

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - FINAL

Tuesday, March 23, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday

1:30 PM

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

1st and 3rd Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

2nd and 4th Monday

10:30 AM

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

2nd and 4th Thursday

1:00 PM

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Monday

1:00 PM

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

1st and 3rd Monday

10:00 AM

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

1st and 3rd Thursday

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 105 Number 10

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, Supervisor Alioto-Pier was noted absent. There was a quorum.

Supervisor Alioto-Pier Excused from Voting

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that Supervisor Alioto-Pier be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

100044 [Repealing Various Municipal Transportation Agency Special Funds; Appropriating \$70,687]

Sponsor: Chiu

Ordinance amending Chapter 8 and Chapter 10, Article XIII, of the Administrative Code, by repealing Sections 8.29 (Municipal Railway Video Production Fund), 10.100-155 (Municipal Transportation Capital Reserve Fund), 10.100-157 (Municipal Transportation Improvement Fund), 10.100-159 (Municipal Transportation Information Fund), 10.100-162 (Municipal Transportation Operators Lounge Facilities Fund), and 10.100-164 (Municipal Transportation Para Transit Fund) and appropriating \$70,687 from the Municipal Transportation Information Fund to the Municipal Transportation Agency.

Ordinance No. 65-10

FINALLY PASSED

100174 [Approval of Mental Health Services Act Innovation Work Plan]**Sponsor: Mirkarimi**

Resolution authorizing adoption of the Mental Health Services Act Innovation Work Plan and modification of Contract No. 07-77338-000 to include this Plan in the agreement. (Public Health Department)

Resolution No. 107-10**ADOPTED****100175 [Approval of Mental Health Services Act FY2010-2011 Annual Plan Update]****Sponsor: Mirkarimi**

Resolution authorizing adoption of the Mental Health Services Act FY2010-2011 Plan Update for the Community Services and Support, Prevention and Early Intervention, and Workforce Education and Training and modification of Contract No. 07-77338-000 to include this Annual Update in the agreement. (Public Health Department)

Resolution No. 103-10**ADOPTED****100176 [Approval of a Lease with the Federal Express Corporation at San Francisco International Airport]**

Resolution approving and authorizing the execution of Lease No. 09-0280 with Federal Express Corporation for cargo warehouse and support office space to be occupied by Federal Express Corporation in Building 900 at San Francisco International Airport. (Airport Commission)

Resolution No. 101-10**ADOPTED****Recommendation of the Land Use and Economic Development Committee****100136 [Floodplain Management Program]****Sponsor: Elsbernd**

Ordinance amending the floodplain management program established by Chapter 2A, Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; providing requirements for designating floodplains and for construction and development in floodplains.

Ordinance No. 56-10**FINALLY PASSED**

Recommendations of the Rules Committee**100068 [Settlement of Lawsuit - Marjorie Flores - \$57,500]**

Ordinance authorizing settlement of the lawsuit filed by Marjorie Flores against the City and County of San Francisco for \$57,500; the lawsuit was filed on April 23, 2009, in San Francisco Superior Court, Case No. 09-487666, entitled Flores v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 64-10

FINALLY PASSED

100069 [Settlement of Lawsuit - Yee Mei Hung - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Yee Mei Hung against the City and County of San Francisco and Thomas Mann Chu for \$50,000; the lawsuit was filed on February 3, 2009, in San Francisco Superior Court, Case No. 484-637; entitled Yee Mei Hung v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 63-10

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendation of the Budget and Finance Committee****091344 [Redevelopment Agency Bond Authorization - \$28,000,000]**

Sponsors: Mayor; Avalos

Resolution approving the issuance by the Redevelopment Agency of Bonds in an additional principal amount not to exceed \$28,000,000 to finance a portion of redevelopment activities described in the approved Budget as amended for FY2009-2010 of which additional tax increment will be needed in FY2010-2011 for such financing thereof.

Resolution No. 112-10

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

100228 [Redevelopment Agency Budget FY2009-2010]

Sponsor: Avalos

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY2009-2010 by increasing the Agency's tax increment bond proceeds by \$28,000,000 and authorizing expenditures in an amount not to exceed \$28,800,000 for payment to the Supplemental Educational Revenue Augmentation Fund.

Resolution No. 111-10

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100045 [Increasing Real Estate Recordation Fee]

Sponsor: Chiu

Ordinance amending Section 8.24-5 of the Administrative Code to increase the recordation fee to \$3.00 from \$2.00 for recording real estate instruments, and authorizing the Controller to adjust the fee upon notice from the District Attorney, to become operative on its effective date or July 1, 2009, whichever is later, and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100080 [Repealing the Department of Technology Cash Revolving Fund]

Ordinance repealing Article XV, Section 10.143 of the San Francisco Administrative Code which established a cash revolving fund for the Department of Technology. (Department of Technology)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100208 [Accept and Expend Grant - American Recovery and Reinvestment Act and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$750,635]

Sponsors: Mayor; Dufty

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$750,635 from the Federal Department of Energy's Solar America Initiative to remove barriers to the deployment of solar technologies in San Francisco by addressing the lack of financing options for solar power installations and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100232 [Accept and Expend Grant – Supported Employment Program and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$166,981.50]**Sponsor: Mirkarimi**

Ordinance authorizing the Office of the Public Defender to retroactively accept and expend a grant in the amount of \$166,981.50 from the Metta Fund Foundation to implement a Supported Employment Program to assist Public Defender clients with mental illness in securing competitive employment, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY2009-2010) to reflect addition of one (1) grant-funded position (0.25 FTE) in Class 2910 Social Worker at the Office of the Public Defender.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

100168 [Wastewater Revenue Bonds Issuance and Sale - Not to Exceed \$282,400,000]**Sponsor: Dufty**

Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

100169 [Wastewater Revenue Bonds Issuance - Not to Exceed \$282,400,000]**Sponsor: Dufty**

Resolution approving the issuance of not to exceed \$282,400,000 in aggregate principal amount of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

Resolution No. 110-10**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

100177 [Real Property Lease Amendment - One Market Plaza]

Resolution approving, retroactively, a lease at One Market Plaza, for the Department of Emergency Management under Administrative Code Section 23.27. (Real Estate Department)

Resolution No. 106-10**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

100263 [Authorizing the Filing of an Application for Section 190 Grade Separation Grant Funds - \$5,000,000]**Sponsor: Elsbernd**

Resolution authorizing the Department of Public Works to file an application seeking state Section 190 Grade Separation funds, in the amount of \$5,000,000 from the California Department of Transportation for the reconstruction of the Jerrold Avenue railroad bridge grade separation and to enter into a Memorandum of Understanding to pass through the funds to the Peninsula Corridor Joint Powers Board.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED to March 30, 2010. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee**091475 [General Plan Amendment - Market and Octavia Area Plan]****Sponsor: Mirkarimi**

Ordinance amending the Market and Octavia Area Plan of the General Plan (an Area generally described as approximately one square mile surrounding the Market Street and Octavia Boulevard intersection) to amend the historic resource provisions of the Plan to integrate the results of the Historic Resource Survey by removing language calling for the Area Plan Level Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; and adding a new design principle; amending the provisions related to alleys to include terminology consistent with other Area Plans; and making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

091209 [Interim Zoning Controls for the Bayshore Corridor]**Sponsors: Maxwell; Campos and Dufty**

Resolution imposing interim zoning controls to require Conditional Use authorization for all projects that involve: (1) establishment of a formula retail use; (2) new retail uses that are 25,000 gross square feet or larger; and/or (3) a lot merger that creates a new lot that is 25,000 square feet or larger, for a period of eighteen (18) months, on all properties on lots fronting Bayshore Boulevard, from Jerrold Avenue to the I-280 Freeway; the west side of Loomis Street, from Jerrold Avenue to the I-280 Freeway; Oakdale Avenue from Loomis Street to Bayshore Boulevard; Marengo Street from Bayshore Boulevard to Waterloo Street; and the west side of Boutwell Street from Industrial Street to the I-280 Freeway; specifying criteria to be applied in the evaluation of a conditional use permit application, in addition to the criteria listed in Section 303 of the Planning Code; and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Resolution No. 115-10

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

100266 [Urging the Department of Technology to Respond to Google's Request for Information with a Proposal that Allows the City to Maintain Control Over Fiber Networks]**Sponsor: Chiu**

Resolution urging the City and County of San Francisco's Department of Technology to respond to Google, Inc.'s Request for Information with a proposal to build a fiber network in San Francisco that is consistent with the City's core value of maintaining control over fiber infrastructure deployed in the City.

Resolution No. 113-10**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Recommendations of the Public Safety Committee**100112 [Dispatch Services in the Program for Additional Police Department Services]**

Ordinance amending San Francisco Administrative Code Sections 10B.1, 10B.2, 10B.3, 10B.4, and 10B.5, including dispatch services provided by the Department of Emergency Management, in the program for additional Police Department services. (Department of Emergency Management)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

100043 [Potential Health Impacts of Wireless Facilities]**Sponsors: Campos; Avalos, Chu and Mar**

Resolution urging the U.S. Environmental Protection Agency to study the health impacts of wireless facilities and, if appropriate, to establish a safe level of exposure to radiofrequency radiation emissions; urging the Federal Communications Commission to update its existing standards; and urging the California Congressional Delegation to introduce federal legislation to repeal limitations on state and local authority imposed by the Telecommunications Act of 1996.

Resolution No. 102-10**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Supervisor Dufty introduced, welcomed, and presented a Certificate of Honor to Gordon Park Li in recognition of his outstanding career and thanking him for his exceptional service to the City and County of San Francisco over the past 37 years, upon his retirement.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Male Speaker; expressed various religious concerns.

Female Speaker; expressed various concerns.

Walter Paulson; shared in song certain concerns with the Board.

Christopher Dahl; spoke relating to tobacco and cessation.

Elizabeth Bell; expressed concerns relating to unemployment.

Camilia Correa; expressed concerns relating to unemployment.

Richard McRee; expressed concerns relating to technology, inventions and patents.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100343 [Accept and Expend Grant - Clinical and Transnational Science Institute - \$56,019]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$56,019 from the Public Health Foundation Enterprises, Inc. to assist with a project entitled "Clinical and Transnational Science Institute" for the period of September 29, 2009, through September 28, 2011.

Resolution No. 105-10

ADOPTED

100346 [Supporting Reauthorization of San Francisco Unified School District's Mello-Roos Community Facilities District on the June 8, 2010, Ballot]**Sponsors: Chiu; Mar**

Resolution supporting the San Francisco Unified School District's proposal to reauthorize its Mello-Roos Community Facilities District Assessment on the June 8, 2010, Ballot.

Resolution No. 114-10

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED**100347 [Recognizing the Bay Area Air Quality Management District]****Sponsor: Mar**

Resolution recognizing the Bay Area Air Quality Management for their support of San Francisco's efforts to promote environmentally preferable garment cleaning technologies among local dry cleaners.

Resolution No. 109-10**ADOPTED****100348 [Accept and Expend Grant - Youth Stewardship Program - \$20,000]****Sponsor: Avalos**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in the amount of \$20,000 to support the San Francisco Recreation and Park Department Youth Stewardship Program for FY2009-2010.

Resolution No. 104-10**ADOPTED****100344 [Committee of the Whole – Hearing on the Submission of a Design-Build Application to the California State Public Works Board]****Sponsor: Maxwell**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 30, 2010, at 3:00 p.m. to hold a public hearing on the Redevelopment Agency submission of a Design-Build application to the California State Public Works Board.

Motion No. M10-48**APPROVED****100345 [Committee of the Whole – Hearing on the Expenditure of Tax Increment Funds for Certain Streetscape Improvements in the Bayview Hunter's Point Redevelopment Project Area]****Sponsor: Maxwell**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 30, 2010, at 3:00 p.m. to hold a public hearing on the expenditure of tax increment funds, by the Redevelopment Agency, for a set of City owned streetscape improvements of the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area.

Motion No. M10-49**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 10 – Mirkarimi, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell

Excused: 1 - Alioto-Pier

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to rescind the previous vote to exclude File No. 100282. The motion carried by the following vote:

Ayes: 10 – Mirkarimi, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell

Excused: 1 - Alioto-Pier

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mirkarimi requested that File No. 100282 be severed so that it may be considered separately.

100282 [Initiative Constitutional Amendment - Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers"]

Sponsors: Mirkarimi; Maxwell, Mar, Avalos, Campos and Dufty

Resolution opposing Proposition 16, an Initiative Constitutional Amendment, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers."

Supervisor Dufty requested to be added as a co-sponsor.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Resolution be REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

IMPERATIVE AGENDA

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

100366 [Celebrating Nowruz, the Persian New Year]**Sponsor: Mirkarimi**

Resolution recognizing and appreciating the cultural contributions of Persian culture to modern society on the occasion of the Celebration of Nowruz, the Persian New Year.

Resolution No. 108-10

The President inquired as to whether any member of the public wished to address the Board relating to Celebrating Nowruz as referenced in File No. 100366. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinance

091271 [Zoning – Street Frontages for Most Use Districts]**Sponsor: Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

(3/23/10 - Supervisor Mirkarimi submitted a substitute ordinance bearing new title.)

11/03/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/3/2009.

11/18/09; REFERRED TO DEPARTMENT.

12/07/09; RESPONSE RECEIVED.

03/03/10; RESPONSE RECEIVED.

03/23/10; SUBSTITUTED.

Resolutions

100366 [Celebrating Nowruz, the Persian New Year]**Sponsor: Mirkarimi**

Resolution recognizing and appreciating the cultural contributions of Persian culture to modern society on the occasion of the Celebration of Nowruz, the Persian New Year.

03/23/10; ADOPTED.

100373 [Authorizing Expenditures from South of Market Community Stabilization Fund - \$1,844,273]**Sponsor: Daly**

Resolution approving the 2010 South of Market Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend South of Market Community Stabilization Fund dollars in the amount of \$1,844,273.

(Fiscal Impact.)

03/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100374 [Making Certain Findings for the Use of Tax Increment for the Newcomb Avenue Model Block Streetscape Improvements Pursuant to Health and Safety Code Section 33445]**Sponsor: Maxwell**

Resolution making certain findings pursuant to Health and Safety Code Section 33445 for the use of tax increment funds for the completion of construction documents, capital improvement costs and construction costs for the Newcomb Avenue Model Block Streetscape Improvements on the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area.

03/23/10; ASSIGNED to Board of Supervisors.

100376 [Congratulating Assemblymember Fiona Ma]**Sponsors: Mirkarimi; Chiu, Dufty and Mar**

Resolution congratulating Assemblymember Fiona Ma on her appointment as Speaker pro Tempore of the California State Assembly.

03/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100378 [Commending Speaker Nancy Pelosi for Her Work on Health Care Reform]**Sponsors: Mayor; Chiu, Maxwell, Alioto-Pier, Chu, Dufty, Mar, Elsbernd, Mirkarimi, Daly, Campos and Avalos**

Resolution commending Speaker of the House of Representatives Nancy Pelosi for her courage as a champion for historic health care reform in the United States.

03/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100379 [Supporting Senate Bill 4 Banning Smoking at State Parks and Beaches]**Sponsor: Mar**

Resolution supporting Senate Bill 4 Banning Smoking at State Parks and Beaches.

03/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**100367 [Three-Year Budget Projection - Mayor's Office, Controller and Budget Analyst]****Sponsor: Avalos**

Hearing to consider three-year Budget Projection from the Controller's Office, Mayor's Office and Budget Analyst.

03/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100369 [FY2010-2011 Budget Hearing - Municipal Transportation Agency]**Sponsor: Chiu**

Hearing on the Municipal Transportation Agency's FY2010-2011 Budget and how the Agency plans to use the \$36,000,000 in announced transit funding from the state.

03/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100370 [Sewer System Master Plan Project - Sewer System Improvement Program]**Sponsor: Maxwell**

Hearing on the status of the City's Sewer System Improvement Program.

03/23/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100372 [Federal Stimulus Funds - Jobs Now Program]**Sponsor: Maxwell**

Hearing on the status of the Jobs Now Program.

03/23/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100371 [Eastern Neighborhoods Area Plans - Funding Public Improvements]**Sponsor: Maxwell**

Hearing on the report on Strategies for Funding Public Improvements in the Eastern Neighborhoods Area Plans.

03/23/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100375 [Committee of the Whole - Making Certain Findings for the Use of Tax Increment for the Newcomb Avenue Model Block Streetscape Improvements Pursuant to Health and Safety Code Section 33445]

Hearing of persons interested in or objecting to the proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 for the use of tax increment funds for the completion of construction documents, capital improvement costs and construction costs for the Newcomb Avenue Model Block Streetscape Improvements on the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area. (Clerk of the Board)

03/23/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

100380 [Committee of the Whole - Approving Submission of a Design-Build Application to the California State Public Works Board Under California Public Contract Code Section 20688.6]

Hearing of persons interested in or objecting to the proposed Resolution making findings and authorizing the submission of a design-build application to the California State Public Works Board to permit construction of a Community Facilities Demonstration Project at Hunter's Point Shipyard Redevelopment Project Area. (Clerk of the Board)

Motions

100368 [Off-Site Budget and Finance Committee Meeting on April 21, 2010, 4:00 p.m. at the Hall of Flowers]

Sponsor: Avalos

Motion ordering the April 21, 2010, meeting of the Budget and Finance Committee be held at the Hall of Flowers, 9th Avenue at Lincoln Way, in the Inner Sunset district of San Francisco.

03/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100377 [Rejecting the San Francisco Municipal Transportation Agency's Proposed Fare Changes to Create New Premium Monthly MUNI Passes]

Sponsors: Mirkarimi; Chiu, Campos, Dufty and Mar

Motion rejecting the San Francisco Municipal Transportation Agency's proposed fare changes to create Premium Monthly San Francisco Municipal Railway Passes for express bus routes and cable cars.

03/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by President at Request of Department

PROPOSED RESOLUTIONS

100310 [Airport Concession – Terminal 2 Book Store Lease with Books, Inc.]

Resolution approving the Terminal 2 Book Store Lease between Books, Inc. (Compass Books, Inc.) and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100311 [Airport Concession – Amendment to Paster Retail/Duty Free Concession Lease No. 99-0035 with DFS Group, L.P.]

Resolution approving Amendment No. 8 to the Post-Security Master Retail/Duty Free Concession Lease No. 99-0035 between DFS Group, L.P., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100312 [Airport Concession – Terminal 2 Gourmet Market and Wine Bar Lease with D-Lew Enterprise, LLC]

Resolution approving a Terminal 2 Gourmet Market and Wine Bar Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 100313** [Airport Concession – Terminal 2 Quick Serve Lease with BJ Annex, LLC]
Resolution approving the Terminal 2 Quick Serve Lease, between BJ Annex, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100314** [Airport Concession – Terminal 2 Cocktail Lounge Lease with HBF Soto JV, LLC]
Resolution approving the Terminal 2 Cocktail Lounge Lease between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100315** [Airport Concession – Terminal 2 Specialty Store Lease with Charles Chocolates, Inc.]
Resolution approving the Terminal 2 Specialty Store Lease between Charles Chocolates, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100316** [Airport Concession – Terminal 2 Quick Serve Lease with Sankaku, Inc.]
Resolution approving the Terminal 2 Quick Serve Lease between Sankaku, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100317** [Airport Concession – Terminal 2 Sit-Down Restaurant Lease with D-Lew Enterprises, LLC]
Resolution approving a Terminal 2 Sit-Down Restaurant Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100318** [Airport Concession – Terminal 2 Bakery and Coffee Facilities Lease with Gotham Enterprises, LLC]
Resolution approving a Terminal 2 Bakery and Coffee Facilities Lease between Gotham Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 100319** [Airport Concession – Terminal 2 Quick Serve Lease with Andale Management Group, Inc.]
Resolution approving the Terminal 2 Quick Serve Lease, between Andalé Management Group, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100320 [Airport Concession – Terminal 2 Quick Serve Lease with HBF Soto JV, LLC]
Resolution approving the Terminal 2 Quick Serve Lease, between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100321 [Airport Concession – Terminal 2 and 3 Electronics and Technology Stores Lease with Edge 1 Cellular, L.P.]
Resolution approving the Electronics and Technology Stores in Terminal 2 and Terminal 3 Lease, between Edge 1 Cellular, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Board of Supervisors.

100322 [Airport Concession – Terminal 2 Spa Lease with XpresSpa SF International, Inc.]
Resolution approving the Terminal 2 Spa Lease between XpresSpa SF International, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100325 [Approving Sixth Modification to Water Supply Contract]
Resolution approving a sixth modification to the water supply contract (Contract No. EY-76-C-03-0269), between the City and County of San Francisco and the Department of Energy, pursuant to Charter Section 9.118. (Public Utilities Commission)
03/15/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to begin drafting legislation for a Special Use District located at 1800 Market Street that would allow for a restaurant and bar as a permitted use above the 2nd floor in this NCT-3 Zoning District, with appropriate limitations on any outdoor seating area.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:39 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 20, 2010.

Angela Calvillo, Clerk of the Board