

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - FINAL

Tuesday, May 4, 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, Maxwell, Campos

Wednesday

1:30 PM

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday

11:00 AM

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.

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 2:12 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Avalos, seconded by Supervisor Maxwell, moved to approve the Board Meeting Minutes of April 6, 2010. The motion carried by the following vote:

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

COMMUNICATIONS

See File No. 100447 below.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

100251 [Approval of Contract with AT&T for City Telecommunications Services - \$75,000,000]

Ordinance approving, retroactively, a contract with AT&T for the purchase of telecommunications services and equipment for a maximum cost of \$75,000,000 for a four and one-half year term beginning on March 1, 2010. (Department of Technology)
(Fiscal Impact.)

FINALLY PASSED

100349 [Lease of Real Property – 1390 Market Street]

Resolution authorizing the exercise of a five year option to extend the lease of approximately 9,397 square feet of space located at 1390 Market Street for the Department of Children, Youth and Their Families. (Real Estate Department)

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee**100227 [Accept and Expend Gift - Recreation and Parks Presidio Heights Playground - \$910,800]****Sponsor: Alioto-Pier**

Resolution authorizing the Department of Recreation and Parks to retroactively accept and expend a gift valued at \$910,800 from the Friends of Presidio Heights Playground through the San Francisco Parks Trust for Phase One Improvements to Presidio Heights Playground.

ADOPTED**100401 [Accept and Expend Grant - Bio-Rad Clinical Trial - \$159,876]****Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from Bio-Rad Laboratories in the amount of \$159,876 to fund the Bio-Rad Clinical Trial project for the period of February 1, 2010, through June 30, 2010.

ADOPTED**100403 [Accept and Expend Grant - Medical Monitoring Project - \$401,770]****Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Centers for Disease Control and Prevention in the amount of \$401,770 to support a project entitled, "Medical Monitoring Project" for the period of June 1, 2010, through May 31, 2011.

ADOPTED**Recommendation of the Land Use and Economic Development Committee****091208 [24th Street - Noe Valley Neighborhood Commercial District - Conditional Use for New Full-Service and Small Self-Service Restaurants]****Sponsor: Dufty**

Ordinance amending the San Francisco Planning Code by amending Section 728.1 and Sections 728.42, 728.44 and 728.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and removing the Specific Provisions for full-service restaurants; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the Priority Policies of Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

100421 [Settlement of Lawsuit - John Hartnett - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by John Hartnett against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 13, 2009, in San Francisco Superior Court, Case No. CGC-09-486142; entitled John Hartnett v. City and County of San Francisco et al. (City Attorney)

FINALLY PASSED

100438 [Settlement of Lawsuit - Michelle Cody - \$105,000]

Ordinance authorizing settlement of the lawsuit filed by Michelle Cody against the City and County of San Francisco for \$105,000; the lawsuit was filed on May 27, 2008, in San Francisco Superior Court, Case No. CGC-08-475697; entitled Michelle Cody v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

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

Recommendation of the Land Use and Economic Development Committee

090584 [Requiring Lighting Efficiency Measures in Commercial and City Buildings]

Sponsors: Dufty; Mayor and Chiu

Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED on Page 22, Lines 1-8, by adding 'Section 6. The lighting retrofits required by this ordinance may expose the people replacing the lamp and/or ballast to dangerous levels of electricity. The Board of Supervisors strongly urges building owners and managers to take appropriate precautions to protect both the people doing the electrical work and the people in the buildings from the associated risks of fire, serious injury, and/or death, by having the work performed only by qualified persons. Such persons should be trained in both the technical requirements of the work involved, and the decision-making process necessary to determine the nature and extent of the hazard and the personal protective equipment and job planning necessary to perform the task safely.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

100246 [Permits the Bureau of Delinquent Revenue to Assign Accounts Receivable with a Value of \$10,000 or Less to a Collection Agency]

Sponsor: Mirkarimi

Ordinance amending Section 10.39-1 of the Administrative Code to increase the cap on accounts receivable that the Bureau of Delinquent Revenue may assign to a collection agency from \$4,000 to accounts with a fair market value of \$10,000. (Treasurer-Tax Collector)

PASSED, ON FIRST READING by the following vote:

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

100247 [Additional Penalty for Underreporting Tax by Twenty-five Percent or More]

Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more. (Treasurer-Tax Collector)

PASSED, ON FIRST READING by the following vote:

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

100471 [Accept and Expend Grant - American Recovery and Reinvestment Act Energy Efficiency Projects and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$875,957]

Sponsors: Mayor; Dufty

Ordinance authorizing the Department of the Environment to expend a grant in the amount of \$875,957 from the California Energy Commission's State Energy Program through the Association of Bay Area Governments for the deployment of energy efficiency projects in the City and County of San Francisco and amend Ordinance Number 183-09 to reflect the addition of three (3) grant funded positions in the Department of the Environment.

PASSED, ON FIRST READING by the following vote:

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

100386 [Approval to Award Restaurant Lease Between the Port of San Francisco and D & G Company, LLC, Doing Business as Lou's Pier 47]

Resolution approving Port Commission Restaurant Lease No. L-14630 with D & G Company, LLC, doing business as Lou's Pier 47, for certain real property at 300 Jefferson Street located in Fisherman's Wharf in the City and County of San Francisco for a term of fifteen and one half (15 1/2) years, plus a five (5) year extension option. (Port)
(Fiscal Impact.)

ADOPTED by the following vote:

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

100473 [Adopting Five Year Financial Plans Submitted by the Port and the Airport]

Sponsor: Mayor

Resolution adopting the five year financial plans submitted by the Port and the Airport under Charter Section 9.119.

ADOPTED by the following vote:

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

100500 [Apply for, Accept and Expend Grant - HOME Investment Partnership Program Entitlement, FY2010-2011 - \$8,580,153]

Sponsor: Mayor

Resolution approving the FY2010-2011 HOME Investment Partnership Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$8,580,153 and to expend program income in the amount of \$301,605.

ADOPTED by the following vote:

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

100501 [Apply For, Accept and Expend Grant - Emergency Shelter Grants Program Entitlement, FY2010-2011 - \$926,523]**Sponsor: Mayor**

Resolution approving the FY2010-2011 Emergency Shelter Grant Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$926,523 and to expend reprogrammed funds in the amount of \$35,703.

ADOPTED by the following vote:

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

100503 [Apply for, Accept and Expend Grant - Community Development Block Grant Entitlement, FY2010-2011 - \$22,267,380]**Sponsor: Mayor**

Resolution approving the FY2010-2011 Community Development Block Grant Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$22,267,380 and to expend program income in the amount of \$4,886,000.

ADOPTED by the following vote:

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

From the Budget and Finance Sub-Committee Without Recommendation**091269 [Payroll Expense Tax Biotechnology Exclusion Amendment]****Sponsors: Alioto-Pier; Dufty**

Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half (7.5) years irrespective of the application date.
(Fiscal Impact.)

Privilege of the floor was granted to Jennifer Matz (Office of Economic and Workforce Development) who responded to questions raised throughout the discussion regarding File No. 091269.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED on Page 3, Lines 1-2, by adding 'which shall include participation in the City's First Source Hiring Program as defined in Section 83.4 of the Administrative Code.' The motion carried by the following vote:

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

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED on Page 3, Lines 12-17, by adding '(5) File annual affidavits with the Office of Economic and Workforce Development detailing the total number of individuals hired, the number of individuals hired who were referred by the San Francisco Workforce Development System, and the duration of employment for each individual hired. The affidavits must be filed with the Office of Economic and Workforce Development on or before January 31 of every year after the year the application is first approved.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Noes: 2 - Avalos, Daly

100399 [Contract Modification with Acumen Fiscal Agent, LLC, for the Jobs Now Program - \$53,995,000]**Sponsor: Mayor**

Resolution approving the emergency declaration to modify the contract between the City and County of San Francisco and Acumen Fiscal Agent, LLC, to provide private employer based wage subsidy reimbursements under the City's Jobs Now Program for qualified Jobs Now participants during the period of March 25, 2010, to June 30, 2011, in the additional amount of \$10,000,000 for a total modified contract amount of \$19,995,000.

Privilege of the floor was granted to Cheryl Adams (City Attorney's Office), Ben Rosenfield (Controller), and Trent Rhorer (Human Services) who responded to questions raised throughout the discussion regarding File No. 100399.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be RE-REFERRED to the Budget and Finance Sub-Committee. The motion carried by the following vote:

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd

From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

100103 [Prohibition on Tobacco Sales Within 1,000 Feet of a School]

Sponsor: Mayor

Ordinance amending the San Francisco Health Code by amending Section 1009.53 and by adding Article 19L, Sections 1010.5 through 1010.11, to prohibit the sale of tobacco within 1,000 feet of any public or private school.

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

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

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

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Chu, 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 Alioto-Pier introduced, welcomed, and presented Certificates of Honor to Dr. Dave Atkin and Dr. Karen Makely, from Operation Rainbow of St. Luke's Hospital, in recognition of their accomplishments and continued community support.

Supervisor Alioto-Pier introduced, welcomed, and presented Certificates of Honor to Leigh Maurus and Amy Hall McNamara, along with Lucy Hume, Lana Adair, Meg Bertero, and Melissa Barber, from the Friends of the Presidio Heights Playground, in recognition of their accomplishments and continued community support.

Supervisors Chiu, Chu, and Mar, in conjunction with the Asian Pacific American Heritage Month and the Asian Pacific American Heritage Awards Committee, introduced, welcomed, and presented Certificates of Honor to Harriet Hu, Thomas Li, Anna Liu, Jane Xiao, Dr. Edward Chow, Thuy Doan, Maimai Q. Ho, and representatives from the Asian and Pacific Islander Wellness Center, Asian Student Union, California Dragon Boat Association, and Kearney Street Workshop in recognition of their accomplishments and continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to David Noyola, Legislative Aide, in recognition of his accomplishments during his tenure with the Board of Supervisors.

SPECIAL ORDER 4:00 P.M.**100447 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 1111 California Street (Nob Hill Masonic Center) Project]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 18, 2010, Case No. 2009.0183E, that a project located at 1111 California Street is exempt from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The proposed project involves interior changes to the building, which would result in an increase of the person-occupancy of the Masonic auditorium from 3,282 to 3,500 (an increase in 218 persons) for standing concert events and a reduction in the person-occupancy of the Exhibition Hall by 220 persons. A maximum of 95 evening live entertainment events would be held at the Masonic Center annually, compared to an average of about 50 such events in recent years. The project would not result in any exterior modifications or changes to the building envelope. The project site is located at the southeast corner of California and Taylor Streets on a block bounded by Jones and Pine Streets in the Nob Hill neighborhood on property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street (Nob Hill Masonic Center), Lot No. 020 in Assessor's Block No. 0253. (District 3) (Appellants: Aldo Caccamo, Rich Hanson, Amy Harmer, Adria Price, William Terrell, Elizabeth Pomada, Donna Muse, and David Chow; and David Millstein, on behalf of Lee Saylor.) (Clerk of the Board) (Filed April 5, 2010; Companion Measure to File Nos. 100448, 100449, 100450.)

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of an additional CEQA Appeal from Steven Gomez (Nob Hill Coalition), which was received on Friday, April 30, 2010. Cheryl Adams (City Attorney's Office) responded to the question relating to receipt of the additional appeal. President Chiu announced the opportunity for this additional appellant to speak under public comment. The President inquired as to whether any member of the public wished to address the Board relating to both the CEQA or Conditional Use Appeals. David Millstein, Lee Saylor, Rich Hanson, Aldo Caccamo, David Chow, Enrique Landa, Adria Price, Bill Terrell, and Elizabeth Pomada (Appellants) provided an overview of the appeal and further requested the Board to approve the appeals. Denise Rene; Richard Howel; Alyssa Spinner; Steven Gomez (Nob Hill Coalition); Gary Dillo; Catherine Anderson; Female Speaker; Robert Varne; David Stauffer; Michael Larsen; Phil Gough; Male Speaker; Male Speaker; Rene Sessa; Oron Maher; Phyllis Quinn; Scott Gross; Nelson Dudley; Male Speaker; Female Speaker; Lawrence Rader; William Moore; John Vargas; Male Speaker; Female Speaker; Steven Patton; Female Speaker; Jerri Crowley; Judith Berkowitz; and Linda Chapman; spoke in support of the appeals. Brett Bollinger, Larry Badiner, AnMarie Rodgers, and Bill Wycko (Planning Department) provided an overview of the decisions of the Planning Department and responded to questions raised throughout the discussion. Allan Casalou and Steve Fidel (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Commission. Lee Smith; Shar Brown; Chris Armentrout; Adam Kendall; Alex Paulock; Molly Mann; Ian Glidden; Jodi Goodman; William Martin; Bonnie Simmons; Aaron Zeff; Kristie Reinders; Nicholas Gerry; Morgan Pitman; Daniel Podwil; Rose Krikland; Nellie Yeo; Victoria Wong; Khalil Sweedy; Craig Johnson; Khalil Sweedy; Male Speaker; Steve Buckholds; Stacey Robson; Male Speaker; and Female Speaker; spoke in support of the project and in opposition to the appeal. Alice Barkley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

100448 [Affirming Planning Department Determination of Exemption for 1111 California Street (Nob Hill Masonic Center) Project]

Motion affirming the determination by the Planning Department that the project located at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental review. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

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

Noes: 1 - Alioto-Pier

100449 [Reversing Planning Department Determination of Exemption Issued for 1111 California Street (Nob Hill Masonic Center) Project]

Motion reversing the determination by the Planning Department that the 1111 California Street (Nob Hill Masonic Center) project is exempt from environmental review. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

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

Noes: 1 - Alioto-Pier

100450 [Preparation of Findings to Reverse the Determination of Exemption for the 1111 California Street (Nob Hill Masonic Center) Project]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental review. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

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

Noes: 1 - Alioto-Pier

SPECIAL ORDER 4:00 P.M.**100451 [Public Hearing - Appeal of Conditional Use for 1111 California Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 18042 dated March 4, 2010, relating to the approval, of a conditional use authorization (Case No. 2008.1072C), to change the existing non-conforming entertainment use of the "Nob Hill Masonic Center" to "Other Entertainment," pursuant to Planning Code Sections 182(B)(1) and 723.48, and to add permanent food and beverage service for patrons of entertainment and assembly events, pursuant to Planning Code Section 238(D), on a property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street, Lot No. 020 in Assessor's Block No. 0253. (District 3) (Appellants: William Terrell, Aldo Caccamo, Chris Freeman, Enrique Landa, Elizabeth Pomada, and Donna Muse) (Clerk of the Board) (Filed April 5, 2010; Companion Measure to File Nos. 100452, 100453, 100454.)

See File No. 100447 above.

HEARD AT PUBLIC HEARING

100452 [Approving Planning Commission Decision Related to Conditional Use Appeal for 1111 California Street]

Motion approving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

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

Noes: 1 - Alioto-Pier

100453 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1111 California Street; Approving Conditional Use with Amended and Additional Conditions]

Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street. (Clerk of the Board)

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

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

Noes: 1 - Alioto-Pier

Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street; Motion authorizing conditional use subject to the conditions imposed by the Planning Commission, by its Motion No. 18042, as amended by the Board on May 4, 2010, and subject to additional conditions imposed by the Board of Supervisors on May 4, 2010. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

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

Noes: 1 - Alioto-Pier

100454 [Preparation of Findings Related to the Conditional Use Appeal for 1111 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2008.1072C on property located at 1111 California Street, for action by the Board by May 25, 2010. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

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

Noes: 1 - Alioto-Pier

COMMITTEE REPORTS

Recommendations of the Land Use and Economic Development Committee

100332 [Revisions to Integrated Project Delivery Construction Contracting Procedures; Signature Authority for Administrative Code Chapter 6 Contracts and Related Documents]

Sponsors: Maxwell; Mar and Chiu

Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures and revise Subsection 6.1(H) to allow a department head to designate an individual to execute, on his or her behalf, contracts awarded under Chapter 6 and related documents.

Supervisors Chiu and Daly requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

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

100333 [Bid Discount for Small and Micro-Local Business Enterprises that Joint Venture to Bid on Construction Contracts]

Sponsors: Maxwell; Mar and Chiu

Ordinance amending Administrative Code Section 14B.7(F) to grant bid discounts to Small and Micro-Local Business Enterprises that joint venture with other firms to bid on construction contracts.

Supervisor Chiu 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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns in Arabic and English.

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

Colin Gallagher; expressed various concerns.

Ray Hartz; expressed concerns relating to government.

Toni Dukes; expressed concerns relating to recent layoffs.

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

Edmond Juicy; expressed various concerns.

Peter Warfield; expressed concerns relating to the SF Public Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**100244 [Declaring May 2010 Building Safety Month]****Sponsor: Avalos**

Resolution declaring May 2010 as Building Safety Month in the City and County of San Francisco and urging support for supporting public safety efforts by the Department of Building Inspection and recognizing public employees for their contributions to San Francisco's structural safety and well-being.

ADOPTED**100257 [Calling for Comprehensive Immigration Reform and Condemning Immigration and Customs Enforcement Audits of San Francisco Businesses]****Sponsors: Campos; Mar, Avalos, Mirkarimi, Chiu, Dufty, Elsbernd, Daly, Alioto-Pier and Maxwell**

Resolution calling upon United States Congress to pass Comprehensive Immigration Reform that will solve the problem of undocumented immigration at its roots instead of through piecemeal enforcement-only measures, and condemning Immigration and Customs Enforcement audits of San Francisco businesses, including a unionized company.

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

ADOPTED**100285 [Federal Disaster Corps Grants Administered by the California Volunteers]****Sponsor: Mayor**

Resolution authorizing designated City and County of San Francisco officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance through the federal Disaster Corps Grant administered by California Volunteers.

ADOPTED**100286 [Supporting Assembly Bill 1900 Relating to Inmates]****Sponsor: Mirkarimi**

Resolution urging the State Legislature to pass Assembly Bill 1900 relating to inmates.

ADOPTED

100220 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interests by Eminent Domain]**Sponsor: Mayor**

Motion that the Board of Supervisors hold a public hearing on May 18, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of: (1) a temporary interest in real property in Alameda County known as Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary interest in real property in Alameda County known as Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary interest and a permanent interest in portions of real property in Alameda County known as Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

APPROVED**100489 [Final Map 3191 - 1124 Leavenworth Street]**

Motion approving Final Map 3191, a Six Unit Residential Condominium Project, located at 1124 Leavenworth Street being a subdivision of Lot No. 015 in Assessors Block No. 0247 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

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 Agenda

Supervisor Daly requested that File No. 100006 be severed so that it may be considered separately.

100006 [Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]**Sponsor: Chiu**

Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7.

REFERRED to the Public Safety Committee

Supervisors Campos and Elsbernd requested that File No. 100256 be severed so that it may be considered separately.

100256 [Calling for a Boycott of the State of Arizona and Arizona-Based Businesses Until Arizona Repeals Senate Bill 1070]

Sponsors: Campos; Chiu, Avalos, Dufty, Daly, Mirkarimi and Mar

Resolution denouncing Arizona State Senate Bill 1070, a law that seeks to implement Arizona's own scheme of immigration regulation and will inevitably lead to racial profiling of people of color and limited English proficient persons, calling for a boycott of the State of Arizona and Arizona-based businesses, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging Arizona State Senate Bill 1070.

Supervisor Campos, seconded by Supervisor Avalos, moved that this Resolution be AMENDED on Page 2, Line 17, by deleting '(1)' after 'City Departments;' on Page 2, Line 18, by adding '(1)' before 'to refrain from entering;' on Page 3, Line 18, by adding 'Interim' before 'President;' and replacing 'Myles Brand' with 'Jim Isch.' The motion carried by the following vote:

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

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED AS AMENDED to May 11, 2010. The motion carried 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

100354 [Annual Appropriation Ordinance for Selected Departments, as of May 1, 2010, FYs Ending June 30, 2011, and June 30, 2012]

Sponsor: Mayor

Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2010, for the FYs ending June 30, 2011, and June 30, 2012.

05/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100355 [Proposed Annual Salary Ordinance for Selected Departments, FYs Ending June 30, 2011, and June 30, 2012]**Sponsor: Mayor**

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

05/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100363 [Revising Board of Appeals Surcharges]**Sponsor: Mayor**

Ordinance amending San Francisco Administrative Code, Chapter 10G, Section 10G.1 to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the San Francisco Municipal Transportation Agency Board of Directors, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals; remove the surcharge imposed by the Art Commission for Street Artist Certificates; and making environmental findings.

05/03/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/3/2010.

100527 [Accept and Expend Grant - Human Services Agency's Temporary Assistance to Needy Families Emergency Contingency Fund as Part of the American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$20,014,497]**Sponsor: Mayor**

Ordinance amending the FY2009-2010 Annual Salary Ordinance (Ordinance No. 183-09) to reflect the addition of temporary and permanent salaries of \$8,496,952 and authorizing the Human Services Agency to retroactively accept and expend a grant in the amount of \$20,014,497 from the United States Department of Health and Human Services, Temporary Assistance to Needy Families Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program.

05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100528 [Exempting Certain Nonprofits from Guide Permit Requirement]**Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Police Code by amending Section 1295 to exempt nonprofit organizations conducting educational tours from the requirement to obtain a guide permit.

05/04/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/3/2010.

100529 [Creation of Neighborhood Community Justice Task Force]**Sponsors: Chiu; Maxwell, Alioto-Pier, Mar, Daly and Campos**

Ordinance amending the San Francisco Administrative code by adding Sections 5.70 through 5.75, to create a Neighborhood Community Justice Task Force to make recommendations to the Board of Supervisors regarding the creation of restorative and community justice programs; provide for the Task Force's membership, organization, and duties; and set a sunset date for the Task Force.

05/04/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100530 [Delivery Service for Large Retail Uses Within the Ocean Avenue Neighborhood Commercial Transit District]**Sponsors: Elsbernd; Avalos**

Ordinance amending the San Francisco Planning Code by amending Section 151.1 to exclude large retail uses within the Ocean Avenue Neighborhood Commercial Transit District from the requirement to provide delivery or shuttle services when such uses receive conditional use authorization to provide a greater number of off-street parking spaces.

05/04/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/3/2010.

100557 [Assessment Appeals Board - Increasing Administrative Processing Fees, Adding Certain Waivers, and Changing to an Hourly Rate for Findings of Fact Fees]**Sponsor: Avalos**

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards," by amending Section 2B.9 to increase the administrative processing fee per application from \$30 to \$45 by adding a fee waiver for any property assessed on the roll at a value of \$7,500 or less, and by adding a fee waiver for any property where there is a difference of \$7,500 or less between the taxpayer's opinion of value on the application and the subject property's assessed value on the roll; and by amending Section 2B.11 to change the findings of fact fees from a sliding scale of \$100 to \$1,000 to an hourly rate of \$215 with a maximum of 30 hours billed.

05/04/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

Resolutions**100006 [Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]****Sponsor: Chiu**

Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

05/04/10; REFERRED to Public Safety Committee.

100362 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management services, general security services, information booth services, and shuttle bus services (Airport); paratransit services, comprehensive facility security services, parking citation and collection system, meter coin counting and collection services, towing contract services, and transit shelter maintenance services (MTA); and janitorial services and security services (Port).

05/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100531 [Accept and Expend Grant - San Francisco Arts Commission's WritersCorps Artist in Schools Program - \$9,600]**Sponsor: Mayor**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant totaling \$9,600 from the California Arts Council's Artists in Schools Program to help support the cost of a contracted teaching artist working at Mission High School.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100532 [Accept and Expend Grant - National Endowment for the Arts Learning in the Arts Program for the San Francisco Arts Commission's WritersCorps Program - \$60,000]**Sponsor: Mayor**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$60,000 from the National Endowment for the Arts Learning in the Arts Program for general operating support for WritersCorps.

05/04/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100533 [Accept and Expend Grant - San Francisco Arts Commission's Arts Education Program - \$15,000]**Sponsor: Mayor**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$15,000 from the California Arts Council State Local Partnership Program to help support the Arts Commission's Arts Education Program.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100534 [Water Revenue Bonds Issuance - 2010]**Sponsor: Mayor**

Resolution approving the issuance of water revenue bonds and water revenue refunding 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 water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100535 [Authorization to Apply for a Grant for Strategic Growth Council Urban Greening]**Sponsor: Campos**

Resolution authorizing the San Francisco Planning Department to apply for a grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to augment the greening and storm water features of the Cesar Chavez Street Redesign Project.

05/04/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100536 [Accept and Expend Grant - Public Health Emergency Response Phase IV - \$849,417]**Sponsor: Chu**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$849,417 from the California Department of Public Health, to assist with a project entitled "Public Health Emergency Response Phase IV" for the period of March 1, 2010 through July 30, 2010.

05/04/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100537 [Calling for a Boycott of the Major League Baseball Team Arizona Diamondbacks Until Arizona Repeals Senate Bill 1070]**Sponsor: Daly**

Resolution calling for a boycott of the Arizona Diamondbacks, an Arizona-based business, until Arizona repeals Senate Bill 1070 and supporting the San Francisco Giants.

05/04/10; RECEIVED AND ASSIGNED to Rules Committee.

100538 [Supporting Outreach and Education Regarding Smart Meters to Prevent Power Service Disconnections]**Sponsor: Mar**

Resolution supporting outreach and education regarding Smart Meters to prevent power service disconnections.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100539 [Request for Redevelopment Agency Audit]**Sponsors: Mirkarimi; Campos**

Resolution requesting the Redevelopment Agency of the City and County of San Francisco to consent to an audit of selected activities related to the implementation of the expired Western Addition A-2 Redevelopment Plan.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100540 [Opposing the Dirty Energy Proposition, also known as Attorney General Initiative #09-0104]**Sponsors: Mirkarimi; Alioto-Pier, Maxwell, Campos and Mar**

Resolution opposing the Dirty Energy Proposition, also known as Attorney General Initiative # 09-0104 designed to suspend the implementation of The California Global Warming Solutions Act of 2006.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100541 [Grant Application - Strategic Growth Council Urban Greening Program]**Sponsor: Mar**

Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to complete an Urban Forest Master Plan.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100542 [Acceptance of Gift - Airport Congressman Tom Lantos Commemorative Plaque - \$15,000]

Sponsors: Elsbernd; Dufty and Alioto-Pier

Resolution approving the Airport's acceptance of a gift of a commemorative plaque, valued at \$15,000, honoring the late Congressman Tom Lantos from the Lantos Foundation to be placed in the Terminal 3 Hub at the Airport.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100543 [Requesting the Controller's Office to Conduct a Review and Analysis of the Funding Recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013]

Sponsors: Dufty; Campos, Maxwell, Chiu and Mar

Resolution requesting that the Controller's Office conduct a review and analysis of the funding recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100544 [Urging our Federal Representatives to Denounce the Burmese Military Regime's Illegitimate 2010 Election and Recognizing May 27, 2010, as Burma Democracy Day]

Sponsor: Daly

Resolution denouncing the Burmese military regime's illegitimate 2010 election and recognizing May, 27, 2010, as Burma Democracy Day in honor of the 20th Anniversary of the 1990 Elections.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100545 [Proclaiming Public Works Week in San Francisco - May 16-22, 2010]

Sponsors: Chiu; Campos

Resolution proclaiming May 16-22, 2010, as Public Works Week in San Francisco.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100546 [Accept and Expend Grant - Back on Track Re-entry Program - \$52,355.57]

Sponsor: Chiu

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$52,355.57 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for FY2009-2010 and FY2010-2011.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100547 [Accept and Expend Grant - Criminal Restitution Compact - \$88,538]**Sponsor: Chiu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to \$88,538 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2009, through June 30, 2011.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100548 [Supporting Assembly Bill 1871 Regarding Amending State Car Insurance Laws to Allow Personal Vehicles to be Used in Car-Sharing Programs]**Sponsors: Alioto-Pier; Chiu and Campos**

Resolution supporting Assembly Bill 1871 to amend state car insurance laws to allow personal vehicles to be used in car-sharing programs.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100549 [Approving the Issuance of Revenue Bonds by California Municipal Finance Authority to Acquire the Public Utilities Commission Building]**Sponsor: Daly**

Resolution approving the issuance of revenue bonds by the California Municipal Finance Authority for the purposes of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center and certain other matters pertaining thereto.

05/04/10; ASSIGNED to Board of Supervisors.

100558 [Urging the United States Department of Agriculture to Declare the Light Brown Apple Moth a Non-Actionable Pest]**Sponsors: Alioto-Pier; Mirkarimi**

Resolution urging the United States Department of Agriculture to declare the Light Brown Apple Moth a non-actionable pest in order to end the Light Brown Apple Moth eradication project that could expose San Franciscans to unacceptable and unnecessary levels of pesticide exposure.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**100550 [Committee of the Whole - Issuance of Revenue Bonds by the California Municipal Finance Authority - May 18, 2010]****Sponsor: Daly**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 18, 2010, at 3:00 p.m., to hold a public hearing on the issuance of revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100551 [Rejecting the Municipal Transportation Agency Budget for FY2010-2011 and 2011-2012]**Sponsors: Chiu; Mirkarimi**

Motion rejecting the budget of the Municipal Transportation Agency for FY2010-2011 and FY2011-2012.

05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing**100553 [Mayor's Proposed May Budget FY2010-2011]****Sponsor: Mayor**

Hearing to review the Mayor's Proposed May Budget FY2010-2011.

05/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100552 [Planning Department Discretionary Review Process and Reform]**Sponsor: Mar**

Hearing to obtain updates from the Planning Department concerning the discretionary review process.

05/04/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100553 [Audit Results of the San Francisco Municipal Transportation Agency]**Sponsor: Campos**

Hearing on the results of the Budget and Legislative Analyst's audit of the San Francisco Municipal Transportation Agency.

05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100554 [State's Budget for FY2010-2011]**Sponsor: Avalos**

Hearing to discuss the State's budget for FY2010-2011.

05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100555 [Controller's Nine Month Report]**Sponsor: Avalos**

Hearing on the Controller's Nine Month Report.

05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by President at Request of Department**PROPOSED ORDINANCES****100358 [Settlement of Lawsuit - Noah Booher - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Noah Booher against the City and County of San Francisco for \$35,000; the lawsuit was filed on March 10, 2009, in the United States District Court for the Northern District of California, Case No. C08-1045 MHP, entitled Noah Booher v. City and County of San Francisco et al. (City Attorney)

04/23/10; RECEIVED AND ASSIGNED to Rules Committee.

100359 [Settlement of Lawsuit - Betty C. Bullock - \$134,000]

Ordinance authorizing settlement of the lawsuit filed by Betty C. Bullock against the City and County of San Francisco for \$134,000; the lawsuit was filed on December 1, 2008, in San Francisco Superior Court, Case No. 482347; entitled Betty C. Bullock v. City and County of San Francisco, et al. (City Attorney)

04/23/10; RECEIVED AND ASSIGNED to Rules Committee.

100360 [Recreation and Park Department - Harding Park Fees]

Ordinance amending the San Francisco Park Code by amending Section 12.12, to increase greens fees at Harding Park and Fleming Golf Courses, and making environmental findings. (Recreation and Park Department)

04/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100361 [Settlement of Lawsuit - Assimina Mavromatis - \$29,500]

Ordinance authorizing settlement of the lawsuit filed by Assimina Mavromatis against the City and County of San Francisco for \$29,500; the lawsuit was filed on July 6, 2007, in San Francisco Superior Court, Case No. CGC 07-464948; entitled Assimina Mavromatis, et al., v. City and County of San Francisco, et al. (City Attorney)

04/26/10; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

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 newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irvine and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

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 private property locations:

55 Laguna

528 Haight

300 Buchanan

463 Fillmore

1023 Haight

1027 Haight

546 Haight

973 Haight

5 Haight

400 Duboce

350 Laguna

*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 utility poles at the following locations:*

*Wood Pole
Southeast corner Haight & Fillmore*

*Metal Poles
Southeast corner Pine & Fillmore
In front of 865 Fillmore
Southwest corner Gough & Ivy
Northwest corner Haight & Fillmore*

*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 public property locations:*

*Utility Boxes
Southwest corner Geary & Webster
Northeast corner Ivy & Buchanan
Near 940 Fillmore
Northwest corner Fillmore & Hermann
Northwest corner Duboce & Church*

*Bus Shelters
Southwest corner Pierce & Haight
Southeast corner Hayes & Buchanan
Southeast corner Buchanan & Haight
Southwest corner McAllister & Pierce
Fillmore & Haight (all 4 bus stops, graffiti & grime)*

*Fire Hydrant
Southwest corner McAllister & Fillmore*

*Emergency Boxes
Southwest corner Eddy & 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 from the following locations:*

*Garbage Cans
Southwest corner Golden Gate & Buchanan
Northwest corner Haight & Fillmore
Southwest corner Waller & Fillmore*

*Mailbox
Southwest corner Bush & Webster
Northwest corner Sutter & Fillmore
Northeast corner McAllister & Buchanan
Northwest corner Golden Gate & Buchanan
Northeast corner Pierce & Golden Gate*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes and sidewalk issues at the following locations: On Lincoln, west of Stanyan, several potholes.*

*From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to prepare an Administrative Code amendment to require City departments to enter into written work order agreements when purchasing services from another City department, under the following conditions:*

- These agreements shall be required for all major or complex work-order relationships, as determined by the Controller.*
- These agreements shall be approved by both departments in advance of the fiscal year in which services are to be provided.*
- These agreements shall be in a form approved by the Controller, and shall detail services to be provided, means of reconciling budgeted to actual costs, and documentation required to accompany each work-order billing.*

In Memoriams

*Seymour Newstat – Supervisors Dufty and Alioto-Pier
Quentin Easter – Supervisors Maxwell and Dufty
Calvin P. Hayes – Supervisor Maxwell
Victoria Manolo Draves – Supervisor Daly
Theodore Tobias Rosenberg – Supervisor Dufty
Scott Whitsett – Supervisor Dufty*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:10 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 June 8, 2010.

Angela Calvillo, Clerk of the Board