

File No. 101209

Committee Item No. \_\_\_\_\_

Board Item No. 33

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date September 28, 2010

Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER**

(Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Andrea Ausberry Date 9/23/10

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document is in the file.



1 [Directing the Clerk of the Board to Agendize Consideration to Override Alcohol Cost  
2 Recovery Fee Veto]

3 **Motion directing the Clerk of the Board to agendize consideration to override veto**  
4 **pursuant to Charter Section 2.106 of an ordinance which would establish an Alcohol**  
5 **Cost Recovery Fee (File No. 100865) at the Regular Meeting of September 28, 2010.**

6  
7 WHEREAS, The Clerk of the Board is in receipt of correspondence, dated September  
8 21, 2010, from the Mayor communicating the Mayor's Veto of legislation contained in File No.  
9 100865 which would establish an Alcohol Recovery Fee; now, therefore, be it

10 MOVED, That the Board of Supervisors hereby directs the Clerk of the Board to  
11 agendize consideration to override veto of this matter pursuant to Charter Section 2.106 at the  
12 Regular Meeting of September 28, 2010.

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Office of the Mayor  
City & County of San Francisco



File 100865  
c: COB, Leg Dep, ~~Amette~~  
PN file, cpage, BOS-11  
Gavin Newsom

September 21, 2010

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

Dear Supervisors:

This letter communicates my veto of the ordinance pending in File Number 100865, finally passed by the Board of Supervisors today, September 21, 2010. This ordinance proposes an Alcohol Mitigation Fee to be imposed on alcoholic beverage wholesalers and others who sell or distribute alcoholic beverages in San Francisco.

I cannot support this unnecessary and harmful new fee that will hurt our City's economy and cost us jobs at a time when we most need them.

In this economy, I fundamentally believe that we need to be encouraging local businesses – large and small – to continue to work and operate in our neighborhoods, to continue to provide jobs and security to the residents of San Francisco, and to continue to support our City's economy in its recovery. It is in these times of struggle that we need to stimulate our local economy – not pursue policies that will stifle growth and put our county at a competitive disadvantage with every other county in California.

In addition, while we have faced significant budget deficits for the last three years, we consistently have supported the provision of critical health care services to our residents most in need – at a much higher rate than surrounding counties. And, we will continue to do so. Therefore, I do not accept the premise that, but for this fee, we will be slashing our health care programs.

I also strongly believe that we are in questionable legal territory due to state preemption issues, and that passing this ordinance would risk millions of dollars in attorney's fees that we can ill afford. I prefer to hold those battles for creative policy areas where we believe we are in strong legal standing.

I remain committed to working with the Board of Supervisors and City departments to continue to identify impactful programs to help chronic inebriates in San Francisco. However, I do not believe that an alcohol impact fee is the best approach in achieving that policy goal. Our best hope for continued strong financial standing of this City and support for public health services is to help our local economy grow and thrive.

Sincerely,

Gavin Newsom  
Mayor

cc: Angela Calvillo, Clerk of the Board of Supervisors

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 SEP 21 PM 4:40  
BY AK

**INTRODUCTION FORM**

By a member of the Board of Supervisors or the Mayor

AE  
9/22/10

Time Stamp or  
Meeting Date

I hereby submit the following item for introduction:

- \_\_\_\_\_ 1. For reference to Committee:  
    An ordinance, resolution, motion, or charter amendment
- X   2. Request for next printed agenda without reference to Committee
- \_\_\_\_\_ 3. Request for Committee hearing on a subject matter
- \_\_\_\_\_ 4. Request for letter beginning "Supervisor \_\_\_\_\_ inquires..."
- \_\_\_\_\_ 5. City Attorney request
- \_\_\_\_\_ 6. Call file from Committee
- \_\_\_\_\_ 7. Budget Analyst request (attach written motion).
- \_\_\_\_\_ 8. Substitute Legislation File Nos.
- \_\_\_\_\_ 9. Request for Closed Session
- \_\_\_\_\_ 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

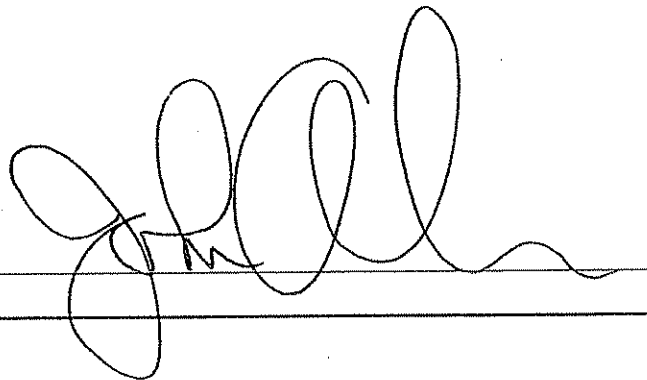
Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

Sponsor: Supervisor Avalos

SUBJECT: Motion directing the Clerk of the Board to agendize consideration to override veto pursuant to Charter Section 2.106 of an ordinance which would establish an Alcohol Cost Recovery Fee (File No. 100865).

The text is listed below or attached:

Signature of Sponsoring Supervisor :



**For Clerk's Use Only:**