

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, April 14, 2009 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

*MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI*

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

Budget and Finance Subcommittee

Supervisors Avalos, Mirkarimi, Chu

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors Dufty, Daly, Alioto-Pier

Government Audit and Oversight Committee

Supervisors Mirkarimi, Mar, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Campos, Mirkarimi, Alioto-Pier

Rules Committee

Supervisors Campos, Chu, Daly

Meeting Days

Wednesday
11:00 AM

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
11:00 AM

1st and 3rd Thursday
10:00 AM

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

Volume 104 Number 13

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll all Supervisors were noted present.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of March 17, 2009. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Budget and Finance Subcommittee

090332 [Public Employment - San Francisco Employees' Retirement System]
Mayor, Supervisor Elsbernd

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.

Ordinance No. 65-09

FINALLY PASSED

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]
Mayor

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.

(Fiscal Impact.)

Ordinance No. 66-09

FINALLY PASSED

**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.)

**Resolution No. 116-09
ADOPTED**

Recommendations of the Land Use and Economic Development Committee

**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.

**Ordinance No. 63-09
FINALLY PASSED**

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)

**Ordinance No. 62-09
FINALLY PASSED**

Recommendations of the Rules Committee

**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.**

Anne Wintroub, succeeding Nora Dowley, term expired, seat 1, must represent public at large and underserved residents, for the unexpired portion of a two-year term ending June 30, 2010.

**Motion No. M09-66
APPROVED**

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

Motion appointing Mike Boyd, term ending March 1, 2011, Gustavo Serina and Luis Calderon, terms ending on March 1, 2012, to the In-Home Supportive Services Public Authority.

Mike Boyd, seat 1, succeeding Ethel Richardson, term expired, must be a consumer over the age of 55 years, authorized to represent organizations that advocate for aging people with disabilities, for the unexpired portion of a three-year term ending March 1, 2011:

Gustavo Serina, seat 7, succeeding Gustavo Serina, term expired, must be a member of the Commission on the Aging, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2012.

Luis Calderon, seat 11, succeeding Luis Calderon, term expired, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2012.

Motion No. M09-67

APPROVED

090391 [Appointments, Commission on Aging Advisory Council - Ken Prag and Sharon Eberhardt]

Motion appointing Ken Prag, term ending March 31, 2010, and Sharon Eberhardt, term ending March 31, 2011, to the Commission on Aging and Advisory Council.

Ken Prag, seat 7, succeeding Luis Calderon, term expired, must be nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2010.

Sharon Eberhardt, seat 9, succeeding Sharon Eberhardt, term expired, must be nominee of District 11 Supervisor, for a two-year term ending March 31, 2011.

Motion No. M09-68

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 Consent Agenda

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

**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.

Resolution No. 143-09

ADOPTED 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 Budget and Finance Committee

- 090024 [Modifies the cap on the amount that an individual production can receive under the Film Rebate Program, eliminates partial rebate of hotel and sales tax]
Supervisors Alioto-Pier, Dufty

Ordinance amending Administrative Code Section 57.8 by changing the cap on individual rebates from the total amount of taxes that the production paid to the City, to \$600,000, modifying the definition of "qualified production cost" by eliminating fees and hotel and sales taxes from that definition, and requiring good faith efforts to hire disadvantaged individuals as a condition of receipt of a rebate.

Supervisor Alioto-Pier moved to divide the question relating to the effective date of the "(2) Amount of Rebate. The City shall pay one dollar for each dollar the qualified low budget film production or qualified film production paid in qualified production cost not to exceed \$1.8 million dollars by June 30, 2009. The rebate shall be paid from the fund into which the qualified production cost was originally deposited. In no event shall the amount of the any rebate paid after April 1, 2009 exceed \$600,000.00 the total amount of taxes that the qualified film production or qualified low budget film production paid to the City. The rebate shall not be paid from funds dedicated under bond or other legal financing covenants. Rebates paid under this Ordinance (Ordinance No. 64-09) shall be paid only to those qualified film productions whose filming commenced on or after the effective date of this Ordinance." located from Page 3, Line 17, through Page 4, Line 2.

*The question relating to the effective date of the "Amount of Rebate" was passed by the following vote:
Ayes: 6 - Avalos, Campos, Chiu, Mar, Maxwell, Mirkarimi
Noes: 5 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd*

Ordinance No. 64-09

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

**090130 [Health Care Accountability Components]
Supervisor Alioto-Pier**

Ordinance amending Health Code Section 12Q.3 on the calculation of the health care accountability fee for covered contracting parties and increasing the existing fee and amending Section 12Q.2.9 to increase the number of hours an employee must work to be considered a covered employee.

PASSED ON FIRST READING by the following vote:

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

090260 [2009 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2009 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Resolution No. 134-09

ADOPTED by the following vote:

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

**090337 [Library Fee Amnesty Program]
Mayor, Supervisors Chiu, Mirkarimi**

Resolution authorizing the Library Commission to establish a fee amnesty program for overdue Library materials to take place during a two-week period in May 2009, pursuant to Section 8.21-3 of the San Francisco Administrative Code.

Resolution No. 117-09

ADOPTED by the following vote:

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

090251 [Approve SFPUC Sunol Valley Construction Management Contract]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System 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.)

Resolution No. 142-09

ADOPTED by the following vote:

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

Recommendation of the City Operations and Neighborhood Services Committee

- 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, Dufty, 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.

Amended on Page 3, Lines 8-9, after "Richmond" by adding "and Sunset."

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

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

Resolution No. 131-09

ADOPTED AS AMENDED by the following vote:

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

Recommendations of the Rules Committee

- 090199 [Conflict of Interest Code Amendments]**
Supervisor Daly

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-165, 3.1-175, 3.1-195, 3.1-207, 3.1-218, 3.1-240, 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.

Supervisor Daly requested to be added as sponsor.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

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

- 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.)

Motion No. M09-69

APPROVED by the following vote:

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

Supervisor Avalos Excused From Voting

Supervisor Dufty, seconded by Supervisor Campos, moved to excuse Supervisor Avalos from voting on this matter. The motion carried by the following vote:

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

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.

Seat 2, succeeding Supervisor Carmen Chu, term expired, must be a member of the Board of Supervisors, for the unexpired portion of a one-year term ending November 28, 2009.

Motion No. M09-70

APPROVED by the following vote:

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

Supervisor Campos Excused From Voting

Supervisor Dufty, seconded by Supervisor Mar, moved to excuse Supervisor Campos from voting on this matter. The motion carried by the following vote:

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

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.

Motion No. M09-71

APPROVED by the following vote:

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

CALLED FROM RULES COMMITTEE - PURSUANT TO RULE 5.31.1**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

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion FAILED by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell
Noes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi

Continued to April 28, 2009.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion FAILED by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell
Noes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi

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

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi
Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell

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

Motion No. M09-72

APPROVED AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi
Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell

Recommendations of the Land Use and Economic Development Committee

**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.

PASSED ON FIRST READING by the following vote:

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

**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.

PASSED ON FIRST READING by the following vote:

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

**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 island 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)

Resolution No. 133-09

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

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. (Clerk of the Board)

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

Redevelopment Agency Executive Director Fred Blackwell; Planning Department Director John Rahaim; and Redevelopment Manager Tom Evans; reviewed with Board the recommendations.

Fran Martin; Chris Barnett; Jonathan Scharfman; Karen Gilbert; Male speaker; Mary Hashman; Nick Wolff; David Cincotta; Mindy Kinner; Sergio Morales; all spoke in favor of the project.

The President declared the public hearing closed.

FILED.

Committee of the Whole Adjourn and Report Without Recommendation

Recommendations of the Land Use and Economic Development Committee**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)

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

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

Continued to April 21, 2009.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be **CONTINUED AS AMENDED**. The motion carried by the following vote:

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

**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.

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

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

Continued to April 21, 2009.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be **CONTINUED AS AMENDED**. The motion carried by the following vote:

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

**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)

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

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

Continued to April 21, 2009.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

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

**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)

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

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

Continued to April 21, 2009.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED AS AMENDED. 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 Campos, seconded by Supervisor Dufty, 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 Campos introduced, welcomed, and presented a Certificate of Honor to Jesus "Chuy" Ballote for his contributions and being an active member of Kalpulli, HOMEY's social justice and youth organizing council.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Guadalupe Carreno for her contributions to youth as a teaching apprentice at Jamestown Community Center's after-school enrichment program.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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

Abdullah Megaheed; expressed concern with issues relating to the decrease in tourism due to the homeless situation in San Francisco

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

Peter Warfield; expressed concern with issues relating to the closure of the Park Library

Mark Trout; expressed concern with issues relating to the Roman church

Walter; shared in song certain issues with the Board

Male speaker; expressed concern with issues relating to Federal Building seismic upgrade and human rights

Mike Patrellis; expressed concern with issues relating to anti-gay activism

Charles Marsel; expressed concern with issues relating to property on Lombard Street

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

**090445 [Office of the Legislative Analyst Request - Owner Move In Evictions]
Supervisors Mar, Campos**

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.

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

APPROVED by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**090425 [Condolences to the people of Italy and those affected by the L'Aquila earthquake]
Supervisors Alioto-Pier, Campos**

Resolution extending condolences and greatest sympathy to the people of Italy and those affected by the L'Aquila earthquake.

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

Resolution No. 140-09

ADOPTED

**090426 [Commending Dwayne Kinner]
Supervisors Avalos, Campos**

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.

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

Resolution No. 139-09

ADOPTED

**090427 [Solidarity with the workers of Hyatt Fisherman's Wharf and HEI Le Meridien Hotel]
Supervisors Chiu, Avalos, Mirkarimi, Mar, Campos**

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.

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

Resolution No. 132-09

ADOPTED

- 090429 [Urging Federal authorities to approve the citizenship of Shirley Tan and pass the Uniting American Families Act]
Supervisors Dufty, Campos, Chiu, Mar

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).

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

Resolution No. 137-09

ADOPTED

- 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.

Resolution No. 138-09

ADOPTED

- 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.

Motion No. M09-65

APPROVED

- 090444 [Supporting Assembly Bill 324, the Elder Economic Dignity Act of 2009]
Supervisors Mirkarimi, Mar, Campos

Resolution supporting the California State Assembly Bill 324, the Elder Economic Dignity Act of 2009 .

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

Resolution No. 136-09

ADOPTED

- 090448 [Supporting Assembly Bill 560, Net Metering]
Supervisors Mirkarimi, Campos

Resolution supporting Assembly Bill 560 that would raise the cap on net metering, and possibly eliminate the cap entirely.

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

Resolution No. 135-09

ADOPTED

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.)

Motion No. M09-73

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

**090428 [Condemning the persecution and murders of Lesbian Gay Bisexual Transgender (LGBT) Iraqi Citizens]
Supervisors Dufty, Campos, Avalos, Mirkarimi**

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.

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

Resolution No. 141-09

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**090461 [Providing members of the public with access to language services]
Supervisor Chiu**

Ordinance amending the San Francisco Administrative Code by adding new Sections 91.1, 91.8, 91.11, 91.14, 91.18; amending Sections 91.2, 91.3, 91.4, 91.6; amending Section 91.8 and renumbering Section 91.8 as 91.9; amending Section 91.9 and renumbering Section 91.9 as 91.10; amending Section 91.11 and renumbering Section 91.11 as 91.13; amending Section 91.12 and renumbering Section 91.12 as 91.15; amending Section 91.14 and renumbering Section 91.14 as 91.17; renumbering Sections 91.10 as 91.12 and 91.13 as 91.16 to rename the Equal Access Ordinance to Language Access Ordinance and add findings; to develop language services protocols in crisis situations, to amend the contents required in departmental Annual Compliance Plans; to create reporting requirements, to create and outline the Office of Civic Engagement and Immigrant Affairs' responsibilities; to clarify the Ordinance intent to promote the general welfare of the public; to require all City departments to comply with the minimal requirements set forth in this Ordinance; to expand the number of City departments that must comply with the Ordinance in its entirety; to require all City departments to inform Limited English Speaking Persons of their rights under the Ordinance; to require all City Boards, City Commissions, and City Departments to translate meeting minutes; and to amend the compliant procedures. 4/14/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/13/2009.

**090199 [Conflict of Interest Code Amendments]
Supervisor Daly**

Ordinance amending Chapter I of Article III of the Campaign and Governmental Conduct Code by amending sections 3.1-110, 3.1-120, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-165, 3.1-175, 3.1-195, 3.1-207, 3.1-218, 3.1-240, 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. 2/12/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/26/2009.

4/14/09, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

4/14/09, ASSIGNED to Rules Committee.

4/14/09, RE-REFERRED to Rules Committee. Supervisor Daly requested to be added as sponsor.

**090418 [Waiver of fee for temporary farmers' market in Noe Valley from April 14, 2009, through September 29, 2009]
Supervisor Dufty**

Ordinance waiving the fees in San Francisco Business and Tax Regulations Code Sections 35 and 248, San Francisco Planning Code Section 355(d), and San Francisco Administrative Code Section 1.10-1 for a farmers' market to be held at 3950 24th Street from April 14, 2009 through September 29, 2009.

4/7/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

4/14/09, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance bearing new title.

4/14/09, ASSIGNED to Budget and Finance Committee.

**090225 [Residential Water Conservation Ordinance Amendments]
Mayor, Supervisor Maxwell**

Ordinance amending Chapter 12A of the San Francisco Housing Code to achieve water conservation by improving the water efficiency of residential buildings by amending the standards for water closets, showerheads, and faucet aerators and requiring leak repair in all residential buildings, except for tourist hotels and motels, required upon the occurrence of specific events, amending Chapter 12A to allow an exemption to preserve historical integrity, amending Chapter 12 and 12 A to allow paper and/or electronic forms for compliance and providing that compliance records may be available via the internet, amending Section 1211 to clarify that domestic partners are entitled to the same exemptions from the definition of transfers as spouses, amending the Section 1216 fee provision for energy conservation compliance to include water conservation compliance, and providing that this ordinance shall be effective no earlier than July 1, 2009.

2/24/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/26/2009. 3/2/09 - Referred to the Building Inspection Commission and the Small Business Commission for review and comment.

3/24/09, RESPONSE RECEIVED. Building Inspection Commission recommended approval of ordinance with amendments.

4/14/09, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

4/14/09, ASSIGNED to Land Use and Economic Development Committee.

**090226 [Commercial Water Conservation Ordinance Amendments]
Mayor, Supervisor Maxwell**

Ordinance amending Chapter 13A of the San Francisco Building Code to achieve water conservation by improving the water efficiency of commercial buildings by changing the standards for water closets, urinals, showerheads and faucet aerators and requiring leak repair, required upon the occurrence of major additions or improvements, and in all defined commercial buildings no later than January 1, 2017, authorizing an exemption to preserve historical integrity of the building, authorizing paper and/or electronic forms for compliance and providing that compliance records may be available via the internet, providing that reasonable fees may be required to pay for the cost of implementing this Chapter, to be established by subsequent Board action, and providing that this ordinance shall be effective no earlier than July 1, 2009.

2/24/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/26/2009. 3/2/09 - Referred to the Building Inspection Commission and the Small Business Commission for review and comment.

3/24/09, RESPONSE RECEIVED. Building Inspection Commission recommended approval of ordinance with amendments.

4/14/09, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

4/14/09, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

**090462 [AmeriCorps Week - May 9 - 16, 2009]
Supervisor Alioto-Pier**

Resolution declaring May 9 - 16, 2009, AmeriCorps Week.
4/14/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090463 [Supporting Aerial Spraying of Pesticide: Inert Ingredients Act (Senate Bill 759)]
Supervisor Alioto-Pier**

Resolution urging the City and County of San Francisco to support Senate Bill 759, Aerial Spraying of Pesticide: Inert Ingredients Act.
4/14/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090464 [Congratulating President-Elect Mauricio Funes of El Salvador and encouraging further collaboration and solidarity with San Francisco's Sister City in El Salvador, Santa Tecla]
Supervisors Campos, Avalos, Daly, Mar, Mirkarimi**

Resolution congratulating President-Elect Mauricio Funes of El Salvador and encouraging further collaboration and solidarity with San Francisco's Sister City, Santa Tecla.
4/14/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090465 [Denouncing immigration raids and supporting comprehensive immigration reform]
Supervisors Campos, Mar, Chiu**

Resolution acknowledging immigrant contributions, denouncing Immigration and Customs Enforcement (ICE) raids, and supporting comprehensive immigration reform focused on family unity, worker justice, civil rights and a path to legalization.
4/14/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090466 [Taxi Medallion Fees]
Supervisor Chiu**

Resolution urging the San Francisco Municipal Transportation Agency to examine and consider taxi medallion fees.
4/14/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 4/17/09 - Referred to Small Business Commission.

- 090467 [Urging the United States Postal Service to issue a commemorative stamp in honor of Supervisor Harvey Milk]**
Supervisors Dufty, Campos

Resolution urging the United States Postal Service to issue a commemorative stamp in honor of Supervisor Harvey Milk.

4/14/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090468 [Commending Captain Denis O'Leary for his leadership at the Ingleside Station]**
Supervisors Dufty, Campos, Elsbernd, Avalos, Mirkarimi

Resolution commending Captain Denis O'Leary for his leadership at the Ingleside Station, and his accomplishments increasing public safety.

4/14/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090469 [Green Building Ordinance - Finding of Cost Effectiveness and Energy Savings]**
Mayor

Resolution adopting a finding by the Board of Supervisors, required by State law, that the City's Green Building Ordinance (Chapter 13C of the San Francisco Building Code) is cost effective and will save more energy than the 2008 California Building Efficiency Standards that will go into effect throughout the State of California on August 1, 2009, and directing the Department of Building Inspection or other appropriate City staff to cause the Green Building Ordinance, this resolution, and the supporting study to be transmitted to the California Energy Commission for its review and re-approval.

4/14/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 090472 [Commending Neil G. Giuliano for his success as the President and voice of Gay and Lesbian Alliance Against Defamation (GLAAD)]**
Supervisor Dufty

Resolution commending Neil G. Giuliano for his dedication and service as the President of the Gay and Lesbian Alliance Against Defamation (GLAAD).

4/14/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 090456 [Youth Commission's Recommended Budget Priorities]**
Supervisor Avalos

Hearing on the Youth Commission's Recommended Budget Priorities.

4/14/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090457 [Status of the implementation of the improvements to Duboce Park]
Supervisor Dufty**

Hearing to receive an update from the Recreation and Park Department (RPD) on the status of the implementation of the improvements to Duboce Park including the playground, pathways, proposed youth play zone, basketball courts, and western grassy play area.

4/14/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 4/17/09 - Referred to the Youth Commission for review and comment.

**090458 [San Francisco Botanical Gardens]
Supervisor Mar**

Hearing to discuss the Recreation and Park Department's proposal to charge an entrance fee to the San Francisco Botanical Gardens.

4/14/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090459 [Eastern Neighborhoods Plans]
Supervisor Maxwell**

Hearing on the implementation of the recently adopted Eastern Neighborhoods Plans.

4/14/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**090460 [Process and selection of San Francisco Police Department Ingleside District Station for community policing]
Supervisors Mirkarimi, Campos, Dufty**

Hearing on the process and selection of San Francisco Police Department (SFPD) Ingleside District Station as the pilot station for community policing as outlined by the performance review.

4/14/09, RECEIVED AND ASSIGNED to Public Safety Committee.

Motions

090470 [Appointment, Entertainment Commission - Nicky Calma]

Motion approving the Mayor's nomination for appointment of Nicky Calma to the Entertainment Commission, for the unexpired portion of a four-year term ending July 1, 2009. (Clerk of the Board)

(Section 4.117 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. Transmittal date - 4/14/09.)

4/14/09, RECEIVED AND ASSIGNED to Rules Committee.

090471 [Appointment, Entertainment Commission - Nicky Calma]

Motion rejecting the Mayor's nomination for appointment of Nicky Calma to the Entertainment Commission, for the unexpired portion of a four-year term ending July 1, 2009. (Clerk of the Board)

(Section 4.117 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. Transmittal date – 4/14/09.)
4/14/09, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

- 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)
3/31/09, RECEIVED AND ASSIGNED to Rules Committee.
- 090388 [Zoning - Establishing the 1500 Page Street Residential Care Special Use District]
Supervisor Mirkarimi**
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)
4/2/09, 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)
4/6/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/14/2009.

PROPOSED RESOLUTIONS

- 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)

(Fiscal Impact.)
3/31/09, 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)
3/31/09, 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)

(Fiscal Impact.)

3/2/09, 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)

(Fiscal Impact.)

4/2/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Dufty

To: The Honorable Jared Polis, Member of Congress, 501 Cannon H.O.B., Washington, D.C. 20515-0602

Requesting/Inquiring: Supervisor Bevan Dufty requests that we advise you of the Board's passage of Resolution No. 090428 condemning the persecution and murders of Lesbian, Gay, Bisexual, and Transgender (LGBT) Iraqi Citizens and that the Board commends your leadership and advocacy during your Congressional visit to Baghdad drawing attention the pervasive violence and killings of Gay Iraqi's and insistence that the United States and Government of Iraq take action to make these killings stop.

Cc: The Honorable Nancy Pelosi

Speaker, U.S. House of Representatives

450 Golden Gate Avenue, 14th Floor

Washington, D.C., 20515-0602

The Honorable Jackie Speier

Member of Congress

400 S. El Camino Real, Suite 410

San Mateo, CA 94402

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that allows the San Francisco Department of Public Health to establish a pilot program for administering and directly distributing medical cannabis in accordance with Proposition 215 and SB 420.

From: Supervisor Mirkarimi

To: Director, Department of Public Work

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

Utility Boxes

Southeast corner Post and Broderick

Southwest corner Bush and Divisadero

Southwest corner Broderick and Fulton

Northeast corner Laguna and Oak

Southwest corner Geary and Webster

Southwest corner Scott and Haight

Northwest corner Waller and Scott

Bus Shelters

Southwest corner Pierce & Haight

Southside of Street at Haight & Buena Vista West

Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes

Southeast corner Scott & Oak

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:

*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
Irving 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 locations:*

*Garbage Cans
Southwest corner Webster and Haight
Southwest corner Oak & Fillmore
Northwest corner Sutter & Scott
Northwest Baker & Haight
Southeast corner Masonic & Haight
Northwest McAllister & Haight*

*Mailboxes
Northwest corner Cole and Page
Southwest Fillmore & Hermann*

*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 at the following locations:*

In front of 588 Haight Street, street and gutter repair, DPW fixed it recently but it still floods by the City gutter, and the pavement is uneven and cracking.

*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:

Metal Poles

In front of 1260 Haight

In front of 937 Haight

Northwest corner Divisadero and Haight

Southeast corner Pierce and Haight

Southeast corner Potomac and Haight

Wood Pole

Southwest corner Page and Shrader

Southeast corner Frederick and Shrader

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

1805 Divisadero

583 Haight

237 Steiner

494 Haight

55 Laguna (Haight & Buchanan)

478 Haight

546 Haight

44 Haight

1576 Page

400 Ashbury

1638 Stanyan

193 Haight

339 Fillmore

1399 Haight

1213 Fell

1401 Haight

1366 Haight

1220 Haight

1301 Haight

1431 Haight

1192 Haight

1444 Haight

963 Haight

1470 Haight

799 Haight

1599 Haight

807 Haight

501 Fillmore

In Memoriams

- Redmond Kernan - Entire Board*
- Dr. Richard Johnson - Supervisor Daly*
- John Byrd - Supervisor Dufty*
- Annette Lillian Friedman Clark - Supervisor Dufty*
- David Brett Bullen - Supervisor Dufty*
- Michael P. Kenny - Supervisor Dufty*
- Lilian (Lily) Gaspari Ghielmetti - Supervisor Dufty*
- Tom Kennedy - Supervisor Mirkarimi*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:12 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 12, 2009.



Angela Calvillo
Clerk of the Board