

# 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, June 2, 2009**

**2:00 PM**

### **Regular Meeting**

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**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**

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### **ROLL CALL AND PLEDGE OF ALLEGIANCE**

### **APPROVAL OF MEETING MINUTES**

*Approval of the May 5, 2009, and May 12, 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 18**

## Recommendation of the Budget and Finance Committee

*Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty*

1.       **090542**       **[Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]**

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

**Question: Shall this Resolution be ADOPTED?**

## Recommendation of the Budget and Finance Subcommittee

*Present: Supervisors Avalos, Mirkarimi, Chu*

2.       **090549**       **[Accept and Expend - State of California CalHome Grant - Fiscal Year 2009]**

**Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the California Department of Housing and Community Development (HCD) in a total amount not to exceed \$1,500,000 to assist low income first time homebuyers and low income homeowners.

**Question: Shall this Resolution be ADOPTED?**

## Recommendations of the Land Use and Economic Development Committee

*Present: Supervisors Maxwell, Mar, Chiu*

3.       **090421**       **[Administrative Code Revision to Allow Renewal of Contracts for Local Rent Supplement Program]**

**Mayor**

Ordinance amending Chapter 24A of the Administrative Code "Administrative Structure Local Rent Supplement Program in the Office of the Mayor," Section 24A.08, related to the definition of Qualified Tenant to delete an out-dated tenant eligibility requirement; and amending Section 24A.10 related to the Term of Contract to extend the term of Rent Supplement Contracts for 10 years beginning April 1, 2009.

5/19/2009, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

4.       **090474**       **[Divided ownership of Real Ownership Opportunities for Tenants (ROOTS) program projects comprised of separate legal parcels]**

**Supervisor Chiu**

Ordinance amending San Francisco Board of Supervisors Ordinance No. 34-07 by permitting projects that are the subject of Real Ownership Opportunities for Tenants (ROOTS) program grants to be comprised of separate legal parcels.

5/19/2009, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

5. **090475** [Exceptions to Seismic Safety Loan Program requirements to amend loan to 53 Columbus Avenue] **Supervisor Chiu**

Ordinance approving exceptions to requirements under San Francisco Administrative Code Sections 66 and 66A and the Seismic Safety Loan Program Regulations, dated May 2006, adopted by the Board of Supervisors through Ordinance No. 122-06, to amend an existing Seismic Safety Loan Program ("SSLP") loan for a project at 53 Columbus Avenue, San Francisco, California, to allow for cooperative housing and a transfer of the commercial portion of the project improvements.

5/19/2009, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Daly, Chu, Campos*

6. **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, 3.1-417, 3.1-425, and adding sections 3.1-158, 3.1-268, 3.1-350, 3.1-400 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure categories.

4/14/2009, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

4/14/2009, RE-REFERRED to Rules Committee. Supervisor Daly requested to be added as sponsor.

5/19/2009, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

7. **090394** [Settlement of Lawsuit - San Francisco Pier 33 LLC - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by San Francisco Pier 33 LLC against the City and County of San Francisco for \$225,000; the lawsuit was filed on July 9, 2007, in San Francisco County Superior Court, Case No. CGC 07-464954; entitled San Francisco Pier 33 LLC v. City and County of San Francisco, et al.; other material terms of said settlement are agreement to amend plaintiff's lease of San Francisco Port Commission property to expand permissible uses, allow for certain sign replacements, and provide right of first refusal to enter into five-year lease of the property beginning June 13, 2014. (City Attorney)

5/19/2009, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

8. **090484** [Appointments, Graffiti Advisory Board - Leigh Ann]

**Baughman, Paul Giusti and Jana Lord]**

Hearing to consider appointing three members, terms ending April 10, 2011, to the Graffiti Advisory Board.

Seat 13, succeeding Milo Hanke, term expired, must represent nonprofit organizations who provide services related to the City's beautification and neighborhood cleanup programs, for the unexpired portion of a two-year term ending April 10, 2011

Seat 15, succeeding Paul Giusti, term expired, must represent business that operates in San Francisco, for the unexpired portion of a two-year term ending April 10, 2011.

Seat 17, succeeding Jana Lord, term expired, must represent contracting agency for Municipal Railway shelters, for the unexpired portion of a two-year term ending April 10, 2011.

**Question: Shall this Motion be APPROVED?**

**9. 090610 [Appointment, Sweatfree Procurement Advisory Group - Christopher Honigsberg]**

Hearing to consider appointing one member, term ending December 17, 2011, to the Sweatfree Procurement Advisory Group.

Seat 5, succeeding Virginia Villegas, resigned, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2011.

**Question: Shall this Motion be APPROVED?**

**10. 090611 [Appointment, In-Home Supportive Services Public Authority - Ethel Richardson]**

Hearing to consider appointing one member, term ending March 1, 2010, to the In-Home Supportive Services Public Authority.

Seat 10, succeeding Vincent Behan, term expired, must be a consumer over the age of 55, authorized to represent organizations that advocate for aging people with disabilities, for the unexpired portion of a three-year term ending March 1, 2010.

**Question: Shall this Motion be APPROVED?**

**11. 090612 [Appointment, Immigrant Rights Commission - Joaquin Gonzalez]**

Hearing to consider appointing one member, term ending June 6, 2010, to the Immigrant Rights Commission.

Seat 5, succeeding Joaquin Gonzalez, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2010.

**Question: Shall this Motion be APPROVED?**

**12. 090613 [Appointment, Sunshine Ordinance Task Force - Marjorie Ann Williams]**

Hearing to consider appointing one member, term ending April 27, 2011, to the Sunshine Ordinance Task Force.

Seat 11, succeeding Marjorie Ann Williams, term expired, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2011.

**Question: Shall this Motion be APPROVED?**

**13. 090614 [Appointments, Bicycle Advisory Committee - Marc Brandt and Jake Wegmann]**

Hearing to consider appointing two members, terms ending November 19, 2010, to the Bicycle Advisory Committee.

Seat 3, succeeding Marc Brandt, term expired, must be a nominee of District 3 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2010 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Seat 6, succeeding Jake Wegmann, term expired, must be a nominee of District 6 Supervisor. The member shall serve the unexpired portion of a two-year term ending November 19, 2010 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

**Question: Shall this Motion be APPROVED?**

**14. 090615 [Appointment, Veterans Affairs Commission - Michael Thompson]**

Hearing to consider appointing one member, term ending January 31, 2013, to the Veterans Affairs Commission.

Seat 2, succeeding Michael Thompson, term expired, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2013.

**Question: Shall this Motion be APPROVED?**

**15. 090617 [Appointment, Commission on the Aging Advisory Council - Alexander MacDonald]**

Hearing to consider appointing one member, term ending March 31, 2010, to the Commission on the Aging Advisory Council.

Seat 2, succeeding Alexander MacDonald, term expired, must be nominee of District 6 Supervisor, for the unexpired portion of a two-year term ending March 31, 2010.

**Question: Shall this Motion be APPROVED?**

**16. 090618 [Appointment, Citizens' General Obligation Bond Oversight Committee - Thea Selby]**

Hearing to consider appointing one member, term ending November 21, 2010, to the Citizens' General Obligation Bond Oversight Committee.

Seat 1, succeeding Deidre Von Rock-Ricci, term expired, must be active in a business organization representing the business community located within the City, for the unexpired portion of a two-year term ending November 21, 2010.

**Question: Shall this Motion be APPROVED?**

17. 090619 [Appointments, Asthma Task Force - Pavlos Politopoulos and Ann Togia]

Hearing to consider appointing two members, terms ending July 1, 2011, to the Asthma Task Force.

Seat 5, succeeding Denysius Cruz, resigned, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate and is a voting member, for term ending July 1, 2011.

Seat 9, succeeding Mary Higgins, resigned, must be a representative of an environmental health/justice organization and is a voting member, for term ending July 1, 2011.

**Question: Shall this Motion be APPROVED?**

18. 090620 [Appointments, San Francisco Health Authority - Susan Currin and Maria Luz Torre]

Hearing to consider appointing two members, terms ending January 15, 2010 and January 15, 2012 to the San Francisco Health Authority.

Seat 3, succeeding Gene Maria O'Connell, term expired, must be Senior Manager of San Francisco General Hospital, for the unexpired portion of a three-year term ending January 15, 2012.

Seat 10, succeeding Maria Luz Torre, term expired, must be a nominee of the Health Authority Beneficiary Advisory Committee who shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2010.

**Question: Shall this Motion be APPROVED?**

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: \_\_\_\_\_*

**REGULAR AGENDA**

**UNFINISHED BUSINESS**

**Recommendation of the Budget and Finance Subcommittee**

*Present: Supervisors Avalos, Mirkarimi, Chu*

19. 090287 [State Video Franchise Holders] **Supervisors Mirkarimi, Daly, Avalos**

Ordinance amending the San Francisco Administrative Code by: (1) amending Section 11.1 and adding Section 11.28-A, to establish a fee for state video franchise holders offering services in San Francisco to support public, educational, and government channel facilities and activities; and (2) amending Section 11.1 and adding Section 11.83-A, to establish penalties for violation of customer service and consumer protection standards by state video franchise holders.

(Supervisor Chu dissented in Committee.)

5/5/2009, CONTINUED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor. Continued to May 19, 2009.

5/19/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Avalos requested to be added as a co-sponsor.

5/19/2009, PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Land Use and Economic Development Committee**

*Present: Supervisors Maxwell, Mar, Chiu*

- 20. 081600 [Closing Potrero Power Plant and updating the Electricity Resource Plan] Supervisors Maxwell, Alioto-Pier**

Ordinance establishing City policy to take all feasible steps to close the entire Potrero Power Plant as soon as possible and urging the Public Utilities Commission to immediately prepare a plan to close the Potrero Power Plant; and establishing clean energy goals; and urging the Public Utilities Commission to update the Electricity Resource Plan.

5/19/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

5/19/2009, PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

**NEW BUSINESS**

**Recommendations of the Budget and Finance Subcommittee**

*Present: Avalos, Mirkarimi, Chu*

- 21. 090527 [Public Employment and Accept and Expend Federal pass through State Grant - Amendment to the Annual Salary Ordinance, FY 2008-2009; Mayor's Summer Food Service Program and the Afterschool Snack Program - 2009] Mayor**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-09) to reflect the addition of one position (0.40 FTE) 9774 Sr. Community Development Specialist, one position (0.40 FTE) 1840 Jr. Management Assistant, and thirteen positions (1.04 FTE) 9910 Public Service Trainee in the Department of Children, Youth and Their Families (CHF), and authorizing the department to accept and expend a grant in the amount of \$885,127 currently and retroactively, if necessary, from the United States Department of Agriculture pass through the California Department of Education to sponsor the 2009 Mayor's Summer Food Service Program and the After School Snack Program.

(Fiscal Impact.)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 22. 090499 [Ratification of increases to prior professional service contracts for health and behavioral health services]**

Resolution approving amendment to Resolution No. 702-06, which ratified prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approved three year extensions, to increase the total contract amounts and extend the terms of those contracts through December 31, 2010. (Public Health Department)

(Fiscal Impact.)

**Question: Shall this Resolution be ADOPTED?**

**23. 090556 [Amendment to the City's contract with Office Depot to increase the dollar amount by more than \$500,000] Supervisor Dufty**

Resolution approving the Seventh Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to \$19,345,441 pursuant to Charter Section 9.118(b).

(Fiscal Impact.)

**Question: Shall this Resolution be ADOPTED?**

**Recommendation of the Land Use and Economic Development Committee**

*Present: Supervisors Maxwell, Mar, Chiu*

**24. 090274 [Planning - Union Street Neighborhood Commercial District - Small Self-Service Restaurants and Self-Service Specialty Food Uses] Supervisor Alioto-Pier**

Ordinance amending Planning Code Section 725.1, Section 725.44, and Section 725.69A of the Union Street Neighborhood Commercial District Zoning Control Table to provide for a limited number of new Small Self-Service Restaurants and Self-Service Specialty Food uses subject to conditional use authorization by the Planning Commission, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendation of the Rules Committee**

*Present: Supervisors Daly, Chu, Campos*

**25. 090616 [Appointment, Children and Families First Commission - Supervisor Eric Mar]**  
Motion appointing Supervisor Eric Mar, for an indefinite term, to the Children and Families First Commission.

**Question: Shall this Motion be APPROVED?**

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

**COMMITTEE REPORTS**

*The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, May 28, 2009, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 2,*



2009.

26. **090569** [Resolution of Intention to renew the Union Square Business Improvement District, to be known as the Greater Union Square Business Improvement District] **Supervisor Chiu**

Resolution (1) declaring the intention of the Board of Supervisors to renew the property-based Union Square business improvement district, to be known as the Greater Union Square Business Improvement District, and to levy a multi-year assessment on identified parcels in the district; (2) approving the management district plan and engineer's report and proposed boundaries map for the district; (3) ordering and setting a time and place for a public hearing thereon; (4) approving the form of the Notice of Public Hearing and Assessment Ballots; and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

5/19/2009, SUBSTITUTED. Supervisor Chiu submitted a substitute ordinance bearing same title.

**Question: Shall this Resolution be ADOPTED?**

27. **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.*

28. **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.*

**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 29 through 35**

29. **090653** [Accept and Expend State Grant - Fire Department - \$25,000] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$25,000 from the State of California, Department of Fish and Game,

Office of Spill Prevention and Response, to purchase oil spill response equipment.

5/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 30. 090654 [Accept and Expend State Grant - Department of Public Health - \$2,672] Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a grant in the amount of \$2,672 from the California Department of Pesticide Regulation (CDPR) to support Pesticide Use Reporting; for the period of July 1, 2009, through June 30, 2010.

5/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 31. 090655 [Commending Deputy City Attorney Jacqueline Minor] Supervisors Campos, Maxwell, Dufty, Elsbernd**

Resolution commending Jacqueline Minor for more than ten years of exemplary public service to San Francisco as a Deputy City Attorney on the Government Team, the Energy and Telecommunications Team and at the San Francisco Unified School District, and wishing her well in her future endeavors as General Counsel for the Oakland Unified School District.

5/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 32. 090656 [Support for Citywide bicycle improvements] Supervisors Chiu, Dufty**

Resolution urging city departments to prioritize completion of the City Bike Plan and to work with appropriate decision makers to ensure the advancement of physical and policy improvements to encourage and boost bicycling for transportation.

5/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 33. 090657 [Urging the San Francisco Municipal Transportation Agency Board of Directors to increase the fines for fare evasion for first, second and third time offenders] Supervisors Dufty, Chiu**

Resolution urging the San Francisco Municipal Transportation Agency Board of Directors to increase the fine for first time fare evasion from \$50 to \$75 and increase the fine for second time fare evaders to \$250 and increase the fine for third time fare evaders to \$500.

5/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 34. 090658 [California State Budget - Opposing the use of Supervisors Maxwell, Chiu**

**additional local property tax funds]**

Resolution finding a severe fiscal hardship will exist if additional local property tax funds are seized and additional unfunded mandates are adopted by the State of California.

5/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**35. 090660 [Municipal Transportation Agency (MTA) Transit Justice Budget Alternative] Supervisor Avalos**

Resolution urging the Municipal Transportation Authority (MTA) to adopt the Transit Justice Budget Alternative which proposes rollbacks on certain fare increases, restorations of specific service lines, and alternative revenue sources.

5/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

*Questions on the For Adoption Without Committee Reference  
Agenda: \_\_\_\_\_*

**36. 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. 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 May 12, 2009, to May 22, 2009, for reference by President to appropriate committee on June 2, 2009.*

**090596 [Settlement of Lawsuit - Vivian Ross - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Vivian Ross against the City and County of San Francisco for \$50,000; the lawsuit was filed on September 7, 2007, in San Francisco Superior Court, Case No. 466-977; entitled Vivian Ross, et al. v. City and County of San Francisco, et al. (City Attorney)

5/15/2009, RECEIVED AND ASSIGNED to Rules Committee.

**090597 [Settlement of Lawsuit - U.S. Filter, Inc. (Siemens Water Technology Corp.) - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against U.S. Filter, Inc. (Siemens Water Technology Corp.) by accepting the payment of \$30,000 to the City and County of San Francisco from U.S. Filter, Inc. (Siemens Water Technology Corp.); the lawsuit was filed on July 11, 2007, in San Francisco Superior Court, Case No. CGC-07-465059; entitled City and County of San Francisco, et al. v. U.S. Filter, Inc. (Siemens Water Technology Corp.), et al. (City Attorney)

5/15/2009, RECEIVED AND ASSIGNED to Rules Committee.

**090667 [Settlement of Lawsuit - King, et al. v. City and County of San Francisco - \$63,500]**

Ordinance authorizing settlement of the class action lawsuit entitled King v. City and County of San Francisco, filed on January 4, 2007, in the Superior Court of California, County of San Francisco, Case No. 459-278. Pursuant to the proposed settlement, the City will spend a minimum of \$4 million annually to install and upgrade curb ramps in the City's pedestrian rights of way, and the City will pay an aggregate of \$63,500 to plaintiffs and their counsel for damages and attorneys' fees. (City Attorney)

5/26/2009, RECEIVED AND ASSIGNED to Rules Committee.

**090670 [Revisions to Division I of the San Francisco Transportation Code]**

Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 3.4, 7.2.12, 7.2.26, 7.2.28, 7.2.29, 7.2.71, 7.2.101, 7.3.3, and 8.1 to change existing posting requirements for temporary parking restriction signs; provide a three minute time limit for noncommercial vehicles parked in yellow zones; provide a three consecutive day on-street parking restriction instead of seven consecutive days; provide that exceeding the permissible use of a Special Traffic Permit is a violation of Section 7.2.71; provide that obstructing traffic four or more times within one year without a Special Traffic Permit, or in violation of the terms of a Special Traffic Permit, is a misdemeanor; provide that persons are prohibited from boarding a Municipal Railway vehicle in revenue service through the rear exit while the vehicle is operating on a transit line; and to repeal noticing requirements for towing vehicles on public streets; repealing Section 7.2.44 prohibiting parking on designated streets near Candlestick Park; and making revisions to clarify applicable restrictions and references to Division II. (Municipal Transportation Agency)

5/21/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/20/2009.

## PROPOSED RESOLUTIONS

*Proposed resolutions received from May 12, 2009, to May 22, 2009, for reference by President to appropriate committee on June 2, 2009.*

### **090598 [Official Advertising]**

Resolution designating the Examiner as the official newspaper of the City and County of San Francisco for the categories of Type 1 and Type 2 official advertising, from July 1, 2009, through June 30, 2010. (Office of Contract Administration)

5/18/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **090599 [Outreach Advertising for Fiscal Year 2009-2010]**

Resolution designating the Bay Area Reporter to be the outreach newspaper of the City and County for the Gay, Lesbian, Bisexual community, and El Reportero to be the outreach newspaper of the City and County for the Hispanic community, to provide outreach advertising for Fiscal Year 09-10. (Office of Contract Administration)

5/18/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **090668 [Settlement of Unlitigated Claim - Barry Louis Mangels - \$100,000]**

Resolution approving the settlement of the unlitigated claim filed by Barry Louis Mangels against San Francisco for \$100,000; claim was filed on March 11, 2009. (City Attorney)

5/26/2009, RECEIVED AND ASSIGNED to Rules Committee.

### **090669 [Settlement of Potential Litigation - Dolly A. Cool - \$84,126.98]**

Resolution authorizing settlement of potential litigation with Dolly A. Cool, individually and in her representative capacity as Trustee of The Cool Family Living Trust dated December 30, 1992, related to encroachments on San Francisco Public Utilities Commission Right of Way Land adjacent to 711 Esther Lane, Redwood City, CA for \$84,126.98. (City Attorney)

5/26/2009, RECEIVED AND ASSIGNED to Rules Committee.

### **090672 [Petitions and Communications]**

Petitions and Communications received from May 12, 2009, through May 22, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 2, 2009.

From Office of the Controller, submitting the Biannual and Monthly Overtime report listing the five City departments using the most overtime in the preceding month. Copy: Each Supervisor(1)

From Office of the Controller, submitting the Controller's Annual Report on Contracting Out. Copy: Each Supervisor(2)

From Department of Public Works, submitting the Quarterly Report for the Department of Public Works Defective Sidewalk Repair Revolving Account for the period January 1, 2009, through March 31, 2009.(3)

From Progressive Jewish Alliance, submitting support for appointment of Mary Rick to the Sweatfree Procurement Advisory Group. Copy: Each Supervisor (4)

From Eula Walters, submitting opposition to naming Ferry Park Sue Bierman Park in San Francisco.(5)

From Office of the Controller, submitting a cost-benefit analysis of site alternatives the City's Department of Technology is considering with respect to its current data center located at One Market Plaza. (Reference No. 20090331-001)(6)

From James Chaffee, submitting letter regarding the Friends and Foundation of the Public Library disclosing charitable contributions as required by the Sunshine Ordinance. 2 letters(7)

From Office of the Mayor, submitting appointment of Jean-Paul Samaha as a member of the Treasure Island Development Authority Board of Directors. Copy: Rules Clerk(8)

From Office of the Mayor, submitting appointment of Alan Mok as a member of the Environment Commission. Copy: Rules Clerk(9)

From Office of the Mayor, submitting appointment of Jamal Dajani as a member of the Human Rights Commission. Copy: Rules Clerk(10)

From Office of the Mayor, submitting appointment of Sarah Wan as a member of the Juvenile Probation Commission. Copy: Rules Clerk(11)

From Office of the Mayor, submitting appointment of Julian Chang as a member of the Juvenile Probation Commission. Copy: Rules Clerk(12)

From Office of the Mayor, submitting appointment of Teresa Ono as a member of the Library Commission.(13)

From concerned citizens, submitting support for proposal to initiate the process of restoring Sharp Park to a natural area.56 letters(14)

From Planning Department, submitting notice of preparation of an Environmental Impact Report for the Parkmerced Project at 3711 Nineteenth Avenue.(15)

From Miraloma Park Improvement Club, requesting prompt implementation of the voters' approval in 2008 of the establishment of the Historic Preservation Commission. Copy: Rules Clerk(16)

From Office of the Mayor, submitting appointment of James Buckley as a member of the Historical Preservation Commission with the appointment to be effective upon approval by the Board of Supervisors. Copy: Rules Clerk (17)

From concerned citizens, submitting opposition to closing Sharp Park Golf Course.2 letters(18)

From Arthur Evans, commenting on the May 18, 2009, Public Safety Committee.(19)

From Arthur Evans, submitting his recommendations for reforming the Board of Supervisors.(20)

From concerned citizens, submitting opposition to resolving the city's budget issues with fire station Brown Outs." 9 letters(21)

From Emil Lawrence, suggesting an investigation of the Municipal Transportation Authority hiring practices is needed.Copy: Each Supervisor(22)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from May 22, 2009, until May 26, 2009. Supervisor Elsbernd and Supervisor Dufty will serve as Acting Mayor.(23)

From Paratransit Coordinating Council, concerning the plan to eliminate the 89 Laguna Honda bus line.(24)

From Arthur Evans, regarding the Public Safety Committee's failure to deal with the gunplay epidemic in San Francisco.(25)

From Laura Spanjian, submitting information regarding Enxco.(26)

From Planning Department, submitting the environmental review documents for the Parkmerced Project.(27)

From Municipal Transportation Agency, submitting the Overtime Justification Report for November 1, 2008, through March 6, 2009.Copy: Each Supervisor(28)

From Kimo Crossman, submitting letter entitled overdue secret again Mr. Vein promised to post details online WRT Broadband application for San Francisco dated May 20, 2009.(29)

From Capital Planning Committee, submitting recommendations for the November 2009 Safe Streets and Road Repair General Obligation Bond.Copy: Each Supervisor, Budget Clerk(30)

From Urban Counties Caucus, regarding the significant fiscal crisis that the nation is facing and the fact that California is especially hit hard.(31)

From Office of the Controller, submitting a cost-benefit analysis of site alternatives the City's Department of Technology is considering with respect to its current data center located at One Market Plaza.(32)

From Renaissance Entrepreneurship Center, submitting support for ShaMauda Bishop of Simply Fabulous Beauty Salon for a seat on the Reentry Council. File No. 090503(33)

From Human Services Agency, submitting request for waiver of Administrative Code Chapter 12B for Safeway Inc.(34)

From Pat Missud, regarding the dangerous intersection at Alemany Boulevard and San Juan Avenue.(35)

From concerned citizens, submitting opposition to any Muni fare hikes and the hiring of 48 new managers. File No. 090572, 5 letters(36)

From concerned citizens, commenting on the new rent control proposals. Copy: Supervisors Mar, Chiu, Maxwell, Daly, 5 letters(37)

From Jody Weisenfeld, urging the Board of Supervisors to do everything possible to bring Trauma and Open 4 Business Productions back to San Francisco.(38)

From Eula Walters, urging the Board of Supervisors to reject Roma Architects architectural drawing of proposed changes to Ferry Park that is a French-like design of curley-Q sidewalks that only the homeless will find useful with the new benches. Copy: Each Supervisors(39)

From Jennifer Friedenbach, submitting notice of rally on June 10, 2009, to stop the cuts to poor/working people and resist the recession at Hallidie Plaza (Powell and Market Streets) at 3:00 p.m.(40)

From Monica Visini, commenting on an article in the May 21, 2009, SF Examiner regarding bootleg billboards.(41)

From Josh Wolf, submitting a plea for public access television.(42)

From Francisco Da Costa, regarding the failed Muni system.(43)

From Francisco Da Costa, regarding Treasure Island sinking at all levels.(44)

From Francisco Da Costa, regarding SF Public Utilities Commission failure to help San Francisco when it comes to energy issues.(45)

From Roger Machin, submitting copy of letter sent to Mayor Newsom regarding changing the policy on graffiti by amending the legislation. Copy: Each Supervisor(46)

From Department of Public Works, regarding status of repairing potholes at various locations in District 5. (Reference No. 20090324-003)(47)

From City Attorney, regarding request to draft legislation that would require that the city, and through the leadership of the Department of Technology, annually develop and adopt a 10-year Technology Investment Plan for all. (Reference No. 20090331-002) (48)

From Alice Gaylord, submitting the public meeting notice for the GP/TODCO-A.(49)

From Glenn Havlan, submitting notice that the SF Free Civic Theater will be presenting Western Rules free of charge at the Randall Museum Theater on June 4-7, 2009, and the Eureka Valley Recreation Center Auditorium on June 11-14, 2009.(50)

From Planning Department, submitting notice that the 246 Ritch Street project is receiving environmental review.(51)

From Pinky Kushner, commenting that the Sierra Club is opposed to any entrance fees for the Strybing Arboretum in Golden Gate Park.(52)

From Curtis Kifer, regarding Golden Gate Park greenery being trampled on by some people attending special events at Golden Gate Park.(53)

From Aaron Goodman, regarding the SF Municipal Transportation Agency (MTA) budget.(54)

From Aaron Goodman, regarding the Planning Department's Discretionary Review Process.(55)

From Joe Hummel, commenting on jobs and the immigration policy in San Francisco.Copy: Each Supervisor(56)



From Joe Acosta, regarding the bicycle plan in San Francisco.(57)

From Phyllis Stevens, regarding Candlestick Point Park State Recreation Area.(58)

From Ivan Pratt, regarding the potential health problems in the Tenderloin district. 2 letters(59)

From Law Office s of Allan Lerch and Associates, submitting notice of claim against public entity and/or hospital district pursuant to Division 3.6 of the Government Code of the State of California.Copy: City Attorney(60)

From US Army Corps of Engineers, regarding the Ritz-Carlton Napa Valley Resort.(61)

From US Army Corps of Engineers, regarding the Fulton Road Mitigation Bank.(62)

From US Army Corps of Engineers, regarding the Healdsburg Veterans Memorial Beach.(63)

From National Sexuality Resource Center, submitting the 2008 National Sexuality Resource Center Annual Report.(64)

## **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](http://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](mailto: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](http://www.sfgov.org/ethics)