

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

Tuesday, February 10, 2009 2:00 PM

Legislative Chamber - Second Floor
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

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Chu

City and School District Select Committee

Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas

City Operations and Neighborhood Services Committee

Supervisors Dufty, Daly, Alioto-Pier

Government Audit and Oversight Committee

Supervisors Mirkarimi, Mar, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Campos, Mirkarimi, Alioto-Pier

Rules Committee

Supervisors Campos, Chu, Daly

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

11:00 AM

1st and 3rd Thursday

10:00 AM

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

Volume 104 Number 6

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum present.

Supervisor Alioto-Pier was excused from attending the meeting.

Supervisor Alioto-Pier Excused from Attendance

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to excuse Supervisor Alioto-Pier from attending today's meeting. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor on February 6, 2009, communicating the Mayor's Veto of legislation contained in File No. 090009 regarding an emergency ordinance modifying various election procedures and deadlines for a June 2, 2009 special election.

REGULAR AGENDA

UNFINISHED BUSINESS

Possible Consideration of Mayoral Veto

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

090009 [Modifying election procedures and deadlines for a June 2, 2009 election]

Emergency ordinance (1) finding that an emergency exists for purposes of Charter Section 2.107; (2) modifying various election procedures and deadlines for a June 2, 2009 special election; and (3) identifying the proposed revenue measures that would be submitted using the modified procedures.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor has until February 7, 2009 to veto this legislation.

OVERTURN MAYORAL VETO by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Noes: 2 - Chu, Elsbernd

Excused: 1 - Alioto-Pier

From the Budget and Finance Committee Without Recommendation

081596 [Accept and Expend FY 2008-2009 Homeland Security Grant Program Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$2,112,026] Supervisor Alioto-Pier

Ordinance authorizing the Department of Emergency Management (DEM) to retroactively accept and expend a Homeland Security Grant Program grant in the amount of \$2,112,026 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security, for disaster planning, and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of three grant-funded positions at the Controller's Office, Mayor's Office on Disability, and Animal Care and Control.

Ordinance No. 27-09

FINALLY PASSED 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**080822 [Residential Rent Ordinance: Tenant Rights for Victims of Domestic Violence or Stalking]
Supervisors Chu, Mirkarimi, Dufty, Maxwell, Alioto-Pier, Chiu, Campos**

Ordinance amending Chapter 37 Residential Rent Stabilization and Arbitration Ordinance by making findings and amending Sections 37.2 and 37.9 to provide protections for tenants who are victims of domestic violence or sexual assault or stalking, including protection from evictions based on the actions of abusers or stalkers, and confidentiality protections.

Ordinance No. 28-09

FINALLY PASSED by the following vote:

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

**081581 [Approval of Port Lease to Pilara Family Foundation Lease No. L-14144 at Pier 24 Annex]
Resolution approving Port Commission Lease No. L-14144 with the Pilara Family Foundation, a Nevada Non-Profit Corporation ("Pilara") for certain real property located at Pier 24 Annex in the City and County of San Francisco. (Port)**

Resolution No. 49-09

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****081360 [Lease of real property at 3801 Third Street, Suite 400]
Resolution authorizing the lease at 3801 Third Street, Suite 400, for the Department of Public Health commencing retroactively on July 1, 2008. (Real Estate Department)**

Resolution No. 50-09

ADOPTED by the following vote:

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

**090042 [Public Auction - Tax-defaulted real property]
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)**

Resolution No. 43-09

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

On behalf of Supervisor Alioto-Pier, Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to Gwyneth Borden for her service in the community and in recognition of February as Black History Month.

Supervisor Avalos welcomed, introduced and presented a Certificate of Honor and presented to Mike Brown for his service in the Community and in recognition of February as Black History Month.

Supervisor Campos welcomed, introduced and presented a Certificate of Honor to Betty Hudson for her service in the community and in recognition of February as Black History Month.

Supervisor Chu welcomed, introduced and presented a Certificate of Honor to Colonel Robert Powell for his service in the community and in recognition of February as Black History Month.

Supervisor Dufty welcomed, introduced and presented a Certificate of Honor to John Newsom for his service in the community and in recognition of February as Black History Month.

Supervisor Elsbernd welcomed, introduced and presented a Certificate of Honor to Lonnie Lawson for his service in the community and in recognition of February as Black History Month.

Supervisor Mar welcomed, introduced and presented a Certificate of Honor to Esselene Stancil for her service in the community and in recognition of February as Black History Month.

Supervisor Maxwell welcomed, introduced and presented a Certificate of Honor to Lynette Scott for her service in the community and in recognition of February as Black History Month.

Supervisor Mirkarimi welcomed, introduced and presented a Certificate of Honor to Thomas Robert Simpson for his service in the community and in recognition of February as Black History Month.

Supervisor Chiu welcomed, introduced and presented a Certificate of Honor to Daisy McArthur for her service in the community and in recognition of February as Black History Month.

Supervisor Dufty welcomed, introduced and presented Certificate of Honor to members of the Seahawk Pop Warner Football cheerleaders in recognition of winning the 2008 National Championship Cheerleading Team Competition.

COMMITTEE REPORTS

090027 [Contract with Owners' Association for administration/management of Yerba Buena Community Benefit District]
Mayor

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Yerba Buena Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code.

Resolution No. 44-09

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Peter Tscherneff; expressed concern with issues relating to the murder of SF Police Officer Garnier and issues relating to the possible cover up of his murder

Male speaker; expressed concern with issues relating to the murder of SF Police Officer Garnier and issues relating to the possible cover up of his murder

Ray Hartz; expressed concern with issues relating to open government

Male speaker; expressed concern with issues relating to the economic crisis and bankruptcy reorganization

Lewis Whilden; expressed concern with issues relating to the economic crisis and bankruptcy reorganization

Anastasia Mares; expressed concern with issues relating to the economic crisis and bankruptcy reorganization

Peter Warfield; expressed concern with issues relating to the SF Public Library renovations

Walter Paulson; shared with the Board certain memorabilia

Mike Brown; expressed concern with issues related to the need for violence prevention in the Bayview and Ocean View districts

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

**090143 [Extending the Library Citizens Advisory Committee]
Supervisor Daly**

Resolution extending the operation of the Library Citizens Advisory Committee to March 1, 2011.

Resolution No. 48-09

ADOPTED

**090144 [Commending Margaret Brodtkin on over 30 years of service on behalf of San Francisco children and families]
Supervisors Dufty, Maxwell, Avalos, Campos, Mirkarimi, Chiu, Daly**

Resolution commending Margaret Brodtkin on over 30 years of service on behalf of San Francisco children and families.

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

Resolution No. 45-09

ADOPTED

**090145 [Commending David H. Williams and his 19 years of dedicated work to the Human Services Agency for the City and County of San Francisco since 1990]
Supervisors Dufty, Campos**

Resolution commending David H. Williams and his dedication to the Human Services Agency for the City and County of San Francisco since 1990.

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

Resolution No. 51-09

ADOPTED

**090146 [Commending Richard Rothman for 25 years of dedicated service to the City and County of San Francisco]
Supervisors Dufty, Campos**

Resolution commending Richard Rothman for 25 years of dedicated service to the City and County of San Francisco.

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

Resolution No. 52-09

ADOPTED

**090148 [Supporting Earth Hour 2009 - March 28, 2009]
Supervisors Alioto-Pier, Dufty**

Resolution declaring March 28, 2009 between 8:30-9:30PM as Earth Hour in San Francisco and urging all city government buildings, public schools and public landmarks to turn off non-essential lighting on this date and time.

Resolution No. 42-09

ADOPTED

- 090149 [Celebrating the centennial of the National Association for the Advancement of Colored People (NAACP)]
Supervisors Mirkarimi, Dufty, Campos

Resolution celebrating the centennial of the National Association for the Advancement of Colored People (NAACP).

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

Resolution No. 47-09

ADOPTED

- 090102 [Below Market Rate Condominium Conversion Program - Release of Units at 3321 17th Street]
Mayor

Resolution approving the release of six units at 3321 17th Street from the Below Market Rate Condominium Conversion Program under Subdivision Code Sections 1341 and 1385.

Resolution No. 46-09

ADOPTED

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 Adoption Without Committee Reference

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

- 090150 [Waiving Board Rule 4.19 regarding consideration of Mayoral veto]
Supervisor Chiu

Motion that the Board waives Board Rule 4.19 regarding consideration of a Mayoral veto.

The President inquired as to whether any member of the public wished to address the Board members.

There were none.

The President declared the public hearing closed.

Motion No. M09-21

APPROVED by the following vote:

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

Excused: 1 - Alioto-Pier

Supervisor Daly requested that this matter be severed so that it might be considered separately.

- 090147 [Commending Senator Dianne Feinstein for her successful chairing of the 2009 Joint Congressional Committee on Inaugural Ceremonies]
Supervisors Dufty, Maxwell, Alioto-Pier

Resolution commending Senator Dianne Feinstein for her successful chairing of the 2009 Joint Congressional Committee on Inaugural Ceremonies.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the Rules Committee.

OFF-AGENDA LEGISLATION**Introduced by Supervisors or Mayor****Ordinances****090157 [Settlement of Lawsuit - Mehrdad Alemozaffar - \$350,000]
Supervisor Daly**

Ordinance authorizing entry of Judgment, pursuant to Federal Rule of Civil Procedure 68, in favor of Mehrdad Alemozaffar and against the City and County of San Francisco in the amount of \$350,000 in settlement of the lawsuit filed on July 20, 2007 in United States District Court, Case No. C07-4494 JSW entitled Mehrdad Alemozaffar v. City and County of San Francisco, Officers Jesse Serna, James McGrath and Gary Moriyama and Deputies Jurnation Reymundo and George Coviello.

2/10/09, RECEIVED AND ASSIGNED to Rules Committee.

**090178 [Zoning Map Amendments in connection with the Balboa Park Station Area Plan]
Supervisors Avalos, Elsbernd**

Ordinance amending Sheets ZN11, ZN12, HT11, HT12 and SU12 of the City and County of San Francisco Zoning Map to revise use districts and height and bulk districts within the Balboa Park Station Area Plan and to delete the Ocean Avenue Fast Food Restricted Use Subdistrict in its entirety; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

(Economic Impact)

2/10/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/12/2009.

**090179 [Balboa Park Station Area Plan - monitoring program]
Supervisors Avalos, Elsbernd**

Ordinance amending the Administrative Code Chapter 10E to establish the Balboa Park Station Area Plan Monitoring Program for purposes of reviewing the effectiveness of the Balboa Park Station Area Plan and implementation of specified improvements; and adopting environmental findings.

(Economic Impact)

2/10/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/12/2009.

**090180 [Approving General Plan Amendments in connection with the Balboa Park Station Area Plan]
Supervisors Avalos, Elsbernd**

Ordinance amending the San Francisco General Plan by the Balboa Park Station Area Plan and approving General Plan amendments to implement the aforementioned Plan by amending various General Plan Elements; making environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

(Economic Impact)

2/10/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/12/2009.

**090181 [Planning Code amendments in connection with the Balboa Park Station Area Plan]
Supervisors Avalos, Elsbernd**

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the Balboa Park Station Area Plan, running the length of Ocean Avenue generally from Manor Drive to San Jose Avenue, including properties adjacent to Geneva Avenue from Ocean Avenue to San Jose Avenue and properties adjacent to San Jose Avenue from Mt. Vernon Avenue to Ocean Avenue, and including the City College of San Francisco Phelan campus and San Francisco Public Utilities Commission property adjacent to Phelan Avenue; adopting the Balboa Park Station Area Plan impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

(Economic Impact)

2/10/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/12/2009.

Resolutions

**090182 [Federal Economic Recovery Support for Balboa Park Station Area Plan]
Supervisor Avalos**

Resolution urging city departments to set the Balboa Park Station Area Plan as an identified priority when seeking Federal Economic Stimulus funding, and to work with San Francisco's Congressional delegation to ensure, to the extent possible, that Federal Economic Recovery legislation includes funding for the Balboa Park Station Area Plan.

2/10/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**090183 [Declaring an emergency and authorizing submission of gross receipts tax]
Supervisor Avalos**

Resolution declaring an emergency under California Constitution Article XIII C, Section 2(b) and authorizing submission of Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance), Sections 951 through 958, to impose a gross receipts tax on persons engaging in business activities in San Francisco; (2) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance); and (3) amend Article 6 (Common Administrative Provisions) to conform them with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance); and (4) amend Article 12-A (Payroll Expense Tax Ordinance) to conform it with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance), as a general tax measure to the voters at a special election.

2/10/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090184 [Measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]
Supervisors Chiu, Dufty**

Resolution declaring an emergency under California Constitution Article XIII C, Section 2(b) and authorizing submission of Ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the June 2, 2009 special election, as a general tax measure to the voters at a special election.

2/10/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090187 [Declaring an emergency and authorizing submission of payroll expense tax]
Supervisor Chiu**

Resolution declaring an emergency under California Constitution Article XIII C, Section 2(b) and authorizing submission of Ordinance amending (1) Section 903.1 to reduce the Payroll Expense Tax rate from 1.5% to 1.0%, for business whose taxable payroll expense exceeds \$300,000, but is less than or equal to \$400,000, beginning with the 2010 tax year; and (2) Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is \$300,000 or less, beginning with the 2010 tax year, as a general tax measure, to the voters at a special election.

(Fiscal Impact.)

2/10/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090189 [Susan Langlands Day - February 28, 2009]
Supervisor Avalos**

Resolution declaring February 28, 2009 "Susan Langlands Day" in the City & County of San Francisco.

2/10/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090190 [Commending the Moby Dick Bar for its 30 years of dedicated service to the Castro District]
Supervisor Dufty**

Resolution commending the Moby Dick Bar for its 30 years of dedicated service to the Castro District.
2/10/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090191 [Amended Landmark Tree Criteria, Nomination and Evaluation Forms]
Supervisor Mar**

Resolution amending Landmark Tree Criteria, Nomination and Evaluation Forms to be used in the implementation of a nomination, evaluation, and removal process for landmark trees in the City and County of San Francisco.
2/10/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090192 [Commending Star of the Sea School on their 100th year anniversary]
Supervisor Mar**

Resolution commending Star of the Sea School on their 100th year anniversary.
2/10/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090193 [Requesting establishment of the Office of Urban Policy in President Obama's Administration]
Supervisor Mirkarimi**

Resolution requesting that the proposed Office of Urban Policy in President Obama's Administration form a permanent advisory group to help guide that office in its efforts to provide assistance to our nation's urban areas.
2/10/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090194 [Repealing the resolution calling a municipal special election for June 2, 2009]
Supervisor Chiu**

Resolution repealing the call for a municipal special election to be held June 2, 2009.
2/10/09, RECEIVED AND ASSIGNED to Rules Committee.

**090195 [Calling a municipal special election to be held no later than August 31, 2009]
Supervisor Chiu**

Resolution calling for a municipal special election to be held no later than August 31, 2009, for the purpose of submitting revenue and fiscal measures to the voters.

(Fiscal Impact.)
2/10/09, RECEIVED AND ASSIGNED to Rules Committee.

- 090196 [Urging the House-Senate conference committee to prevent E-Verify requirements from being included in the final version of the federal economic stimulus bill]**
Supervisors Campos, Chiu

Resolution urging the House-Senate conference committee to prevent the E-Verify program, a faulty work-authorization verification system, from being included in the final version of the federal economic stimulus bill.
2/10/09, RECEIVED AND ASSIGNED to Public Safety Committee.

- 090197 [Tax Exempt and Taxable Revenue Certificates of Participation]**
Mayor

Resolution of the City and County of San Francisco authorizing the execution and delivery from time to time of its Tax-Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation in an amount not to exceed \$150,000,000 in order to provide short-term financing to pay for certain capital improvements, and approving and authorizing execution of a trust agreement and certain financing documents and authorizing other related actions.

(Fiscal Impact.)

2/10/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 081394 [Adoption of the Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) Three Year Program and Expenditure Plan and Accept and Expend additional PEI Allocation- \$874,700]**

Resolution authorizing the adoption of the Mental Health Services Act Prevention and Early Intervention (PEI) Three Year Program and Expenditure Plan and authorizing the Department of Public Health to accept and expend the additional PEI allocation totaling \$874,700. (Public Health Department)

11/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

2/10/09, ASSIGNED to Budget and Finance Committee.

2/10/09, SUBSTITUTED. Supervisor Avalos submitted a substitute resolution bearing new title.

Requests for Hearing

- 090173 [Impact on Public Safety of Juvenile Probation Department budget cuts]**
Supervisor Campos

Hearing on the impact on public safety of Juvenile Probation Department budget cuts.

2/10/09, RECEIVED AND ASSIGNED to Public Safety Committee.

- 090174 [Removal of proposed child care facility at 525 Golden Gate Avenue]**
Supervisor Dufty

Hearing on the decision by the San Francisco Public Utilities Commission to remove the proposed child care facility from their new building proposed to be built at 525 Golden Gate Avenue.

2/10/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090175 [Community input on the creation of jobs in San Francisco]
Supervisor Mar**

Hearing to obtain community input on the creation of jobs, particularly green collar jobs, in San Francisco as the City is positioning itself for Federal investment dollars.

2/10/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090176 [Federal, State and Local Stimulus Dollars - how it would affect the SFUSD, SFCCD, pre-school and after school programs in S.F.]
Supervisor Mar**

Hearing to consider how federal, state and local stimulus dollars would affect the San Francisco Unified School District (SFUSD), San Francisco Community College District (SFCCD), and pre-school and after school programs in San Francisco. Also to consider the use and impact of Rainy Day Funds for the SFUSD.

**090177 [Final Report of the Fair Lending Working Group]
Supervisor Maxwell**

Hearing on the Final Report of the Fair Lending Working Group.

2/10/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090188 [Public Hearing - To consider ordinance adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]

Hearing to consider the possible adoption of an ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the June 2, 2009 special election.

2/10/09, ASSIGNED to Board of Supervisors. Committee of the Whole on February 17, 2009.

Motions

**090185 [Board of Supervisors to sit as a Committee of the Whole - February 17, 2009 - Vehicle License Fee]
Supervisor Chiu**

Motion that the Board convenes as a Committee of the Whole on February 17, 2009, to consider Board of Supervisors file number 090136, a measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration.

2/10/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090186 [Waiving Board Rule 4.19 regarding consideration of Mayoral veto]
Supervisor Chiu**

Motion that the Board waives Board Rule 4.19 regarding consideration of a Mayoral veto.

2/10/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

**090007 [Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]
Supervisors Elsbernd, Chu**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 9.119 to limit the expenditure of one-time revenues to one-time uses, unless the Board of Supervisors waives the limitation for a specific expenditure by a two-thirds' vote, and setting an operative date and an expiration date.

1/6/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/5/2009.

1/26/09, received legislative digest, 30-day Rule ends February 25, 2009.

2/3/09, ASSIGNED to Rules Committee.

2/3/09, SUBSTITUTED. Supervisor Elsbernd submitted a substitute Charter Amendment bearing new title.

2/9/09 - Response received from Planning Department on First Draft.

2/10/09, SUBSTITUTED. Supervisor Elsbernd submitted a substitute Charter Amendment bearing same title.

2/10/09, ASSIGNED to Rules Committee.

**090139 [Set-Asides]
Supervisors Mirkarimi, Chiu, Elsbernd**

Charter Amendment (Second Draft) to amend Charter of the City and County of San Francisco by adding Section 9.122, to set a dollar cap on all Charter set-asides, authorize reductions during fiscal shortfalls and waiver during emergencies, authorize the return of surplus balances, adjust mandatory service levels, and establish City policies regarding future set-asides and non-binding measures.

2/3/09, RECEIVED AND ASSIGNED to Rules Committee. Response received from Planning Department on version 1, February 27, 2009.

2/10/09, ASSIGNED to Rules Committee.

2/10/09, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute Charter Amendment bearing new title.

PROPOSED ORDINANCES

090108 [De-appropriating \$11,617,063 of Water System Improvement Program funding at the San Francisco Public Utilities Commission]

Ordinance de-appropriating \$11,617,063 of Water System Improvement Program funding based on actions taken by the Budget and Finance Committee on Ordinance number 311-08 at the San Francisco Public Utilities Commission. (Public Utilities Commission)

1/28/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Elsbernd

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft a Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney in light of significant exposure to litigation with the Roman Catholic Archdiocese of San Francisco related to the application of the City's Documentary Transfer Tax to certain property transfers. The Assessor-Recorder is authorized and is urged to attend. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the potential litigation.

From: Supervisor Duffy

To: Ed Harrington, General Manager

Requesting/Inquiring: Inquiring to General Manager Ed Harrington as to the reasons and rationale for removing the proposed child care facility from the plans for the new SFPUC building located at 525 Golden Gate Avenue and what other changes/revisions have been made from the original plan submitted by the PUC.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Utility Boxes

Northeast corner Buchanan & Oak

Northwest corner Hayes and Webster

Garbage Cans

Southeast corner of Haight & Fillmore

Northeast corner of Cole and Haight

Northwest corner of Buchanan and Haight

Southeast corner Shrader & Haight

Fire Hydrant

Southeast corner Haight & Webster

Northeast corner Waller & Webster

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Statue in the Panhandle on Broderick between Oak and Fell

500 Buchanan

295 Buchanan

99 Webster

1317 Haight

1401 Haight

1429 Haight

1606 Haight

1667 Haight

1695 Waller

1527 Waller

97 Central

1300 Haight
983 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Metal Pole

Southeast corner Central and Haight

Southeast corner Ashbury and Haight

In front of 909 Haight

Southeast corner Scott and Haight

Wood Poles

Southwest corner of Ashbury and Haight

Northwest corner of Fell and Buchanan

Bus Shelters

Northeast corner of Buena Vista East

Fillmore and Haight, all four, graffiti and dirty

Southwest corner Haight and Buchanan

Mailboxes

Northeast corner Buena Vista East

Emergency Boxes

Northeast corner Haight & Shrader

From: Supervisor Campos

To: Chief Heather Fong, SFPD

Requesting/Inquiring: Supervisor Campos is requesting the following information:

- a. What cultural competency or other training does the San Francisco Police Department (SFPD) provide to its cadets and officers regarding the treatment of immigrants, regardless of immigration status?*
- b. What cultural competency or other training does the San Francisco Police Department provide to its cadets and officers to prevent racial profiling and ensure fair and impartial policing?*
- c. What kind of training does the SFPD provide to its cadets and officers regarding compliance with San Francisco's sanctuary city policies?*
- d. For the years 2007 and 2008, broken down per month, how many people has SFPD cited for "obstruction of view" or other minor traffic violations per police district in San Francisco?*
- e. What is the racial and ethnic breakdown of people cited in 2007 and 2008, broken down per month and per police district?*
- f. When SFPD records the race and/or ethnicity of people cited for traffic violations, does SFPD include a category for Latino/Hispanic or does SFPD include these individuals in the Caucasian/White group?*
- g. What, if any, steps has SFPD taken within the last year to enhance its relationships with San Francisco's immigrant communities and to ensure that victims and witnesses of crimes who are immigrants feel comfortable coming forward and reporting these crimes to SFPD?*
- h. What is the budget of the Violence Reduction Unit in SFPD?*

i. In the last year, how many traffic, misdemeanor, and felony cases has this unit issued/initiated, broken down by police district, and by race and ethnicity.

j. What are SFPD's policies and practices regarding taking identification cards (including green cards, drivers licenses, etc.) of people that SFPD stops, cites, or arrests?

k. Does SFPD keep a record of the identification cards that have been confiscated? If so, how many identification cards did SFPD confiscate in 2008, broken down per month, per race and ethnicity, and per police district?

l. How many vehicles did SFPD impound in 2007, 2008, and current year, broken down per month, per race and ethnicity, and per police district?

m. What is SFPD doing to ensure that eligible youth are being referred to CARC (city's delinquency diversion program)?

n. Before SFPD engage in any collaboration with ICE, including collaboration on ICE raids, what, if any, steps does SFPD take to ensure that the raid will not result in collateral detentions (i.e., detentions of family members, bystanders, children, neighbors)?

o. What, if any, concrete steps does SFPD plan to take to address racial profiling concerns raised during the February 9, 2009 meeting of the Board of Supervisors' Public Safety Committee?

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: Friends of City Planning (FOCP) is a non-profit organization founded solely to support planning activities not funded by the City's budget. FOCP receives funding from private sector developers and other development interests. Michael Yarne sits on the board of directors for this organization and works in the Office of Economic and Workforce Development where he coordinates many planning & land use matters. Is there a conflict of interest in holding both of these positions?

In Memoriams

Joseph "Bud" Robbins - Supervisor Chu

Matthew Joseph Mirabella - Supervisor Chu

Jack McGowan - Supervisors Dufty and Campos

Myron Edward - Supervisor Mirkarimi

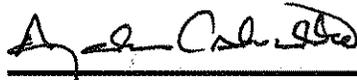
ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:22 p.m.

Angela Calvillo, Clerk of the Board

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 March 17, 2009.



Angela Calvillo
Clerk of the Board