

Board of Supervisors
City and County of San Francisco
Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689



AGENDA
Tuesday, April 14, 2009
2:00 PM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the March 17, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Avalos, Mirkarimi, Chu

- | | | | |
|----|---------------|--|-----------------------------------|
| 1. | 090332 | [Public Employment - San Francisco Employees' Retirement System]
Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one position: 0965 Department Head V (FTE 0.19) and the deletion of one position: 0964 Department Head IV (FTE 0.19) at the San Francisco Employees' Retirement System.

4/7/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED? | Mayor, Supervisor Elsbernd |
| 2. | 090336 | [Appropriating \$4,211,947 of Revenue and General Fund Reserve for the November 2008 and May 2009 elections in the Department of Elections for Fiscal Year 2008-2009]
Ordinance appropriating \$3,181,333 of State mandated cost reimbursement revenue, \$79,597 of county candidate filing fee revenue, and \$951,017 of General Fund Reserve, for a total appropriation of \$4,211,947, for costs associated with the November 2008 General Election and May 2009 Special Election in the Department of Elections for Fiscal Year 2008-2009. | Mayor |

(Fiscal Impact.)

4/7/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Chu

3. **090380** **[Accept and Expend Grant - American Recovery and Reinvestment Act of 2009 (ARRA)]** **Mayor, Supervisors Elsbernd, Chiu, Chu**

Resolution authorizing the filing of an application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) funding, stating the assurance to complete the project, and authorizing the Director of Public Works to accept and expend Federal grant funds.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Mirkarimi, Chu

4. **090324** **[Accept and Expend Grant - U.S. Transportation Security Administration - \$15,800,000]** **Supervisors Elsbernd, Chu**

Resolution authorizing the Airport to retroactively negotiate and execute an Other Transaction Agreement from the Transportation Security Administration for the Terminal 2 In-Line Explosives Detection System Matrix, in the amount not to exceed \$15,800,000, and accept and expend Federal funds.

(Fiscal Impact.)

3/31/2009, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing new title.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

5. **081249** **[Inclusionary In Lieu Fees For Small Site Acquisition and Rehabilitation]** **Supervisor Daly**

Ordinance amending Planning Code Section 315.6 of the Residential Inclusionary Affordable Housing Program to provide that ten percent (10%) of in lieu fees paid under Section 315.6, not to exceed a maximum of \$15 million at any one time, be designated exclusively for the acquisition and/or rehabilitation of affordable housing sites consisting of less than 25 units, and making findings including findings under CEQA.

4/7/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. **090203** **[Zoning Map Amendment - 401 - 421 Shields Street]**

Ordinance amending the San Francisco Planning Code by amending Sheet 12 of the Zoning Map of the City and County of San Francisco to change the zoning of the properties located at 401-421 Shields Street, Block 7074, Assessor's Lot Nos. 001, 046, 047, 048, from P (Public) to RH-1 (Residential, House Districts, Single-Family); adopting findings, including environmental findings and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b). (Planning Department)

4/7/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Chu, Campos

7. **090300** **[Appointment, Bay Area Library and Information System Advisory Board - Anne Wintroub]**

Motion appointing Anne Wintroub, term ending June 30, 2010, to the Bay Area Library and Information System Advisory Board.

Question: Shall this Motion be APPROVED?

8. **090390** **[Appointments, In-Home Supportive Services Public Authority - Mike Boyd, Gustavo Serina and Luis Calderon]**

Improvement Program-funded Professional Service Agreement No. CS-915R, Sunol Valley Regional Construction Management Services, with CH2MHill, for an amount not to exceed \$16,000,000 with a term of up to 60 months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Duffy, Daly, Alioto-Pier

15. **090249** **[Urging the organizers of the Bay to Breakers to collaborate on a comprehensive plan that protects the neighborhoods while preserving the unique spirit of the race]** **Supervisors Mirkarimi, Mar, Avalos, Maxwell, Campos, Duffy, Chiu**

Resolution urging the sponsors of the Bay to Breakers race to work with city agencies, neighborhood groups, and race advocates to develop a comprehensive plan that protects the host neighborhoods while preserving the unique spirit of the race.

3/3/2009, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Chiu requested to be added as a co-sponsor. Supervisor Mirkarimi requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Chu, Campos

16. **090199** **[Conflict of Interest Code Amendments]**
Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-110, 3.1-120, 3.1-145, 3.1-150, 3.1-155, 3.1-165, 3.1-175, 3.1-195, 3.1-207, 3.1-218, 3.1-251, 3.1-253, 3.1-267, 3.1-275, 3.1-280, 3.1-285, 3.1-315, 3.1-320, 3.1-340, 3.1-345, 3.1-362, 3.1-365, 3.1-395, 3.1-410, 3.1-415, 3.1-420, 3.1-422, 3.1-435, 3.1-460, deleting sections 3.1-193, 3.1-300, 3.1-350, 3.1-425, and adding sections 3.1-158, 3.1-268, 3.1-350 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories. (Clerk of the Board)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. **090236** **[Appointment, Historical Preservation Commission - Diane Matsuda]**
Motion approving the Mayor's nomination for appointment of Diane Matsuda to the Historical Preservation Commission, Seat No. 7, for a four-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090237. Transmittal date – February 24, 2009.)

Question: Shall this Motion be APPROVED?

18. **090396** **[Appointment, California State Association of Counties - Supervisor John Avalos]**
Motion appointing Supervisor John Avalos, term ending November 28, 2009, as an alternate member to the California State Association of Counties Board of Directors.

Question: Shall this Motion be APPROVED?

Present: Supervisors Daly, Chu

19. **090397** **[Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor David Campos]**
Motion appointing Supervisor David Campos, term ending January 31, 2011, to the Golden Gate Bridge Highway and Transportation District.

Question: Shall this Motion be APPROVED?

CALLED FROM RULES COMMITTEE - PURSUANT TO RULE 5.31.1

20. **090433** **[Appointment, Golden Gate Bridge, Highway and Transportation**

District]

Motion to consider appointing one member, seat 2, public at large, for term ending January 31, 2011, to the Golden Gate Bridge, Highway and Transportation District.

2 Applicants

Larry Mazzola, Jr.

David H Snyder.

4/7/2009, CALLED FROM COMMITTEE. Pursuant to Rule 5.31.1, Supervisors Elsbernd, Michela Alioto-Pier, Bevan Dufty, and Carmen Chu called this measure from Rules Committee.

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

- 21. 081560 [India Basin Industrial Park Zoning Map Amendment] Supervisor Maxwell**
Ordinance amending the San Francisco Planning Code by amending Sectional Map Sheets ZN08, ZN10, SU08 and SU10 to change the use classification of certain parcels in and around the India Basin Industrial Park Redevelopment Project Area from M-1 (Light Industrial) and M-2 (Heavy Industrial) Districts to PDR-1-B (Light Industrial, Buffer) and PDR-2 (Production, Distribution, and Repair) Districts and to incorporate all of the subject parcels into the India Basin Industrial Park Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

3/3/2009, PASSED ON FIRST READING.

3/17/2009, RE-REFERRED to Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 22. 081561 [India Basin Industrial Park, Planning Code Text Amendment] Supervisor Maxwell**
Ordinance amending the San Francisco Planning Code by adding Section 249.42 to create a new India Basin Industrial Park Special Use District; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

3/3/2009, PASSED ON FIRST READING.

3/17/2009, RE-REFERRED to Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Chiu

- 23. 090252 [Street Encroachment at 3711-19th Avenue and Crespi Drive] Supervisor Elsbernd**
Resolution granting revocable permission to Parkmerced Investors Properties LLC, to occupy portions of the public right-of-way to construct, realign, and maintain an existing paved curb islands to improve pedestrian accessibility and vehicular traffic circulation and safety, resurface portions of Crespi Drive with new Bomanite stamped concrete paving and install three (3) decorative columns at the entry way to Crespi Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance the Property at 3711-19th Avenue (Assessor's Blocks 7315, 7316, 7320), conditioned upon the payment of an annual assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

- 24. 090446 [Hearing - Adopting the Redevelopment Plan for the Visitacion Valley Redevelopment Project]**
Hearing of persons interested in or objecting to proposed ordinance approving and adopting the Redevelopment Plan for the Visitacion Valley Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; authorizing official acts in furtherance of this ordinance.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

25. **090222** [Adopting the Redevelopment Plan for the Visitacion Valley Redevelopment Project] **Mayor, Supervisor Maxwell**

Ordinance approving and adopting the Redevelopment Plan for the Visitacion Valley Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; authorizing official acts in furtherance of this ordinance.

(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. **090224** [Zoning Map Amendments In Connection With Visitacion Valley Redevelopment Plan] **Supervisor Maxwell**

Ordinance amending the Zoning Map of the City and County of San Francisco by amending Sheet 10SU to establish a special use district for all property located within the Visitacion Valley Redevelopment Project Area, generally including the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard; amending Sheet 10H of the Zoning Map to change the Height and Bulk District of the Visitacion Valley Redevelopment Project Area from a 40-X Height and Bulk District to a 55-X Height and Bulk District for property located in Subarea Zone 2 of the Visitacion Valley Redevelopment Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. **090223** [Schlage Lock/Visitacion Valley Special Use District] **Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.40 to establish the Visitacion Valley/Schlage Lock Special Use District which includes a portion of the Visitacion Valley neighborhood and the Schlage Lock site within the City and County of San Francisco, the boundaries of which are designated on Sectional Map No. 10 SU of the Zoning Maps of the City and County of San Francisco, and which generally includes the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard; to require development within the Special Use District to adhere to the Visitacion Valley/Schlage Lock Design for Development document approved as part of the Visitacion Valley Redevelopment Plan.

(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. **090202** [Approving General Plan Amendments Related to the Visitacion Valley Redevelopment Plan] **Supervisor Maxwell**

Ordinance amending the San Francisco General Plan by approving General Plan amendments to implement the Visitacion Valley Redevelopment Plan (which includes a portion of the Visitacion Valley neighborhood and the Schlage Lock site within the City and County of San Francisco, the boundaries of which are designated on Sectional Map No. 10 SU of the Zoning Maps of the City and County of San Francisco, and which generally includes the properties bounded by Bayshore, Blanken and Tunnel Avenue to the San Francisco/San Mateo County line to the south, including the properties fronting Bayshore Boulevard from Arleta Avenue to the San Francisco/San Mateo County line to the south and including the properties fronting Leland Avenue from Cora Street to Bayshore Boulevard) by amending the Arts Element, Commerce and Industry Element, Recreation and Open Space Element, Transportation Element, and Urban Design Elements; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

29. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

30. **PUBLIC COMMENT**

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

- 31. 090445 [Office of the Legislative Analyst Request - Owner Move In Evictions] Supervisor Mar**
- Motion requesting the Legislative Analyst to research and obtain information on families with children who are evicted each year through the Owner Move In (OMI) eviction process; to work with all family service providers, eviction defense groups, landlord or apartment associations, and tenant groups to obtain data, hard numbers or anecdotal, that lend information to how many families face OMI evictions each year. We would also like to know how many families are threatened by OMI eviction and take relocation monies without reporting these evictions to the San Francisco Rent Board.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 32 through 41

- 32. 090425 [Condolences to the people of Italy and those affected by the L'Aquila earthquake] Supervisor Alioto-Pier**
- Resolution extending condolences and greatest sympathy to the people of Italy and those affected by the L'Aquila earthquake.
- 4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 33. 090426 [Commending Dwayne Kinner] Supervisor Avalos**
- Resolution commending and thanking Dwayne Kinner on the occasion of the 20th Anniversary of the Workers' Children's Fund Softball Tournament and for his hard work towards and dedication to enriching the lives of San Francisco's foster children.
- 4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 34. 090427 [Solidarity with the workers of Hyatt Fisherman's Wharf and HEI Le Meridien Hotel] Supervisors Chiu, Avalos**
- Resolution urging Hyatt Fisherman's Wharf and HEI Le Meridien Hotel to allow its workers to choose, free from delay and intimidation, whether to have a union through a card-check neutrality agreement.
- 4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 35. 090428 [Condemning the persecution and murders of Lesbian Gay Bisexual Transgender (LGBT) Iraqi Citizens] Supervisors Dufty, Campos, Avalos**
- Resolution calling on the U.S. Department of State to use all diplomatic channels to work with the Iraqi Government to stop the persecution of Iraqi Lesbian Gay Bisexual Transgender (LGBT) citizens and immediately stop the murders of Iraqi LGBT citizens.

4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD

MEETING.

Question: Shall this Resolution be ADOPTED?

36. 090429 [Urging Federal authorities to approve the citizenship of Shirley Tan and pass the Uniting American Families Act] Supervisors Dufty, Campos
Resolution urging Federal authorities to remove obstacles to United Citizenship for Shirley Tan, and urging the passage of the Uniting American Families Act (UAFA, H.R. 1024, S. 424).

4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 090442 [Armenian Genocide Commemoration Day] Supervisors Elsbernd, Campos, Dufty, Mirkarimi, Alioto-Pier, Daly, Avalos, Chu, Chiu, Mar, Maxwell

Resolution declaring April 24, 2009, as Armenian Genocide Commemoration Day in San Francisco.

4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 090443 [Motion establishing Budget Analyst's 2009-2010 schedule of audits] Supervisor Mirkarimi
Motion repealing Motion No. 09-55 and adopting a new schedule of audits to be conducted of programs of City and County departments.

4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. 090444 [Supporting Assembly Bill 324, the Elder Economic Dignity Act of 2009] Supervisor Mirkarimi
Resolution supporting the California State Assembly Bill 324, the Elder Economic Dignity Act of 2009 .

4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 090448 [Supporting Assembly Bill 560, Net Metering] Supervisor Mirkarimi
Resolution supporting Assembly Bill 560 that would raise the cap on net metering, and possibly eliminate the cap entirely.

4/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 090389 [Final Map - 2200, 2208 Mission Street and 3417-18th Street]
Motion approving Final Map 4197, a 23 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 2200, 2208 Mission Street and 3417-18th Street being a subdivision of Lot 001 in Assessors Block No. 3589 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,010; District 9.)

4/3/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

42. **IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 31, 2009, to April 6, 2009, for reference by President to appropriate committee on April 14, 2009.

090385 [Settlement of Lawsuit - Robert Cruz and Darwin Dias - \$92,000]

Ordinance authorizing settlement of the lawsuit filed by Robert Cruz and Darwin Dias against the City and County of San Francisco for \$92,000; the lawsuit was filed on January 14, 2008 in the United States District Court, Northern District of California, Case No. 08-0244; entitled Robert Cruz, et al. v. City and County of San Francisco, et al. (City Attorney)

3/31/2009, RECEIVED AND ASSIGNED to Rules Committee.

090388 [Zoning - Establishing the 1500 Page Street Residential Care Special Use District]

Ordinance amending the San Francisco Planning code by adding Sections 249.41 and 263.22 to establish the 1500 Page Street Residential Care Special Use District (SUD), encompassing the real property located at 1500 Page Street (Assessor's Block 1223, Lot 004), to permit the expansion of a building used for residential care; and adopting General Plan, Planning Code and environmental findings. (Planning Commission)

4/2/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/14/2009.

090392 [Zoning - Ordinance amending Planning Code Section 309.1]

Ordinance amending Planning Code Section 309.1 to allow a design review exception for Downtown Residential districts permitting minor height measurement modifications that could otherwise be modified as a Planned Unit Development pursuant to Section 304. (Planning Department)

4/6/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/14/2009.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 31, 2009, to April 6, 2009, for reference by President to appropriate committee on April 14, 2009.

090383 [In Home Supportive Services Contract with IHSS Consortium of San Francisco]

Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2009 to June 30, 2013, in the amount of \$74,996,175. (Human Services Department)

3/31/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090384 [Settlement of Unlitigated Claim - Allstate Insurance Company - \$30,000]

Resolution approving the settlement of unlitigated claim of Allstate Insurance Company as subrogee for Rajitha Sangha against San Francisco for \$30,000; claim was filed on October 22, 2008. (City Attorney)

3/31/2009, RECEIVED AND ASSIGNED to Rules Committee.

090386 [Approval of Contract Modification No. 2 to Contract No. 350-30 between the City and County of San Francisco and DaimlerChrysler]

Commercial Buses North America Ltd. - \$18,250,293.80]

Resolution approving Contract Modification No. 2 to Contract No. 350-30 between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 30-foot hybrid electric bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, delete special tools that are no longer needed, and purchase training modules, at an additional cost of \$1,075,524, for a total contract amount not to exceed \$18,250,293.80. (Municipal Transportation Agency)

3/2/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090387 [Approval of Contract Modification No. 4 to Contract No. 350 between the City and County of San Francisco and DaimlerChrysler Commercial Buses North America Ltd. - \$32,223,133.25]

Resolution approving Contract Modification No. 4 to Contract No. 350 between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 40-foot hybrid electric bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, at an additional cost of \$2,520,000, for a total contract amount not to exceed \$32,223,133.25. (Municipal Transportation Agency)

4/2/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090447 [Petitions and Communications]

Petitions and Communications received from March 31, 2009, through April 6, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 14, 2009.

From Department of Animal Care & Control, submitting request for waiver of Administrative Code Chapter 12B for TW Medical Vet Supply.(1)

From Municipal Transportation Agency, regarding pedestrian warning signs at the intersection of 20th Avenue and Wawona Street. (Reference No. 20090127-008)(2)

From Anne Peters, submitting opposition to Proposition 1E, regarding cutting almost a half-billion dollars in Proposition 63 mental health service funds. (3)

From Capital Planning Committee, in accordance with Section 3.21 of the Administrative Code, the Capital Planning Committee reviewed three action items under consideration by the Board of Supervisors and recommends the following items: Capital Budget requests for the Port, Airport and the Public Utilities Commission, fiscal year 2009-2010; authorization of gas tax certificates of participation (\$38,905,000) for streets and rights of way Improvements; and authorization of accept and expend resolution for American Recovery and Reinvestment Act of 2009 grant funds for local street and road rehabilitation projects. Copy: Each Supervisor(4)

From concerned citizens, thanking the Board for taking the first step to transform our publicly owned land at Sharp Park from an exclusive, underused, and budget-breaking golf course into a community-centered model for endangered species recovery, natural flood control, outdoor recreation and sustainable land use. File 090329, 154 letters(5)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of the state of California from April 3, 2009, until April 8, 2009, designating Supervisor Michela Alioto-Pier as Acting Mayor from April 3, 2009, until 12:00 am on April 6, 2009, and Supervisor Sean Elsbernd as Acting Mayor from April 6, 2009, until April 8, 2009. Copy: Each Supervisor(6)

From Office of the Mayor, regarding a new website (www.recoverysf.org) being launched today designed to keep the City and its residents informed about the very important issues and processes surrounding the American Recovery & Reinvestment Act.(7)

From Muni, submitting request for waiver of Administrative Code Chapter 12B for Dellner Couplers, Inc.(8)

From Muni, submitting request for waiver of Administrative Code Chapter 12B for Transtech of SC, Inc.(9)

From Mercy Housing, informing the Board that they are applying to the State Department of Housing and Community Development for financing from the Transit-Oriented Development Program, for the development of 1000 4th Street Family Apartments. Copy: Each Supervisor(10)

From Patrick Monette-Shaw, commenting on the loss of nearly 1,000 skilled nursing beds so desperately needed, the loss of medical care to the City's medically indigent frail elderly and disabled citizens, and the loss of publicity concerning the public's right-to-know about lawsuits against the City.(11)

From Department of Public Health, submitting proposed changes to the Health Care Accountability Ordinance. File 090130, Copy: Budget Committee(12)

From Department of Public Works, regarding status of graffiti removal from various locations in District 5. (Reference No. 20090303-002)(13)

From Department of Public Works, regarding status of graffiti removal from various locations in District 5. (Reference No. 200900303-004)(14)

From Department of Public Works, regarding status of graffiti removal from various locations in District 5. (Reference No. 20090317-001)(15)

From Department of Public Works, regarding status of graffiti removal from various locations in District 5. (Reference No. 20090317-002)(16)

From Department of Public Works, regarding status of graffiti removal from various locations in District 5. (Reference No. 20090317-004)(17)

From Department of Public Works, regarding status of graffiti removal from various locations in District 5. (Reference No. 20090317-009)(18)

From Arthur Evans, regarding the April 6, 2009 Public Safety Committee meeting.(19)

From Charles Kalish, regarding the beeping turn signals on MUNI buses. Copy: Each Supervisor(20)

From Floyd, urging the Recreation and Park Commission not to layoff Carli Fullerton, the director of the Golden Gate Park Senior Community Center. Copy: Each Supervisor(21)

From Abdalla Megahed, requesting assistance with getting transportation to visit Washington D.C. for his birthday. Copy: Each Supervisor(22)

From Phoebe Williams, suggesting the U.S. Military patrol the streets of San Francisco to help the police with parolees, street gangs and drug dealers and to keep seniors and small children safe. Copy: Each Supervisor(23)

From SRO Task Force, submitting their proposed budget for fiscal year 2009-2010.(24)

From Office of the Controller, submitting the monthly economic barometer for February 2009.(25)

From Tenderloin Health, regarding their next sunshine board meeting on April 22, 2009.(26)

From Christian Holmer, regarding immediate disclosure requests and sunshine complaints.(27)

From Office of the Controller-City Services Auditor, submitting its financial audit report of the Statement of Net Assets and Statement of Changes in Net Assets of the City and County of San Francisco.(28)

From Betty Kallo, submitting opposition to the proposed closure of Park Branch Library. (29)

From Budget Analyst, submitting the budget analyst status report for the quarter ending March 31, 2009.(30)

From SF Public Utilities Commission, submitting the annual disclosure report for fiscal year ending June 30, 2008 for the Public Utilities Commission Water Enterprise.(31)

From SF Peak Oil Preparedness Task Force, submitting their report for March 2009.(32)

From Clerk of the Board, submitting notice that the following individuals have submitted a Form 700 Statement of Economic Interests: (33)

Catherine Stefani, Legislative Aide-Annual
Camelin Blackstone, Legislative Aide-Annual
Vallie Brown, Legislative Aide-Annual
Cassandra Costello-Legislative Aide-Annual
Rick Galbreath-Legislative Aide-Annual
Andrew Hayward-Legislative Aide-Annual
Nicolas King, Legislative Aide-Annual
Jon Lau-Legislative Aide-Annual
Jeremy Pollock-Legislative Aide-Annual
Olivia Scanlon-Legislative Aide-Annual
Kay Gulbengay-Deputy Director – Annual
Angela Calvillo-Clerk of the Board-Annual
Michael Bornstein-LAFCo-Annual
Ross Mirkarimi-Supervisor-LAFCo-Annual
Bevan Dufty-Supervisor-LAFCo-Annual
Rose Chung-Legislative Aide-Annual

Raquel Redondiez, Legislative Aide-Annual
Pedro Rodriguez-Budget Analyst-Annual
Harvey Rose, Budget Analyst-Annual
Arthur Louie-Budget Analyst-Annual
Sophenia Maxwell-Supervisor-Annual
Hanley Chan-SOTF-Annual
Richard Knee-SOTF-Annual
Sue Cauthen-SOTF-Annual
James Knoebbeor-SOTF-Annual
Erica Craven-Green-SOTF-Annual
Aallyson Washburn-SOTF-Annual
Carmen Chu-Supervisor-Annual
Nancy Miller-LAFCo-Annual
Harrison Sheppard-SOTF-Leaving
Kristin Chu-SOTF-Annual
Michael Bell-LAFCo-Annual
Paul Fenn-LAFCo-Annual
Michela Alioto-Pier-Supervisor-Annual
Gregory Blaine-AAB-Annual
Mervin Conlan-AAB-Annual
Donna Crowder-AAB-Annual
Alec Lambie-AAB-Annual
Lawrence Lee-AAB-Annual
John McGary-AAB-Annual
Louisa Mendoza-AAB-Annual
Hayes Miles-AAB-Annual
Jeffrey Morris-AAB-Annual
Alfredo Perez-AAB-Annual
Diane Robinson-AAB Annual
Margaret Ruxton-AAB-Annual
Joseph Tham-AAB-Annual
Arthur Tom-AAB-Annual
David Wilbur-AAB-Annual

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



Disability access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics