

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES - DRAFT

Tuesday, October 27, 2009 - 2:00 PM

**Legislative Chamber, Room 250
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
Supervisor Avalos, Mirkarimi, Chu

City and School District Select Committee
Supervisors Elsbernd, Dufty, Avalos, Commissioners Maufas, Mendoza, Kim

City Operations and Neighborhood Services Committee
Supervisors Dufty, Daly, Elsbernd

Government Audit and Oversight Committee
Supervisors Mirkarimi, Mar, Maxwell

Land Use and Economic Development Committee
Supervisors Maxwell, Mar, Chiu

Public Safety Committee
Supervisors Chiu, Mirkarimi, Alioto-Pier

Rules Committee
Supervisors Campos, Daly, Alioto-Pier

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
10:00 AM

1st and 3rd Thursday
10:00 AM

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

Members Present: Michela Alioto-Pier, 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 2:13 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

President Chiu inquired if the Mayor would make an appearance before the Board of Supervisors. The Mayor's Liaison to the Board of Supervisors, Starr Terrell, indicated the Mayor would not be present.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

091141 [Appropriating \$1,043,160 of Hotel Room Tax Revenue to restore reductions to Convention Facilities in the General Services Agency, City Administrator for FY 2009-2010]

Sponsor: Mirkarimi

Ordinance appropriating \$1,043,160 of Hotel Tax Revenue from the General Fund to restore reductions to the Convention Facilities Fund in the General Services Agency, City Administrator's Office for FY 2009-2010 and amending Administrative Provision Section 12.11 of the FY 2009-2010 Annual Appropriation Ordinance to reflect the change in Hotel Tax Allocation.
(Fiscal Impact.)

FINALLY PASSED

091124 [Amendment to Treasure Island Land and Structures Master Lease]

Resolution approving the Thirty Third Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

ADOPTED

091125 [Amendment to Treasure Island South Waterfront Master Lease]

Resolution approving the Twenty Fifth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

ADOPTED

091126 [Amendment to Treasure Island South Waterfront Master Lease]

Resolution approving the Thirteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

ADOPTED

091127 [Amendment to Event Venues Master Lease]

Resolution approving the Twenty First Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

ADOPTED

Recommendations of the Rules Committee**091008 [Settlement of Grievance - Elina Sulimov - \$130,000]**

Ordinance authorizing settlement of the lawsuit filed by Elina Sulimov against the City and County of San Francisco for \$130,000; the lawsuit was filed on December 26, 2008, Case No. 478007; entitled Elina Sulimov, v. City and County of San Francisco. (City Attorney)

Ordinance No. 214-09

FINALLY PASSED

091037 [Settlement of Lawsuit and Disputes and Agreement to Close the Potrero Power Plant - \$1,100,000]

Sponsors: Maxwell: Chiu and Alioto-Pier

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on April 27, 2009, in San Francisco Superior Court, Case No. CGC 09-487-795; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C., which settlement provides for, among other things, permanent closure of the entire Potrero Power Plant when it is no longer needed for electric reliability, payment by Mirant of \$1,100,000 to the City, the City's agreement to stay enforcement of the UMB Ordinance for the unoccupied unreinforced masonry buildings located at the Potrero Power Plant site pending a new site reuse plan so long as Mirant maintains the buildings in a safe manner, Mirant's agreement to restrict future uses of the site to prohibit fossil fuel generation after the Plant is shut down, and the City's agreement to priority processing of a future application for entitlements for a proposed site reuse plan.

FINALLY PASSED

091070 [Settlement of Lawsuit - Pat Moore/Tom Moore - \$120,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore/Tom Moore against the City and County of San Francisco for \$120,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

091071 [Settlement of Lawsuit - James Cordova/Maria Morales - \$35,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for \$35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

091072 [Settlement of Lawsuit - Mehrdad Alemozaffar - \$385,000]

Ordinance authorizing settlement of the lawsuit filed by Mehrdad Alemozaffar against the City and County of San Francisco for \$385,000; the lawsuit was filed on July 20, 2007, in United States District Court, Northern District of California, Case No. C07-4494 JSW; entitled Mehrdad Alemozaffar, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

091140 [Settlement of Lawsuit - Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC]**Sponsor: Maxwell**

Ordinance authorizing settlement of the lawsuit filed by Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC, against the City and County of San Francisco for a Writ of Mandate against the City and County of San Francisco to cease and desist from requiring a residential housing development commonly known as Bayside Vista, 2011 Bayshore Boulevard from compliance with the Visitacion Valley Community Facilities and Infrastructure Fee and Fund; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. CGC-08-478842; entitled Joseph Imbelloni; Imbelloni Construction Co., Inc.; Bayside Vista LLC v. City and County of San Francisco; Department of Building Inspection; Jose Cisneros, Treasurer of the City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 091140.

Ordinance No. 215-09

FINALLY PASSED

091123 [Appointment, Bicycle Advisory Committee - Ariella Hyman]

Motion appointing Ariella Hyman, term ending November 19, 2010, to the Bicycle Advisory Committee.

Ariella Hyman, succeeding Andrew Bindman, term expired, seat 1, must be a nominee of District 1 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2010 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Motion No. M09-172

APPROVED

091130 [Appointment, Public Utilities Commission Rate Fairness Board - Donald Hilla]

Motion appointing Donald Hilla, for an indefinite term, to the Public Utilities Commission Rate Fairness Board.

Donald Hilla, succeeding William Wilkinson, resigned, seat 2, must be a small business city retail customer, for an indefinite term.

Motion No. M09-171

APPROVED

091131 [Appointment, Children and Family First Commission - Maria Su]

Motion appointing Maria Su, for an indefinite term, to the Children and Families First Commission.

Maria Su, succeeding September Jarrett, resigned, seat 4, must be the Director of the Office of Children, Youth and Their Families or his or her designee, for an indefinite term.

Motion No. M09-173

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

091138 [Public Employment - Department of Human Resources]

Sponsor: Chiu

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of four (2.32 FTE) Class 1064L IS Programmer Analyst - Principal and four (2.32 FTE)

Class 1054L IS Business Analyst - Principal and two (1.16 FTE) Class 1043L IS Engineer - Senior in the Department of Human Resources (DHR).

(Fiscal Impact.)

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

091168 [Appropriating \$150,000 of General Fund Reserve to General City Responsibility for Emergency Aid Relief in the Philippines, Samoa and Indonesia]**Sponsors: Daly: Campos**

Ordinance appropriating \$150,000 from the General Fund Reserve to General City Responsibility for emergency aid relief for the people of the Philippines, Samoa and Indonesia related to recent natural disasters for Fiscal Year 2009-2010, and placing the total appropriation of \$150,000 on Budget and Finance Committee reserve pending submittal of a detailed expenditure plan. (Supervisor Chu dissented in Committee.)

FINALLY PASSED by the following vote:

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Recommendation of the Land Use and Economic Development Committee**090477 [Amending Planning Code - South of Market (SOMA) Community Stabilization Fund]****Sponsor: Daly**

Ordinance amending Section 318.2 and 318.7 of the San Francisco Planning Code to clarify certain provisions relating to the South of Market (SOMA) Stabilization Fund to clarify that the Mayor's Office of Community Investment, the successor to the Mayor's Office of Community Development, will manage and expend the Fund; and amending Section 318.3 to clarify that the SOMA Stabilization fee is due before issuance of the final certificate of occupancy or within a time certain after the issuance of a first certificate of occupancy, whichever is sooner; and making certain findings including findings under the California Environmental Quality Act.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendation of the Public Safety Committee**091032 [Confidentiality of juveniles' immigration status]****Sponsors: Campos: Avalos, Chiu, Dufty, Mar, Maxwell, Mirkarimi and Daly**

Ordinance amending the San Francisco Administrative Code by amending Sections 12H.2, 12H.2-1, and 12H.3 to allow City law enforcement officers and employees to report information regarding the immigration status of a juvenile to any state or federal agency when the juvenile has been adjudicated to be a ward of the court on the ground of felony conduct, the court makes a finding of probable cause after the District Attorney directly files felony criminal charges against the minor, or the juvenile court determines that the minor is unfit to be tried in juvenile court and the superior court makes a finding of probable cause; and to update references to the federal agency responsible for enforcing federal immigration laws.

(Supervisor Alioto-Pier dissented in committee.)

FINALLY PASSED by the following vote:

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

090999 [Waiving contracting provisions to allow the City to meet State requirements to participate in Proposition 1A bond sale]

Sponsors: Mayor: Avalos

Emergency ordinance (1) finding that an emergency exists for purposes of Charter Section 2.107; and (2) waiving certain City contracting provisions that are not allowed by the State under the State's standard form of purchase and sale agreement with the California Statewide Communities Development Authority and thus allowing the City to meet the deadline to participate in the State program to issue bonds to offset the adverse effects of the State's Proposition 1A borrowing of local property taxes.

Ordinance No. 213-09

FINALLY PASSED by the following vote:

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

Absent: 1 - Campos

091094 [Approving agreements for procurement, installation and implementation of San Francisco Public Utilities Commission Advanced Meter Infrastructure System]

Ordinance approving agreements necessary for the procurement, installation and implementation of the San Francisco Public Utilities Commission's Advanced Meter Infrastructure System, including Water Enterprise Agreement No. CS-936 with VSI Meter Services, Inc., related software license and maintenance agreements with Aclara RF Systems Inc., and a related source code escrow agreement with Aclara RF Systems and U.S. Bank National Association, under Charter Section 9.118; making findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; and ratifying the procurement and contracting processes used by the San Francisco Public Utilities Commission. (Public Utilities Commission)

PASSED, ON FIRST READING by the following vote:

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

Absent: 1 - Campos

091169 [Accept and Expend Federal Grant - Police Department - \$16,562,750]

Sponsor: Mayor

Ordinance authorizing the City and County of San Francisco's Police Department to retroactively accept and expend ARRA grant funds in the amount of \$16,562,750 from the U.S. Department of Justice COPS Program for implementation of the COPS Hiring Recovery Program to hire 50 new Q-2 San Francisco Police Officers and placing \$14,112,750 of the accepted funds on Budget and Finance Committee reserve and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

PASSED, ON FIRST READING by the following vote:

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

Absent: 1 - Campos

091000 [Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Certain Other Actions in Connection with Proposition 1A Bond Sale]**Sponsors: Mayor: Avalos**

Resolution approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the City's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith.

Resolution No. 396-09

ADOPTED by the following vote:

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

Absent: 1 - Campos

091095 [Lease purchase financing for the acquisition of Advanced Meter Infrastructure Equipment]

Resolution approving the lease purchase financing for the acquisition of Advanced Meter Infrastructure Equipment for the San Francisco Public Utilities Commission; approving the form of a lease purchase financing agreement between the Public Utilities Commission and a lender to be named therein, authorizing the selection of such lender, and ratifying previous actions taken in connection therewith. (Public Utilities Commission)

ADOPTED by the following vote:

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

Absent: 1 - Campos

091167 [Broadway Family Apartments Revenue Bonds]**Sponsor: Chiu**

Resolution approving the reissuance of not to exceed \$19,200,000 aggregate principal amount of City and County of San Francisco Multi-family Housing Revenue Bonds Series 2004a (Broadway Family Apartments) pursuant to Section 147(f) of the Internal Revenue Code of 1986; approving the Fifth Amendment to Loan Agreement and Fifth Supplemental Indenture; ratifying previous actions; and authorizing the execution and delivery of documents and instruments.

ADOPTED by the following vote:

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

Absent: 1 - Campos

Supervisor Alioto-Pier Excused from Voting

Supervisor Dufty, seconded by Supervisor Mar, moved to excuse Supervisor Alioto-Pier from voting on File No. 091111. The motion carried by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Absent: 1 - Campos

Recommendation of the City Operations and Neighborhood Services Committee

091111 [Support Assembly Bill 1019 - Alcohol-Related Services Act]**Sponsors: Dufty, Daly, Avalos, Mirkarimi and Campos**

Resolution urging support of Assembly Bill 1019, the Alcohol-Related Services Act to deliver services to, and ensure the public health and safety of, the people of California supported by a reasonable and rational mitigation fee.

Supervisors Mirkarimi and Campos requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Absent: 1 - Campos

**Recommendations of the Land Use Committee
of the Land Use and Economic Development Committee****090780 [Revisions to Division I of the San Francisco Transportation Code]**

Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 3.4, 6.7, 7.2.12, 7.2.26, 7.2.27, 7.2.28, 7.2.29, 7.2.71, 7.2.80, 7.2.101, 7.3.3 and 8.1 to change existing posting requirements for temporary parking restriction signs; amend the requirements for street barricades for street fairs; provide that yellow or white zones may be indicated by either yellow or white paint on the curb or signage; provide a three minute time limit for noncommercial vehicles parked in yellow zones; provide a three consecutive day on-street parking restriction instead of seven consecutive days; provide that any violation of Division II, Section 903 is a violation of Section 7.2.71; prohibit taxicab operators from leaving a vehicle unattended in certain use districts; provide that persons are prohibited from boarding a Municipal Railway vehicle in revenue service through the rear exit while the vehicle is operating on a transit line unless on a line, route or location designated by the SFMTA; provide that four or more violations of Section 7.2.71 within one year constitute a misdemeanor; repeal noticing requirements for towing vehicles on public streets; and clarify applicable restrictions and references to Division II; and repealing Section 7.2.44 prohibiting parking on designated streets near Candlestick Park. (Municipal Transportation Agency)

PASSED, ON FIRST READING by the following vote:

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

Absent: 1 - Campos

090931 [Rental Subsidy Program for Low-Income Families]**Sponsors: Avalos, Campos, Mar and Mirkarimi**

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

Amended, on Page 3, Line 14, by deleting "eligible" and adding "who meet program eligibility requirements". On Page 4, Line 21, by adding "Further resolved, the Controller shall report to the Board, within twelve months of the adoption of this ordinance, on the efficacy of the program." On Page 4, Line 22, by deleting "Families may remain in the Rental Subsidy Program for up to five years" and adding "The length of the subsidy shall be based on a social economic service plan agreed upon mutually by the provider and the client, and may be extended for 12 months at a time up to 5 years, provided that the client continues to meet program requirements."

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

Absent: 1 - Campos

Amended, on Page 4, Line 21, by adding "Further resolved, the Controller shall report to the Board, within twelve months of the adoption of this ordinance, on the efficacy of the program, by surveying families and analyzing outcomes."

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED. The motion carried by the following vote:

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendation of the Public Safety Committee

090937 [Accept and Expend Federal Grant - Airport Commission - \$700,500]

Sponsor: Elsbernd

Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$700,500 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendations of the Rules Committee

090523 [Eastern Neighborhoods Citizens Advisory Committee]

Sponsors: Daly; Campos

Ordinance amending the Administrative Code Section 10E.2 concerning the qualifications for and number of members on the Eastern Neighborhoods Citizens Advisory Committee.

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

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

090833 [Lobbyist Ordinance Amendments]

Sponsor: Chiu

Ordinance amending Chapter I of Article II of the Campaign and Governmental Conduct Code by amending Sections 2.100, 2.105, 2.110, 2.115, 2.117, 2.130, 2.135, 2.140, 2.145 and 2.150, adding Section 2.116, and deleting Sections 2.125 and 2.160, to simplify registration requirements, adopt a more equitable fee structure, ease electronic filing of lobbyist disclosures, and establish an effective date for these amendments.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

090989 [Campaign Finance Reform Ordinance amendments]**Sponsor: Daly**

Ordinance amending Article I, Chapter I of the Campaign & Governmental Conduct Code by amending sections 1.100, 1.104, 1.107, 1.108, 1.112, 1.113, 1.114, 1.118, 1.122, 1.128, 1.130, 1.134, 1.135, 1.136, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.156, 1.161, 1.161.5, 1.168, 1.170, deleting sections 1.134.5, 1.158, and 1.160, and adding sections 1.109, 1.143, 1.171, and 1.175 to refine and conform definitions; to eliminate and streamline reporting requirements; to authorize greater electronic filing; to adjust expenditure ceilings for inflation; to clarify the permissible uses of campaign funds; to provide that certain candidates are eligible to accept Voluntary Expenditure Ceilings; to set forth the instances in which the Ethics Commission will lift Voluntary Expenditure Ceilings; to modify how public funds are disbursed to eligible candidates; to clarify the requirements for third-party reporting; to amend the statute of limitations for administrative actions; and to impose record retention requirements on local committees. (Supervisor Alioto-Pier dissented in Committee.)

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

(Supervisor Alioto-Pier dissented in Committee.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

091060 [Confirming the appointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors]**Sponsor: Mayor**

Motion confirming the appointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors for a four-year term ending February 26, 2010. (Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - August 24, 2009.)

(Supervisor Daly dissented in Committee.)

Motion No. M09-174

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

091034 [Extending the term of the Joint City and School District Committe for one year]**Sponsor: Elsbernd**

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School Committe for one year.

Motion No. M09-175

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

From the Rules Committee Without Recommendation

090795 [Prohibiting City employees and officers from raising funds for City departments]**Sponsor: Daly**

Ordinance adding a new Chapter 5 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.500, 3.505, 3.510 and 3.515, to prohibit City employees and officers from soliciting donations to nonprofit organizations to fund City departments from persons doing business with those departments.

Supervisor Daly, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to November 3, 2009. The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

Noes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Amend to (1) apply the prohibition on solicitations to all City employees and officers required to file Statements of Economic Interest, regardless of their departments or job duties, and (2) limit the definition of "has business with" to include only filing an application under the Planning or Building Code.

Supervisor Chiu, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion FAILED by the following vote:

Ayes: 5 - Campos, Chiu, Dufty, Elsbernd, Maxwell

Noes: 6 - Alioto-Pier, Avalos, Chu, Daly, Mar, Mirkarimi

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Noes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

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

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Daly, 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: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Mirkarimi introduced, welcomed, and presented a Certificate of Honor to Cynthia Marcopulos in recognition of 28 years of work service, her tireless campaign volunteerism, and progressive activism.

COMMITTEE REPORTS

091161 [Approving Issuance of a Request for Proposals for CleanPowerSF]**Sponsors: Mirkarimi: Mar and Campos**

Ordinance approving issuance of a Request for Proposals for Community Choice Aggregation (CCA) Services for the San Francisco CCA program, commonly known as CleanPowerSF.

Supervisors Mar and Campos requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

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

Absent: 1 - Daly

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 concerns.

Tom Gallagher; expressed concerns relating to legislation in support of Irish unification.

Male Speaker; expressed concerns relating to public comment.

Richard McRee; expressed concerns relating architectural design.

Male Speaker; expressed various religious concerns.

Robert Haalan (SEIU); expressed concerns relating to current lay-off notices.

Female Speaker; expressed support of Irish unification.

Female Speaker; expressed support of Irish unification.

Male Speaker; expressed support of Irish unification.

Sawyer Castillo; expressed support for AB 1019.

Male Speaker; expressed support of Irish unification.

Jeff Adachi; expressed concerns relating to current vacancies.

Elvin Dufty; expressed concerns relating to service cuts.

Male Speaker; expressed support for Irish unification.

Male Speaker; expressed various concerns.

Michael Campbell; expressed support for Irish unification.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**091213 [Accept and Expend Federal/State Grant - Department of Public Library - \$5,667]****Sponsor: Chu**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$5,667 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

ADOPTED

091214 [Urging the State of California Alcoholic Beverage Control office to maintain its San Francisco Office]**Sponsors: Dufty: Chiu and Campos**

Resolution urging the State of California Alcoholic Beverage Control office to maintain its San Francisco Office and continue to provide their crucial necessary services to the Citizens of San Francisco.

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

ADOPTED**091215 [Urging SFMTA to implement AB 144 in order to curb abuse of disabled placards]****Sponsors: Dufty: Mar and Campos**

Resolution urging the San Francisco Municipal Transportation Agency to implement California Assembly Bill 144 to curb abuse of disabled placards.

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

ADOPTED**091216 [Support for Irish Unification]****Sponsors: Daly: Mirkarimi and Campos**

Resolution urging the Federal officials to support Irish Unification.

Supervisors Mirkarimi and Campos requested to be added as co-sponsors.

ADOPTED**091193 [Final Map - 1169 Market Street]**

Motion approving Final Map 4820, a Merger and 2 Lot Resubdivision, Parcel "A" being an 80 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 1169 Market Street being a subdivision of Lots 039, 051, and 052 in Assessors Block No. 3702 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (DPW Order 178,361; District 6.)

Motion No. M09-176**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Severed from the For Adoption Without Committee Reference

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

091173 [Urging the United States federal government to end the U.S. military occupation of Afghanistan]

Sponsors: Avalos, Campos, Daly, Mar and Mirkarimi

Resolution urging the United States federal government to end the U.S. military occupation of Afghanistan while providing humanitarian aid to support the recovery of the country from the effects of war.

ADOPTED by the following vote:

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd

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

091220 [Authorizing the Clerk of the Board of Supervisors to Commence Negotiation for the Budget and Legislative Analyst Services

Resolution urging the Federal officials to support Irish Unification.]

Sponsor: Avalos

Motion directing the Clerk of the Board of Supervisors to begin negotiations with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie and Wong, LLP, A Joint Venture, for Budget and Legislative Analyst Services per Request for Proposal (RFP) #BOS-01-424.

Motion No. M09-177

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

Resolutions

Requests for Hearing

Motions

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:44 p.m.