. Retail sales at the development will also capture needed sales tax revenues for the City of Petaluma. It would also increase needed employment opportunities in the area.

Impacts to Corps of Engineers jurisdiction: The project site contains 0.81 acre of jurisdictional wetlands. The proposed project would result in the permanent loss of 0.60 acre of jurisdictional wetlands (Figure 5). Impacts to wetlands would include grading and filling for construction of building pads, driveways, parking, pedestrian pathways, storm water treatment features, and other associate infrastructure.

Mitigation: To compensate for the direct loss of 0.60 acre of jurisdictional wetlands, the applicant proposes to purchase 0.60 acre of wetland creation at the Burdell Ranch Wetland Conservation Bank. In addition, the applicant proposes to enhance the existing swale on the site by implementing 50-foot buffer zones on both sides and planting California native ground cover, shrubs, and trees within the buffer zone. Monitoring of the plantings will be required.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental

impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, 1455 Market Street, San Francisco, California 94103-1398.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat.

Due to the site being surrounded by urban development and is maintained by annual discing, the Corps has made a preliminary determination that the proposed project will have no affect on Federally listed threatened or endangered species or designated critical habitat.

The no affect determination was based on information regarding habitat requirements of Federally listed threatened and endangered species that could occur on the project site, visits to the site by Corps personnel, and a review of the California Natural Diversity Database (CNDDB) and critical habitat maps.

Magnuson-Stevens Fisheries Conservation and Management Act: The NMFS and several interagency fisheries councils have designated specific water bodies as Essential Fish Habitat (EFH) in accordance with the Magnuson-Stevens Fisheries Conservation and Management Act. Due to the absence of EFH on the project site, no consultation for EFH will be completed.

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. The applicant has provided the Corps with evidence that he has submitted a request for State water quality certification to the San Francisco Bay Regional Water Quality Control Board. No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612, by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is not water dependent. The applicant has not submitted an Analysis of Alternatives and has been informed that such an Analysis is required and will be reviewed for compliance with the guidelines.

National Historic Preservation Act of 1966 (NHPA): Based on a review of survey data on file with various City, State and Federal agencies, no historic or archeological resources are known to occur in the project vicinity. If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps

completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

Coastal Zone Management Act of 1972 (CZMA): Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1456(c)), requires a non-Federal applicant seeking a federal license or permit to conduct any activity occurring in or affecting the coastal zone to furnish a certification that indicates the activity conforms with the State's coastal zone management program. Generally, no federal license or permit will be issued until the appropriate State agency has concurred with the certification statement or has waived its right to do so. The project does not occur in the coastal zone and would not affect coastal zone resources.

4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed

activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, 1455 Market Street, San Francisco, California 94103-1398. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting Bryan Matsumoto of our office at telephone 415-503-6786 or E-mail: Bryan.T.Matsumoto@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.

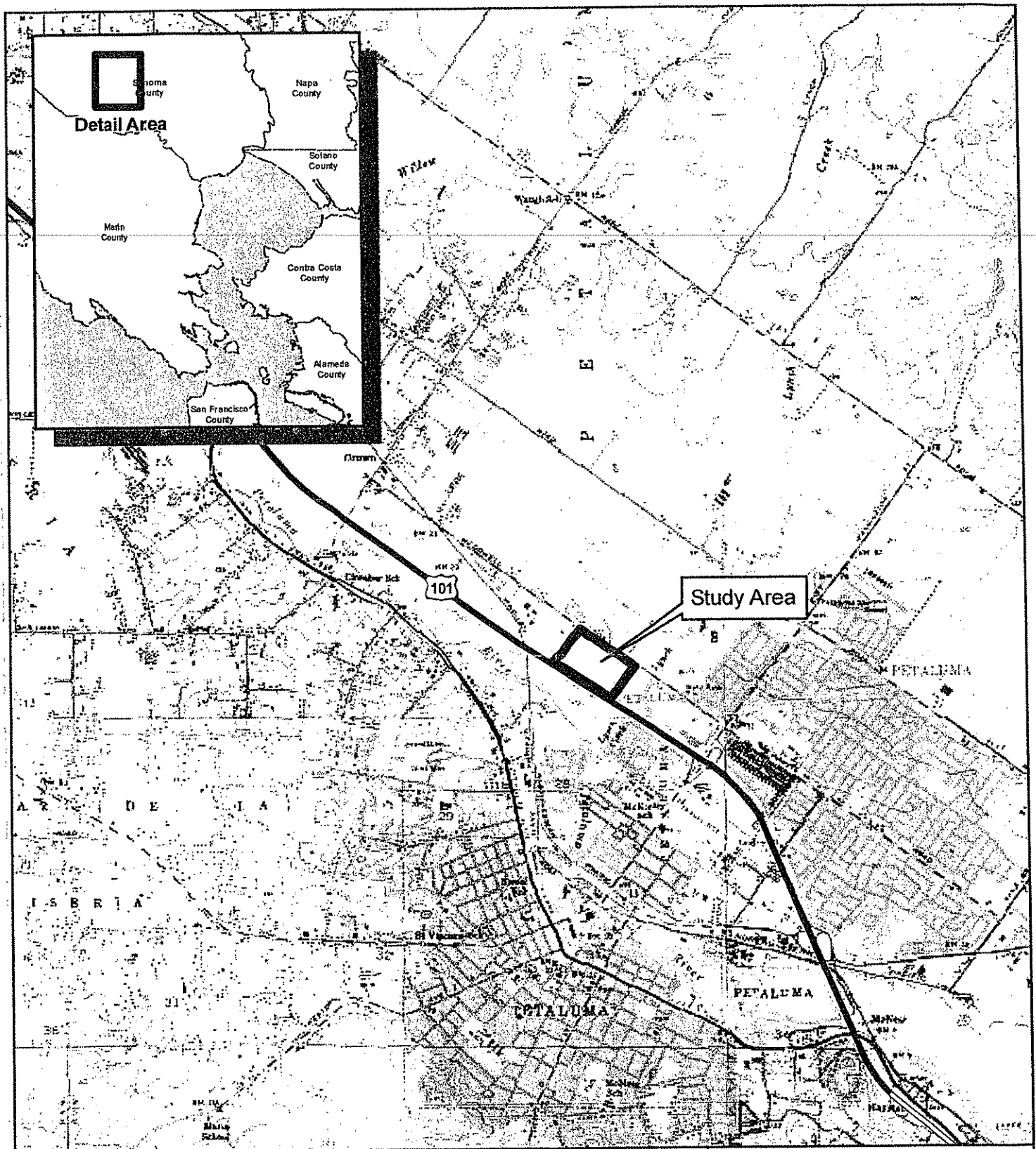
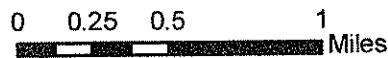


Figure 1. Study Area Location Map



Deer Creek Village
Sonoma County, CA

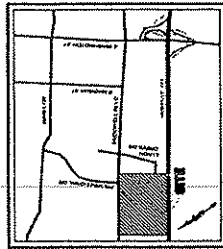


Date: August 2008
Image Source: USGS Topo Quad
Map By: Derek Chan
Filepath: I:\ACAD2000\17132\GIS\ArcMap\Fig1_LocMap.mxd



PROJECT SUMMARY

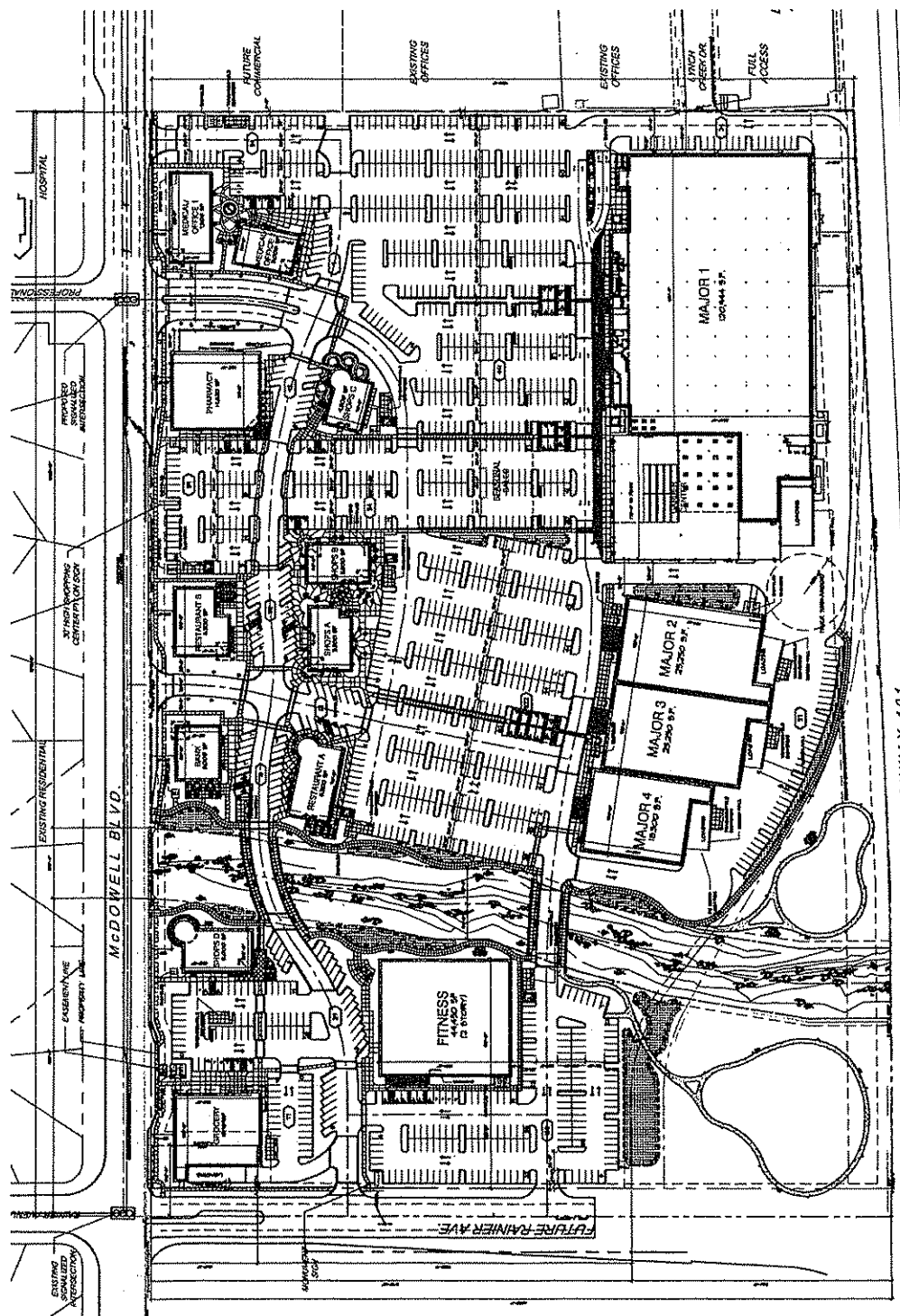
SITE AREA (NET):	36.55 AC. 1,592,118 SF
ZONING:	MU1B (MIXED-USE 1)
HEIGHT LIMIT:	30' (UP TO 45' w/ SETBACK)
TOTAL BUILDING AREA:	314,980 SF
MAJORS:	189,944 SF
SHOPS:	21,900 SF
PHARMACY:	14,820 SF
GROCERY:	13,869 SF
BANK:	5,000 SF
RESTAURANTS:	13,000 SF
OFFICE:	12,900 SF
FITNESS:	44,450 SF
FLOOR AREA RATIO:	0.20
PARKING REQUIRED:	1,102 STALLS
PARKING PROVIDED:	3,671,000 SF
STANDARD STALLS:	4,231,000 SF
ACCESSIBLE STALLS:	1,252
PREFERRED STALLS:	53 (2% REQUIRED)
STANDARD STALL SIZE:	27' X 19'
ASILE WIDTH:	26'
BICYCLE RACKS REQUIRED:	134 (10% OF PARKING)
COVERED:	76 (56%)
OUTDOOR:	62 (46%)
TOTAL PROVIDED:	138 BICYCLES
EMPLOYEE SHOWERS:	4



VICINITY MAP
NOT TO SCALE

A-1

785 Market Street
San Francisco, California 94104-2016
© 11/17/2002 © 415.774.1558
mg@mgarchitect.com

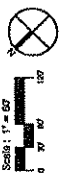


DEER CREEK VILLAGE

SEC McDOWELL BLVD. & RAINIER AVE.
PETALUMA, CALIFORNIA

Verlone Group Architects

433 California Street, Eureka, CA 95501 TEL: (415) 693-5000 FAX: (415) 693-0480

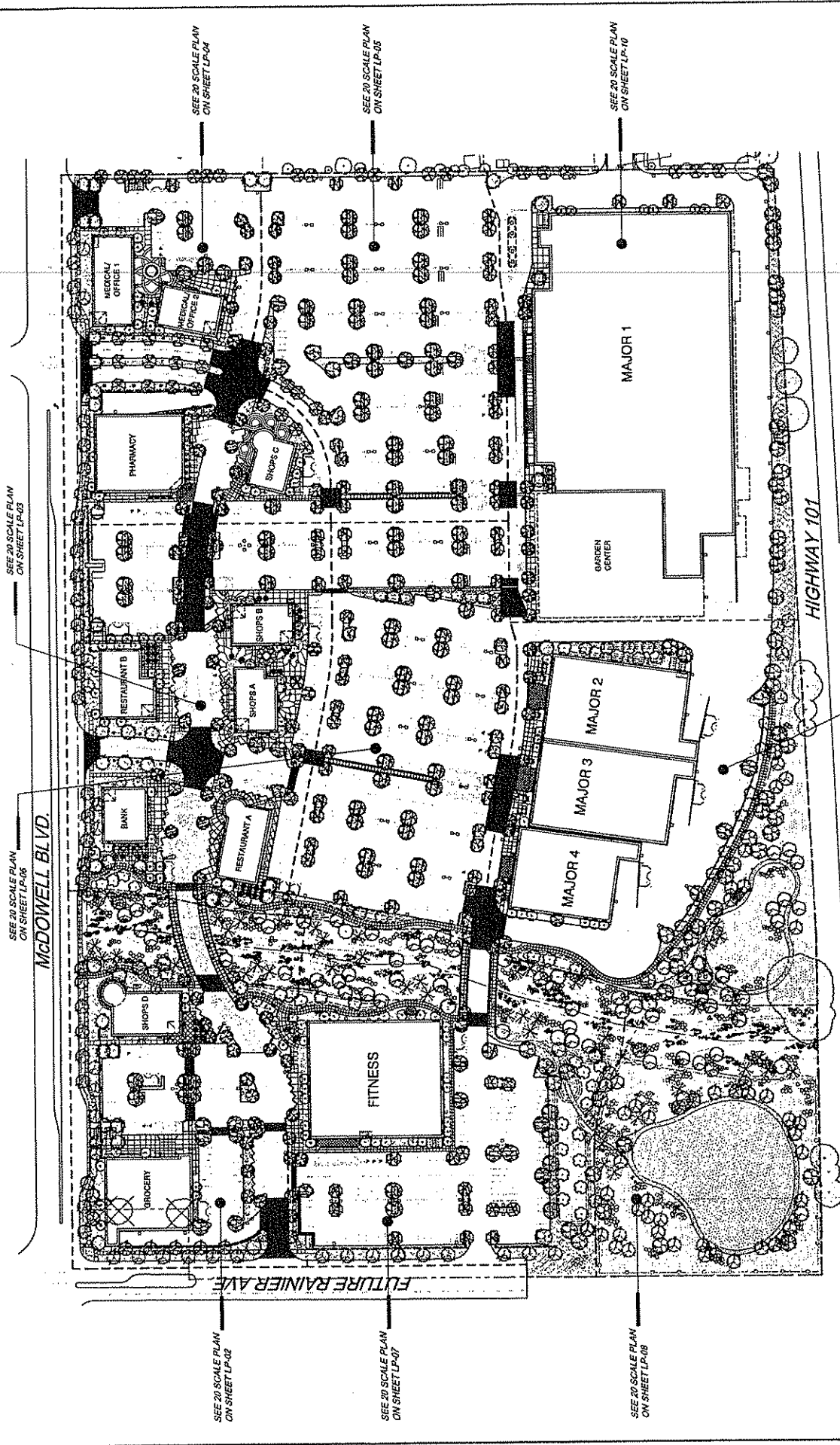


SITE PLAN
Scale: 1" = 60'

DATE:	MARCH 20, 2009
PROJECT NO. #:	045628
DATE:	JANUARY 13, 2009
DATE:	REVISIONS:
<small>© VERLONE GROUP ARCHITECTS, A CORP. ALL RIGHTS RESERVED THIS DOCUMENT IS THE PROPERTY OF VERLONE GROUP ARCHITECTS, A CORP. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF VERLONE GROUP ARCHITECTS, A CORP.</small>	

Figure 2.

REFER TO TITLE SHEET (LP-00)
FOR PLANTING LEGENDS AND NOTES



SHEET: LP-01

SEE 20 SCALE PLAN
ON SHEET LP-09

OVERALL PRELIMINARY LANDSCAPE PLAN

DEER CREEK VILLAGE

SE CORNER McDOWELL BLVD. & RAINIER AVE.
PETALUMA, CALIFORNIA

JANUARY 29, 2009
(REVISED - MARCH 20, 2009)

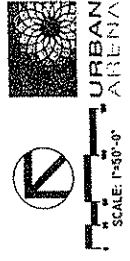


Figure 3.



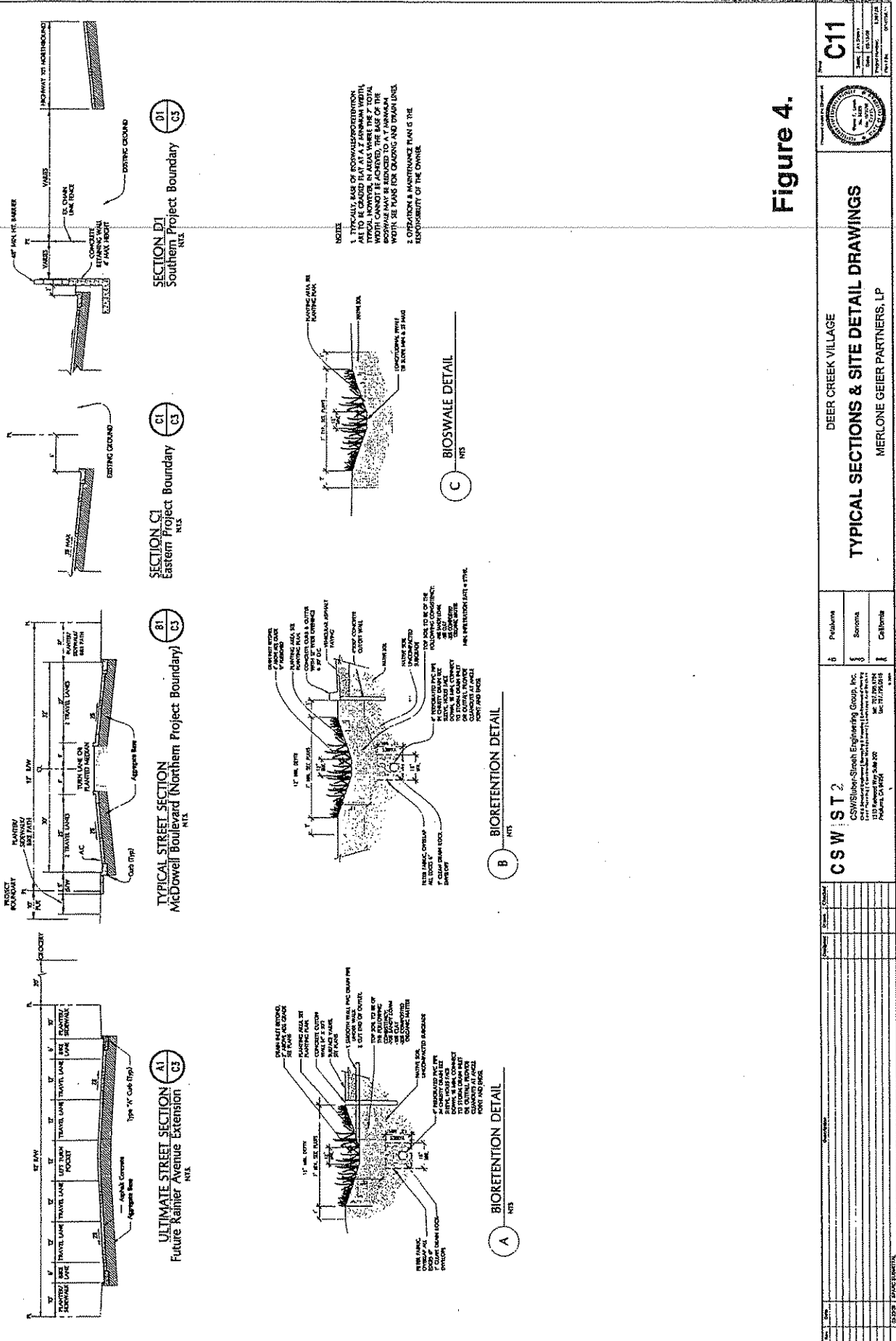


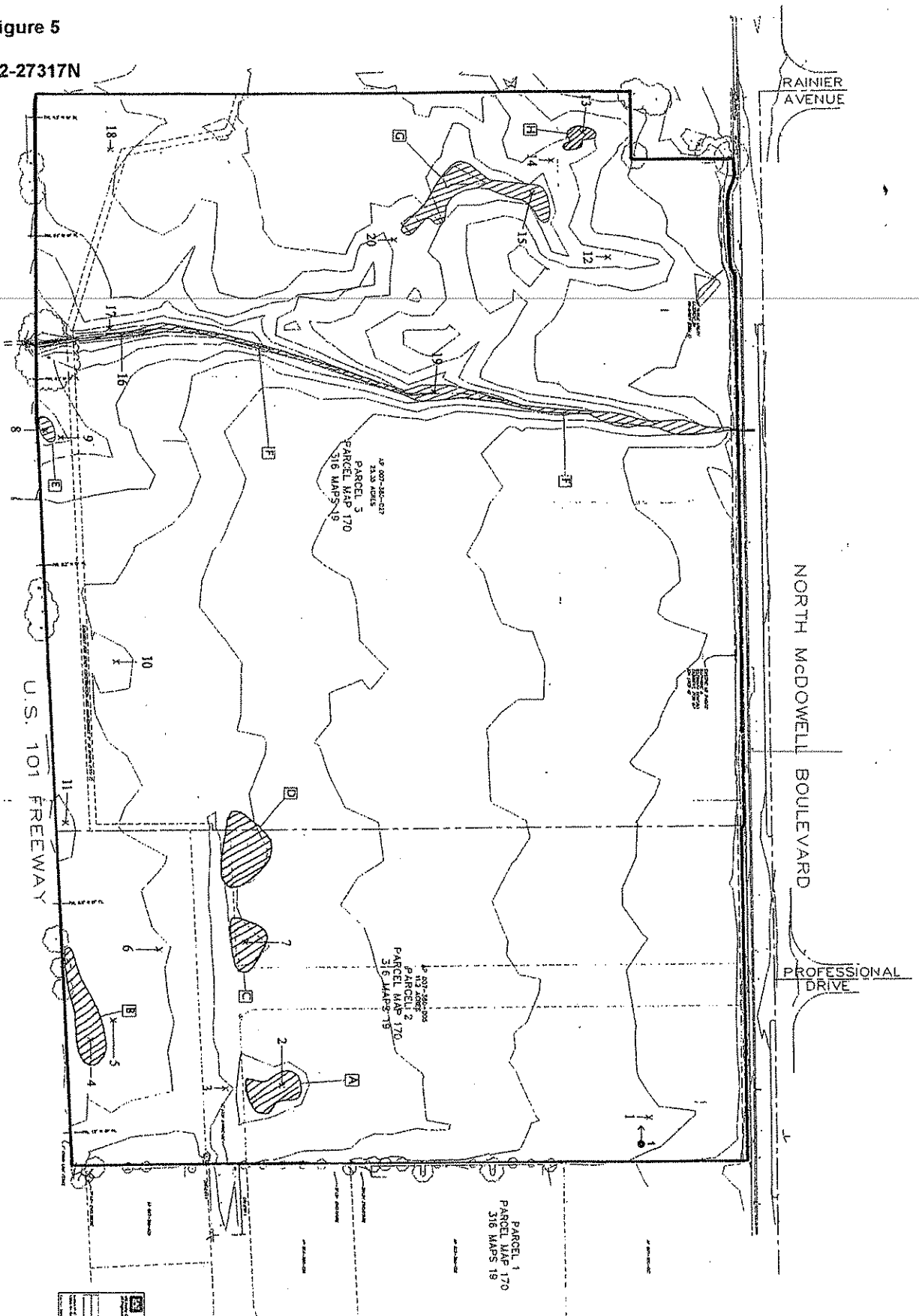
Figure 4.

<p>C11</p>	
<p>DEER CREEK VILLAGE</p> <p>TYPICAL SECTIONS & SITE DETAIL DRAWINGS</p> <p>MERLONE GEIER PARTNERS, LP</p>	
<p>CSW ST 2</p> <p>CSW/Silber-Smith Engineering Group, Inc. Civil & Mechanical Engineering 1133 Redwood Way, Suite 200 Pleasanton, CA 94568 Ph: 925.706.0000 Fax: 925.706.0001 Lic. No. C-15172 Exp. 12/31/08</p>	<p>Publications</p> <p>Sections</p> <p>California</p>
<p>DATE: 08/08/08</p> <p>PROJECT NO: 08-0002</p> <p>DATE PLOTTED: 08/08/08</p> <p>SCALE: AS SHOWN</p>	<p>DATE: 08/08/08</p> <p>PROJECT NO: 08-0002</p> <p>DATE PLOTTED: 08/08/08</p> <p>SCALE: AS SHOWN</p>

Approved by the U.S. Army Corps of Engineers for the purpose of showing the location of the project. This drawing is not to be used for any other purpose without the written consent of the Corps. The Corps makes no warranty or representation as to the accuracy of the information shown on this drawing.

Figure 5

2002-27317N



U.S. 101 FREEWAY

RAINIER AVENUE

NORTH MCDOWELL BOULEVARD

PROFESSIONAL DRIVE

LEGEND

- Sample Points
- Point Points
- Project Boundary
- Jurisdictional Area

LEVIN

Professional Engineer

License No. 10000

State of Washington

2002-27317N



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT
US ARMY CORPS OF ENGINEERS (CESPN-OR-R)
1455 MARKET STREET, REGULATORY BRANCH, 16TH FLOOR
SAN FRANCISCO CA 94103-1398



049J82013056

\$00.44

07/07/2009

Mailed From 94535

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SAN FRANCISCO CITY & COUNTY
BOARD OF SUPERVISORS
1 DR CARLTON B GOODLETT PLACERM 244
SAN FRANCISCO CA 94102-4689

9410234689 0000



07/10/09 13:46 FAX

CANON FAX

001

File: 090724
page

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BOARD OF SUPERVISORS
SAN FRANCISCO

2009 JUL 10 PM 4:23

BY 090724 MS

33

July 9, 2009

San Francisco Board of Supervisors
City Hall
San Francisco, CA 94102

Dear Supervisors

I heard about your proposal to create a new tax on cigarettes to pay for litter clean up. I am opposed to your proposal because I will have to increase the price my customers pay for cigarettes. I also don't like the tax because I already keep the sidewalk in front of my store very clean everyday. I doubt very much that you will be giving me a break on taxes for that or help me to get the gum off the sidewalk which is worse than cigarette butts.

I hope that you consider my position on this new tax and vote no.

Sincerely,

Basim K

owner of Mike's Liquors

S-F CA 94110

33

Jul 10, 2009 5:12PM

Chief's Office - SF Fire Dept.

No. 5938 P. 2

JOANNE HAYES-WHITE
CHIEF OF DEPARTMENT



GAVIN NEWSOM
MAYOR

SAN FRANCISCO FIRE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

VIA FACSIMILE & INTERDEPARTMENT MAIL

July 10, 2009

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

Re: Board of Supervisors Inquiry #20090609-006

Dear Ms. Calvillo,

This letter is in reference to Supervisor Ross Mirakarimi's request for information related to Fire Department's response to the Pacific Gas and Electric vault fire on June 5, 2009. The Department dispatched 30 units and 83 members to the incident, resulting in a cost of \$9,807.61. In addition, the Department incurred a cost of \$1,057.77 for materials and supplies purchased specifically for the incident. A total of \$10,865.38 has been submitted to the Controller's Office who intends to request full reimbursement for all City Agencies that incurred costs associated with this incident.

Should you require further information regarding the enclosed, please do not hesitate to contact my office at 558-3401.

Very truly yours,


Joanne Hayes-White
Chief of Department

Enclosures (2)

cc: Supervisor Ross Mirakarimi

Jul. 10. 2009 5:12PM Chief's Office - SF Fire Dept.

No. 5938 P. 3

Airgas Airgas NCN
6790 Florin Perkins Rd #300
Sacramento, CA 95828-1812

SOLD BY AIRGAS-NCN
441 HOBSON STREET
SAN JOSE CA 95110-2016
866-323-4391

SOLD TO SAN FRAN CITY & CNTY
CENTRAL SHOP
1800 JERROLD AVE
SAN FRANCISCO CA 94124-1629

ORIGINAL INVOICE CD. 2
FVIL

FOR ADDRESS CORRECTIONS, PLEASE FAX NOTICE 916 331-0495

INVOICE DATE	CUST. NO.	INVOICE NO.	DUE DATE
06/08/09	AAMBO	102541839	07/08/09

PAY THIS AMOUNT **\$1057.77**

AMOUNT ENCLOSED

PLEASE MARK YOUR METHOD OF PAYMENT

Check
 Credit Card

Please visit www.airgas.com/onlinebillpay or complete the information on the reverse side of this form.

PLEASE MAKE CHECKS PAYABLE TO: REMIT TO:

14082

Airgas NCN
PO Box 7425
Pasadena, CA 91109-7425

10P90010445
\$1057.77
6/15/09

00AAMB0001025418390001057778

466

TO ENSURE PROPER CREDIT, PLEASE RETURN THE UPPER PORTION WITH YOUR REMITTANCE. FOR QUESTIONS ON YOUR ACCOUNT PLEASE CALL 916-379-1020

ORDER NUMBER	INVOICE NUMBER	ACCOUNT NUMBER	INVOICE DATE	CITY
996572-00	102541839	AAMBO	06/08/09	SAN FRAN CITY & CNTY
DPPR09000103FL1	094	520	601	HOT SHOT DEL
				NET 30 DAYS
RELEASE #: VEH#145-88060001010 42060				
CO2 BULK DELIVERY TO SF FIRE @ POLK STREET ON 06/05/09				
9965720608	CD BLK	B94 **	4800	0
				CARBON DIOXIDE BULK
				VOL: 4800
9965720608	SRCFSC	1	0	0
				FUEL SURCHARGE
9965720608	DELSAMEDAY	1	0	0
				DEL CHRG HOT SHOT/EMERGE
				AIRGAS VEHICLE
				Subtot 1
				966.00
TAX CD: 000000285 TAX DESCRP: SAN FRANCI EXMPT CD: 0 EXMPT/CERT:				
POSTED JUN 15 2009				
ADMIN JUN 12 PM 2:19				
				State Tax 7.21%
				City Tax 1.00%
				Other Tax 1.25%
				70.03
				9.66
				12.08
				\$966.00
				\$1057.77

Airgas www.airgas.com

Airgas Northern California & Nevada
6790 Florin Perkins Rd #300
Sacramento, CA 95828-1812

SHIP TO:
SAN FRAN CITY & CNTY
POLK STREET
ATTN: RICH FERRARI
SAN FRANCISCO CA 94124-1629

ACT. NAM : AIRGAS NCN
ACT. NO. 606074203
PNC BAN - ABA NO. 031000053
REF. 102: 1839/AAMBO

ORIGINAL INVOICE

Jul. 10. 2009 5:11PM Chief's Office - SF Fire Dept.

No. 5938 P. 1 *page*

C. R. Mirkarimi

SAN FRANCISCO FIRE DEPARTMENT



698 Second Street
San Francisco, CA 94107-2015
Telephone (415) 558-3403
Facsimile (415) 558-3407

JOANNE M. HAYES-WHITE Chief of Department
RICHARD KOHEVAR Deputy Chief of Operations
GARY P. MASSETANI Deputy Chief of Administration

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[Signature]

FACSIMILE COVER

TO: Angela Calvillo, Clerk of the Board of Supervisors
Ross Mirkarimi, Member, Board of Supervisors

FAX: 554-5163
554-7634

FROM: Joanne Hayes-White, Chief of Department

DATE: July 10, 2009

TOTAL PAGES
INCLUDING COVER LETTER: 3

COMMENTS:

This and any accompanying page(s) contain information which is **confidential and privileged**. The information is intended for the use of the individual or entity named above. If you are not the intended recipient, then be aware that any disclosure, copying, distribution or use of the accompanying document (or the information contained in it) is prohibited. If you have received this facsimile in error, please notify us immediately.

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ARNOLD SCHWARZENEGGER



JOHN CARLSON, JR.
EXECUTIVE DIRECTOR
1416 Ninth Street
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

Fish and Game Commission

July 8, 2009


TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to sections 163 and 164, Title 14, California Code of Regulations, relating to the commercial herring fishery, which will be published in the California Regulatory Notice Register on July 10, 2009.


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

Mr. John Mello, Marine Region, Department of Fish and Game, phone (707) 441-5755, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,


Sheri Tiemann
Staff Services Analyst

Attachment

BY 
2009 JUL -9 AM 10:59
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BOARD OF SUPERVISORS
SAN FRANCISCO

35

35

**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 1050, 5510, 8389, 8550, 8552.1, 8553 and 8555, of the Fish and Game Code and to implement, interpret or make specific sections 713, 1050, 7850, 7850.5, 7852.2, 8043, 8053, 8389, 8550-8557, and 8559 of said Code, proposes to amend sections 163 and 164, Title 14, California Code of Regulations, relating to the commercial herring fishery.

Informative Digest/Policy Statement Overview

Under existing law, herring may be taken for commercial purposes only under a revocable permit, subject to such regulations as the Fish and Game Commission shall prescribe. Current regulations specify: permittee qualifications; permit application procedures and requirements; permit limitations; permit areas; vessel identification requirements; fishing quotas; seasons; gear restrictions; quotas; and landing and monitoring requirements.

The proposed regulations would establish the fishing quota, season dates and times for fishing operations for the 2009-2010 season in San Francisco Bay based on the most recent biomass assessments of spawning populations of herring as well as season dates and times for fishing operations for the 2009-2010 season in Tomales Bay. There are no quota changes proposed for Crescent City Harbor, Humboldt or Tomales bays for the 2008-09 herring season.

The following is a summary of the proposed changes in Sections 163, and 164, Title 14, CCR:

Option 1

- The Department recommended proposed regulations would set the San Francisco Bay quota at 0 tons, which represents a 0 percent harvest of the 2008-09 spawning biomass estimate. If the Commission were to adopt this option, this would close the herring roe and herring-eggs-on-kelp fishery in San Francisco Bay for the 2009-2010 season.
- The Department recommended proposed regulations would close the open ocean fishery that takes place for herring, primarily in Monterey Bay. An incidental allowance of no more than 10 percent herring by weight of any load composed primarily of other coastal pelagic fish species or market squid may be landed.
- The Department recommended proposed regulations would set the dates of the roe herring fishery in Tomales Bay from noon on Sunday, December 27, 2009, until noon on Friday, February 26, 2010.

Option 2

- The alternative proposed regulations would allow a quota within the range of zero to 10 percent of the 2008-2009 spawning biomass estimate of 4,844 tons.
- The alternative proposed regulations would allow a harvest rate of seven percent of the 2008-2009 spawning biomass.
- The alternative proposed regulations would create one San Francisco Bay herring season with a common quota for all platoons for the 2009-2010 season.
- The alternative proposed regulations would modify San Francisco Bay herring permit requirements only for the 2009-2010 season, by requiring two permits of any type (DH,

Odd, or Even) for an individual to fish one net (minimum allowed per vessel), and four permits of any type (DH, Odd, or Even) for an individual to fish two nets (maximum allowed per vessel).

- Alternative proposed regulations would allow fishing in San Francisco Bay from 5:00 p.m. on Sunday, January 3, 2010, until noon on Friday, February 26, 2010.

The following are minor editorial changes proposed to improve clarity and consistency of the regulations:

- ~~The proposed regulations would correct the Limited Entry Pacific Herring permit application number in subsection 163(b)(1) and the Herring Eggs on Kelp permit application number in subsection 164(h)(1) to coincide with the 2009-2010 season applications.~~

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Yolo Fliers Club, Ballroom, 17980 County Road 94B, Woodland, California, on Thursday, August 6, 2009, 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 at the Yolo Fliers Club, Ballroom, 17980 County Road 94B, Woodland, California, on Thursday, September 3, 2009, 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 August 27, 2009 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 August 31, 2009. All comments must be received no later than September 3, 2009, at the hearing in Woodland, 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, John Carlson, Jr., 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 John Carlson, Jr., or Sheri Tiemann at the preceding address or phone number. **Mr. John Mello, Marine Region, Department of Fish and Game, (707) 441-5755 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 Business, Including the Ability of California Businesses to Compete with Businesses in Other States:**

Japan remains the major market for California herring roe (Kazunoko), which is processed for consumption in Japan as a traditional salted roe product or flavored roe product. Very recent gains in the Japanese Yen against the US dollar could provide for future increase in demand for herring roe. Nonetheless overall trends in ex-vessel prices continue to decline. Market observers attribute this decline to changing tastes, preferences, and demographics in Japan over the years.

The California commercial herring fishery takes place in four areas; San Francisco Bay, Tomales Bay, Humboldt Bay, and Crescent City Harbor. However, the greatest economic activity is derived from herring ventures in San Francisco Bay, which typically generate about 90 percent of the total average annual value for this California fishery. In real dollars, San Francisco Bay herring landings have averaged about \$2.7 million in ex-vessel value to the fishermen since 2004. All the herring fishermen and herring processing plants are small businesses as defined under Government Code Section 11342.610.

In the 2008-2009 commercial herring season, San Francisco Bay landings amounted to 507 tons total, out of an available 1,118 ton quota. Depending on which option the Commission chooses for 2009-2010, the quota will be between zero and 484 tons (10 percent of the 2008-2009 spawning estimate of 4,844 tons). Given this range relative to last season, the potential direct impacts are \$20,900 to \$479,000 in lost revenue to the fishermen. The resulting total output impact to the State's economy from this potentially lost revenue is \$37,000 to \$850,000. This is based on an economic output multiplier of 1.774 for calculating total direct, indirect, and induced impacts to California's economy from the herring fishery.

The Commission has made an initial determination that the amendment of this regulation may have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states. The Commission has considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit alternative proposals. Submissions may include the following considerations:

- (i) the establishment of differing compliance or reporting requirements or timetables which take into account the resources available to businesses;
- (ii) consolidation or simplification of compliance and reporting requirements for businesses;
- (iii) the use of performance standards rather than prescriptive standards; or
- (iv) exemption or partial exemption from the regulatory requirements for business.

- (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:

Given a range of \$20,900 to \$479,000 in potential lost revenue to the fishermen, the employment impacts are estimated to be between five to 105 jobs lost. This is based on an employment multiplier of 218.3 jobs per million dollars in lost fishing revenue in the California herring fishery.

- (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. There are no new fees or reporting requirements stipulated under the proposed regulations.

- (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 or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

John Carlson, Jr.
Executive Director

Dated: June 30, 2009

36

Supervisors,

I just learned of your intention to move \$80 million dollars from the public safety budget into other services. While I know that difficult budget decisions need to be made in these hard economic times, I am urging you not to compromise public safety services. Please do not compromise our safety in a city with increased fire danger from wood frame buildings and earthquakes.

The fire department is only 3% of the proposed budget. The fire department does not take away from health/human services; it provides these services with medical response and transport.

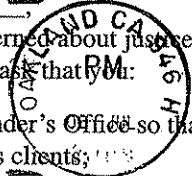
I do not support closure of fire stations or decreasing police protection. It is irresponsible.

A handwritten signature in cursive script, appearing to read "Bernard", written in black ink.

36

37

Dear Supervisor _____
As a voter and taxpayer who is concerned about justice and public safety in San Francisco, I ask that you:



- Restore funding to the Public Defender's Office so that the office can adequately represent its clients;
- Maintain programs that save taxpayer dollars and help people remain arrest-free, such as the Public Defender's Office expungement and prisoner reentry programs.

Public defenders provide lifesaving assistance to San Francisco's poorest and most vulnerable communities. Even in these difficult economic times, San Francisco cannot afford to place equal access to justice on the financial chopping block. Please show your commitment to ensuring justice for all San Franciscans by restoring positions to the Public Defender's Office.

Thank you for your attention to this important matter.

Signature: *Van P. Kern*

Print name here: Van P. Kern



PK

2009 JUL -7 AM 11:00

RECEIVED
OFFICE OF THE PUBLIC DEFENDER
SAN FRANCISCO, CA

Supervisor _____
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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