

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, March 3, 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

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

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 8

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 2:05 p.m. On the call of the roll all Supervisors were noted present.

APPROVAL OF MEETING MINUTES

Supervisor Chu, seconded by Supervisor Mar, moved to approve January 13, 2009 Board Meeting Minutes. 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 Committee

081604 [Amending FY 2008-2009 Annual Salary Ordinance]
Mayor

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of the following four positions: one 5642 Senior Environmental Specialist (0.30 FTE); two 5640 Environmental Specialists (0.30 FTE each); and one 5638 Environmental Assistant (0.30 FTE) at the Department of the Environment.

(Fiscal Impact.)

Ordinance No. 30-09
FINALLY PASSED

090097 [Administrative Code Revision: Health Service System]
Supervisor Elsbernd

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal Impact.)

Ordinance No. 35-09
FINALLY PASSED

090108 [De-appropriating \$11,617,063 of Water System Improvement Program funding at the San Francisco Public Utilities Commission]

Ordinance de-appropriating \$11,617,063 of Water System Improvement Program funding based on actions taken by the Budget and Finance Committee on Ordinance number 311-08 at the San Francisco Public Utilities Commission. (Public Utilities Commission)

Ordinance No. 37-09

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee**090132 [Accept and expend grant funds for children's dental disease prevention services]**

Supervisor Avalos

Resolution authorizing the San Francisco Department of Public Health (SF DPH) to accept and expend retroactively a three-year grant from the California Department of Public Health (CA DPH), to fund the California Dental Disease Prevention Program (CCDDPP), for the period of July 1, 2007 through June 30, 2010; and authorizing SF DPH to execute all documents and subsequent amendments related to this contract.

Resolution No. 65-09

ADOPTED

090138 [Accept and expend grant funds to support the 3rd Street Clinic expansion - \$115,191]

Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and retroactively expend grant funds in the amount of \$115,191 for a three-year project from the 3rd Street Youth Center to expand clinic hours at the 3rd Street Clinic from 12 hours per week to 20 hours per week; for the period of February 1, 2009 through January 31, 2012.

Resolution No. 66-09

ADOPTED

090142 [Accept and expend grant - Funding a Healthy San Francisco program evaluation - \$300,000]

Mayor, Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$300,000 from the Blue Shield of California Foundation to fund a Healthy San Francisco program evaluation; for the period of January 1, 2009 through June 30, 2010.

Resolution No. 71-09

ADOPTED

Recommendations of the Land Use and Economic Development Committee

081356 [Zoning Map Amendment - 483 Bosworth Street, also known as 1 Lyell Street]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the zoning of the property located at 483 Bosworth Street, also known as 1 Lyell Street, Assessor's Block 6753, Lot 063 from P (Public) to RH-2 (Residential, House Districts, Two-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. 31-09

FINALLY PASSED

**090099 [Re-establishing the name of the Richmond District]
Supervisor Mar**

Ordinance rescinding Ordinance 4397 and re-establishing the name of the area north of Golden Gate Park and west of Arguello Boulevard as the Richmond District.

Ordinance No. 36-09

FINALLY PASSED

Recommendations of the Rules Committee**081512 [Workforce Development - First Source Hiring Program]
Supervisors Mirkarimi, Maxwell, Campos**

Ordinance amending Administrative Code Chapter 83, Section 83.18 to eliminate the expiration date of the First Source Hiring Program, and Section 83.10 to eliminate the attorneys fees provision.

Ordinance No. 32-09

FINALLY PASSED

090044 [Settlement of Lawsuit - Computers For Marketing Corporation - \$42,000]

Ordinance authorizing settlement of the lawsuit filed by Computers For Marketing Corporation against the City and County of San Francisco for \$42,000; the lawsuit was filed on June 15, 2007 in San Francisco Superior Court, Case No. 464-348; entitled Computers for Marketing Corporation, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 33-09

FINALLY PASSED

090045 [Settlement of Lawsuit - Susan Howard - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Susan Howard against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 14, 2007 in San Francisco Superior Court, Case No. 460-454; entitled Susan Howard, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 34-09

FINALLY PASSED

**090157 [Settlement of Lawsuit - Mehrdad Alemozaffar - \$350,000]
Supervisor Daly**

Ordinance authorizing entry of Judgment, pursuant to Federal Rule of Civil Procedure 68, in favor of Mehrdad Alemozaffar and against the City and County of San Francisco in the amount of \$350,000 in settlement of the lawsuit filed on July 20, 2007 in United States District Court, Case No. C07-4494 JSW entitled Mehrdad Alemozaffar v. City and County of San Francisco, Officers Jesse Serna, James McGrath and Gary Moriyama and Deputies Jurnation Reymundo and George Coviello.

**Ordinance No. 29-09
FINALLY PASSED**

090113 [Appointment, San Francisco Health Authority - Eddie Chan]

Motion appointing Eddie Chan, term ending January 15, 2010, to the San Francisco Health Authority, residency requirement waived.

**Motion No. M09-38
APPROVED**

090115 [Appointments, Asthma Task Force - Margi English and Lisa Fricke]

Motion appointing Margi English and Lisa Fricke, terms ending July 1, 2011, to the Asthma Task Force.

**Motion No. M09-39
APPROVED**

090119 [Appointments, Child Care Planning and Advisory Council - Melinda Kanter-Levy and Pamela Tate-Roger]

Motion appointing Melinda Kanter-Levy and Pamela Tate-Roger, terms ending December 31, 2009 and December 31, 2011, to the Child Care Planning and Advisory Council, residency requirement waived.

**Motion No. M09-40
APPROVED**

090152 [Appointment, SRO Task Force - Matthias Mormino]

Motion appointing Matthias Mormino, term ending December 31, 2009, to the SRO Task Force.

**Motion No. M09-41
APPROVED**

090156 [Appointment, Bicycle Advisory Committee - Casey Allen]

Motion appointing Casey Allen, term ending November 19, 2010, to the Bicycle Advisory Committee.

**Motion No. M09-42
APPROVED**

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

090019 [Liquor License Transfer - 575 Howard Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 280 - 7th Street to 575 Howard Street (District 6), to Colin O'Malley and Leilani Brennan for Eve Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 67-09

ADOPTED by the following vote:

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

081330 [Adopting the United Nations Convention on the Rights of the Child]

Supervisors Alioto-Pier, Campos

Resolution urging the Board of Supervisors to adopt the United Nations Convention on the Rights of the Child and supporting its inalienable freedoms for children and youth in San Francisco.

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

Supervisor Avalos, seconded by Supervisor Mar, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Noes: 2 - Chu, Elsbernd

Rereferred as amended.

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

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

090008 [Public, Education and Government Cable Access System]

Supervisors Mirkarimi, Avalos, Campos

Resolution requesting San Francisco's Congressional and State Legislative Delegations reform laws governing use of Public, Education and Government Cable Access System Funds.

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

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Resolution 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

Resolution No. 73-09

ADOPTED AS AMENDED by the following vote:

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

Recommendations of the 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

**090137 [Landmark Tree Designation of California Buckeye, Aesculus Californica, located behind 757
Pennsylvania Street]
Supervisor Maxwell**

Ordinance designating the California Buckeye (Aesculus Californica) located behind 757 Pennsylvania Street (Assessor's Block 4168, Lot 011) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

PASSED ON FIRST READING by the following vote:

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

**090101 [Interim Zoning Controls Requiring Conditional Use Authorization for Tobacco Paraphernalia
Establishments, as Defined, in the Haight Street Neighborhood Commercial District]
Supervisor Mirkarimi**

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for Tobacco Paraphernalia Establishments, as defined, subject to specified exceptions, in the Haight Street Neighborhood Commercial District and in all properties zoned NC-1 (Neighborhood Commercial Cluster District) and NC-2 (Small-Scale Neighborhood Commercial District) along Haight Street, for a one year period, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Resolution No. 70-09

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**090114 [Appointment, Urban Forestry Council - Terry Milne]**

Motion appointing Terry Milne, term ending November 18, 2010, to the Urban Forestry Council.

(Supervisor Chu dissented in committee)

Motion No. M09-37

APPROVED by the following vote:

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

Supervisor Mar Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Avalos, moved to excuse Supervisor Mar from voting on this matter.

The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Maxwell, Mirkarimi

Excused: 1 - Mar

090169 [Appointment - Bay Area Air Quality Management District - Supervisor Eric Mar]

Motion appointing Supervisor Eric Mar, term ending February 1, 2013, to the Bay Area Air Quality Management District Board of Directors.

Supervisor Alioto-Pier requested to divide the question relating to the appointment of Supervisor Daly. (See File No. 090299)

Motion No. M09-36

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Maxwell, Mirkarimi

Excused: 1 - Mar

Supervisor Daly Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Avalos, moved to excuse Supervisor Daly from voting on this matter.

The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Daly

090299 [Appointment - Bay Area Air Quality Management District - Supervisor Daly]

Motion appointing Supervisor Chris Daly, term ending February 1, 2013, to the Bay Area Air Quality Management District Board of Directors.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to re-refer this matter to committee. Supervisor Alioto-Pier rescinded the motion to re-refer.

Supervisor Chu, seconded by Supervisor Alioto-Pier, moved to continue this matter to March 17, 2009.

Motion to continue this matter failed by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Mar

Noes: 5 - Avalos, Campos, Chiu, Maxwell, Mirkarimi

Excused: 1 - Daly

Motion No. M09-35

APPROVED by the following vote:

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

Noes: 1 - Alioto-Pier

Excused: 1 - Daly

From the Rules Committee Without Recommendation**090046 [Settlement of Lawsuits - Robert Weaver, et al., Michael Moynihan, et al., and Peter A. Green, et al.]**

Ordinance authorizing settlement of plaintiffs' claims in the lawsuits filed by Robert Weaver, et al., Michael Moynihan, et al., and Peter A. Green, et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$1,291,741.11 plus 7% simple interest from January 4, 2009 to date of payment; the lawsuits were filed on: (a) April 14, 2003, in the United States District Court for the Northern District of California, Case No. 03-1589 SI, entitled Weaver, et al. v. City and County of San Francisco; (b) November 14, 2006 in the United States District Court for the Northern District of California, Case No. 06-7071 SI, entitled Moynihan, et al. v. City and County of San Francisco; and (c) November 7, 2006 in the United States District Court for the Northern District of California, Case No. 06-6953 SI, entitled Green, et al. v. City and County of San Francisco. (City Attorney)

PASSED ON FIRST READING 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 Maxwell, seconded by Supervisor Chu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Daly introduced, welcomed and presented a Certificate of Honor to Teresa Almaguer in recognition of Women's History Month.

Supervisor Alioto-Pier introduced, welcomed and presented a Certificate of Honor to Judge Suzanne R. Bolanos in recognition of Women's History Month.

Supervisor Maxwell introduced, welcomed and presented Certificates of Honor to Billie Calvin, Taneshia Miller and Raquel Miller in recognition of Women's History Month.

Supervisor Chiu introduced, welcomed and presented a Certificate of Honor to Juliene M. Christensen in recognition of Women's History Month.

Supervisor Campos introduced, welcomed and presented a Certificate of Honor to Petra DeJesus in recognition of Women's History Month.

Supervisor Elsbernd introduced, welcomed and presented a Certificate of Honor to Suzanne Gautier in recognition of Women's History Month.

Supervisor Mirkarimi introduced, welcomed and presented Certificates of Honor to Melonie J. Green and Melorra J. Green in recognition of Women's History Month.

Supervisor Mar introduced, welcomed and presented a Certificate of Honor to Pam Tau Lee in recognition of Women's History Month.

Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to Helen P. Nigg in recognition of Women's History Month.

Supervisor Avalos introduced, welcomed and presented a Certificate of Honor to Lucy Sanchez in recognition of Women's History Month.

Supervisor Chu introduced, welcomed and presented a Certificate of Honor to Lara Truppelli in recognition of Women's History Month.

Katherine Dodd, on behalf of the Mayor, introduced, welcomed and presented a Certificate of Honor to Chief Heather Fong, San Francisco Chief of Police.

SPECIAL ORDER 4:00 P.M.

090109 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 717 Battery Street/350 Pacific Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated December 19, 2008, that a project at 717 Battery Street/350 Pacific Avenue (Case No. 2007.1460E) (Building Permit Application Nos. 2003.02.12.7271; 2005.04.21.0598 (UMB retrofit); and 2005.0321.8084 (two-story vertical addition)) is exempt from environmental review under Categorical Exemption, Class 32 [State CEQA Guidelines, Section 15332]. The proposal would add to and rehabilitate the Musto Building, to expand the existing office use and provide ground-floor commercial and restaurant space. The project site (Assessor's Block 0165, Lot 022) is within a C-2 (Community Business) Use District, and in a 65-A Height and Bulk District, and in a Special Use District-the Washington-Broadway Special Use District No. 2. (Appellant: Susan Brandt-Hawley on behalf of San Francisco Preservation Action.)

(Filed January 30, 2009; Companion to Files 090110, 090111, 090112; District 3.)

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

Continued to April 7, 2009

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

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

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**090110 [Affirming the categorical exemption issued for the 717 Battery Street/350 Pacific Avenue project]**

Motion affirming the determination by the Planning Department that the 717 Battery Street/350 Pacific Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to April 7, 2009

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

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

090111 [Disapproving the categorical exemption issued for the 717 Battery Street/350 Pacific Avenue project]

Motion disapproving the determination by the Planning Department that the 717 Battery Street/350 Pacific Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to April 7, 2009

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

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

090112 [Preparation of findings related to the 717 Battery Street/350 Pacific Avenue project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 717 Battery Street/350 Pacific Avenue is exempt from environmental review under the California Environmental Quality Act.

Continued to April 7, 2009

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

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

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.

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

Gail Simone; expressed concern with issues relating the Comedy Outreach Program and the Comedy Walk of Fame

Ken Johnson; expressed concern with issues relating to Public Access Channels

Male speaker, expressed concern with issues relating to using the stimulus package for an African American Center

Female speaker, expressed concern with issues relating to solving child homicides and violence in the community

Randall Eugene Evans; expressed concern with issues relating to solving child homicides and violence in the community

Male speaker; expressed concern with issues relating to SRO hotel renovations

Edmond Juicy; expressed concern with issues relating to legalized cannabis and homeless support services

Ed Sharpless; expressed concern with issues relating to the Bay to Breakers' Race

Male speaker; expressed concern with issues relating to the Bay to Breakers' Race

Male speaker, expressed concern with issues relating to the Bay to Breakers' Race

Ace Washington; expressed concern with issues relating to the Western Addition

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.

**090243 [Urging Congress to pass the Uniting American Families Act]
Supervisors Campos, Dufty, Avalos, Chiu**

Resolution urging Congress to pass the Uniting American Families Act and supporting the removal of legal barriers to immigration by permanent same-sex partners.

Resolution No. 72-09

ADOPTED

**090247 [Celebrating the reopening of the Angel Island Immigration Station]
Supervisors Mar, Chiu, Chu**

Resolution celebrating the reopening of the Angel Island Immigration Station.

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

Resolution No. 68-09

ADOPTED

**090248 [Accept-Expend State Grant - Sheriff's Department - \$96,885]
Supervisor Mirkarimi**

Resolution authorizing the Sheriff's Department of the City and County of San Francisco to accept and expend \$96,885 in additional funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs.

Resolution No. 69-09

ADOPTED

**090231 [Extending Time for Negotiations with Labor Unions to June 30, 2009]
Mayor**

Motion extending time for negotiations pursuant to Charter Section 11.100.

Motion No. M09-33

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

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

090240 [Declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District]

Mayor, Supervisors Dufty, Avalos, Chiu, Alioto-Pier, Campos, Maxwell, Mirkarimi, Chu, Mar

Resolution declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District, to help the District cope with the loss of State funding for the 2009-2010 school year.

(Fiscal Impact.)

Continued to March 17, 2009

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

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

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

090241 [90 day extension for Historic Preservation Commission review - The Metro Theatre]

Supervisor Alioto-Pier

Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the Land Use and Economic Development Committee.

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

090242 [Urging passage of the Marijuana Control, Regulation and Education Act (AB 390) which would tax and regulate marijuana in a manner similar to alcohol]

Supervisors Campos, Avalos, Chiu, Daly, Mar, Maxwell, Mirkarimi, Dufty

Resolution supporting the recently proposed state legislation, the Marijuana Control, Regulation and Education Act (AB 390), which would tax and regulate marijuana in a manner similar to alcohol.

Continued to March 17, 2009

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED. The motion carried by the following vote:

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

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

- 090246 [Urging President Barack Obama and Senators Barbara Boxer and Dianne Feinstein to appoint a new U.S. Attorney for the Northern District of California]
Supervisors Campos, Avalos, Daly, Mar, Mirkarimi, Chiu

Resolution urging President Barack Obama and Senators Barbara Boxer and Dianne Feinstein to appoint a new U.S. Attorney for the Northern District of California.

Continued to March 17, 2009

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

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

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

- 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.

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

Supervisor Mirkarimi requested that this matter be referred to Committee.

REFERRED to the City Operations and Neighborhood Services Committee.

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

- 090239 [Adopting a proposed schedule of audits to be conducted of programs of City and County departments]
Supervisor Mirkarimi

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

Continued to March 17, 2009

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

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

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). For such resolutions to be considered, the Board must first adopt the following two motions.

[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."

Supervisor Avalos, seconded by Supervisor Dufty, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

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

[Purely Commendatory Finding]

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

Supervisor Avalos, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

**090268 [Canceling the Regularly Scheduled Board Meeting on Tuesday, March 10, 2009]
Supervisor Chiu**

Motion canceling the regularly scheduled Board meeting on Tuesday, March 10, 2009.

Motion No. M09-34

APPROVED 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

**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.

3/3/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/2/2009.

090275 [Waiver of temporary street space occupancy fee on April 4, 2009 for Cesar E. Chavez Holiday Parade and Festival 2009]

Supervisor Campos

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain blocks of 24th Street on Saturday, April 4, 2009 as part of Cesar E. Chavez Holiday Parade and Festival 2009.

3/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090276 [Housing Code Section 503(d) "Housing Access:" extend protections to all persons sharing housing by deleting references to "families;" and technical correction to Section 503(b)]

Supervisors Daly, Chiu, Avalos, Mirkarimi, Campos

Ordinance amending the San Francisco Housing Code Chapter 5, by amending Section 503(d) "Housing Access" to promote affordable housing by extending the protections of that Section to all persons sharing housing by deleting the references to "families," and to specify that the both prospective and current tenants are protected; amending Section 503(b) "Superficial Floor Area" to make a technical correction.

3/3/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/2/2009. 03/13/09 - Referred to the Building Inspection Commission and the Rent Board for review and comment.

090277 [Residential Rent Ordinance: Limit total amount of annual and banked rent increases imposed to 8% per year, written advance notice of basis for banked increases required]

Supervisors Daly, Chiu, Avalos, Mirkarimi, Campos

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.3: to limit the total amount of annual and banked rent increases that may be imposed in any one year to 8% of the tenant's base rent, and to provide that any remaining banked increase may be imposed in the following years, subject to this same 8% limit (Section 37.3(a)(2)); and to require that landlords provide written advance notice to tenants stating the dates upon which the banked increase is based (Section 37.3(b)(1)).

3/3/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/2/2009. 03/13/09 - Referred to the Building Inspection Commission and the Rent Board for review and comment.

- 090278 [Residential Rent Ordinance: Tenant financial hardship relief from Section 37.3 rent increases, when total rent would exceed 33% of tenant's gross income; multilingual outreach]**
Supervisors Daly, Avalos, Mirkarimi, Campos

Draft ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance," by amending Section 37.3 to add Subsection (f) "Tenant Financial Hardship Applications" to provide tenant relief from Section 37.3 rent increases, with relief determined solely on whether the rent increase would result in tenant's total rent exceeding 33% of tenant's gross income; rent increase stayed pending determination of application; rent increase will not be in effect until the increase will not cause tenant financial hardship, or until the landlord can demonstrate that "inability to impose the rent increase is causing the landlord greater hardship than the tenant's hardship;" hardship applications to be available in multiple languages; multilingual notice of hardship application procedures to be mailed with each Administrative Law Judge or Rent Board decision; Rent Board to implement a process for outreach to landlords and tenants whose primary language is not English regarding availability and use of the hardship application procedure, and report to the Board of Supervisors describing the implementation process and any known results.

(Fiscal Impact.)

3/3/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/2/2009.

- 090279 [Residential Rent Ordinance: Prohibit rent increases and evictions based on additional occupants where total number is within Housing Code Section 503 occupancy limits]**
Supervisors Daly, Chiu, Avalos, Mirkarimi, Campos

Draft ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.3 and 37.9: to prohibit rent increases based on the addition of occupants, even where a pre-existing rental agreement or lease otherwise permits a rent increase for additional occupants (Section 37.3(a)(11)); and to prohibit evictions based on the addition of occupants, so long as the total number of occupants does not exceed the maximum number of occupants per sleeping room set by San Francisco Housing Code §503(b) "superficial floor area" standards (Section 37.9(a)(2)).

3/3/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/2/2009.

- 090286 [Amending provisions of Chapter 18 of the Administrative Code to specify enforcement and consolidate reporting requirements]**
Supervisor Mirkarimi

Ordinance adopting and implementing amendments to Secs. 18.13-1 and 18.13-5 of the San Francisco Administrative Code.

3/3/09, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 4/2/2009.

- 090287 [State Video Franchise Holders]**
Supervisor Mirkarimi

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.

3/3/09, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/2/2009.

Resolutions**090241 [90 day extension for Historic Preservation Commission review - The Metro Theatre]
Supervisor Alioto-Pier**

Resolution extending by 90 days the prescribed time within which the Historic Preservation Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

2/24/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/3/09, REFERRED to Land Use and Economic Development Committee. Supervisor Daly requested that this matter be referred to 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.

2/24/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

3/3/09, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Chiu requested to be added as a co-sponsor.

Supervisor Mirkarimi requested that this matter be referred to Committee.

**090280 [Accept-expend State Grant Funds - S.F. Recreation and Park Department - \$157,000]
Supervisor Dufty**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant administered by the California Department of Parks and Recreation in the amount of \$157,000 for the Glen Canyon Islais Creek Restoration Project.

3/3/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090281 [Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Alameda Siphon No. 4 Project]
Supervisor Elsbernd**

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of the Alameda Siphon No. 4 Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

3/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090282 [Accept-Expend Federal Grant Funds - Department of Public Works - \$1,475,675]
Supervisor Elsbernd**

Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of \$1,475,675 from the U.S. Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Discretionary Grants Program.

3/3/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090283 [Accept and Expend Department of Energy 700 Pennsylvania Avenue Grant Funds - \$610,080]
Supervisor Maxwell**

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a grant in the amount of \$610,080 from the U.S. Department of Energy through the Consolidated Appropriations Act of 2008 under the Energy Policy Act of 2005 (P.L. 109-58) for the Muni Ways & Structures Building (700 Pennsylvania Avenue) Solar Evaluation Project.

(Fiscal Impact.)

3/3/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090284 [Endorsing the Recommendations of the San Francisco Fair Lending Working Group]
Supervisor Maxwell**

Resolution endorsing the findings and recommendations contained in the final report of the San Francisco Fair Lending Working Group.

3/3/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**090285 [Adoption of Board of Supervisors 2009 Budget Process and Policy Priorities]
Supervisor Mirkarimi**

Resolution adopting the San Francisco Board of Supervisors' 2009 Budget Process and Policy Priorities.

3/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090288 [Accept-Expend State Grant Funds - Recreation and Park Department - \$40,045]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of \$40,045 for the Marina Green Pedestrian and Bicycle Improvement Project, under the Bicycle Facility Fund administered by the Bay Area Air Quality Management District (Air District).

3/3/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090289 [Accept-Expend Grant Funds - Recreation and Park Department - \$35,189]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a Carl Moyer Program Grant administered by the Bay Area Air Quality Management District (Air District) in the amount of \$35,189.00 for the repowering (replacement) of a workboat diesel engine belonging to and operated by San Francisco Small Craft Harbor/Recreation and Park Department.

3/3/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090290 [Mountain Lake Park - Toxicity Issue]
Supervisors Alioto-Pier, Mar**

Resolution urging CalTrans to use funds from the federal stimulus package to immediately resolve the toxicity issue at Mountain Lake through diversion of storm drains flowing directly into the lake and replacement of the outlet and overflow pipe and by dredging the lake to remove contaminated sediments and fill.

3/3/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090291 [Supporting Senate Bill 810, the California Universal Health Care Act of 2009]
Supervisors Avalos, Campos, Daly, Mar, Mirkarimi, Chiu**

Resolution supporting Senate Bill 810, the California Universal Health Care Act of 2009.

3/3/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090292 [Mediation Week in San Francisco - March 16 - 20, 2009]
Supervisors Chu, Chiu**

Resolution declaring March 16th through 20th, 2009 as Mediation Week in San Francisco.

3/3/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090293 [Declaring San Francisco Arbor Week - March 7 - 14, 2009]
Supervisor Chu**

Resolution declaring the week of March 7th through March 14th as Arbor Week in San Francisco.

3/3/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090294 [Commending Ming Pao Daily News - San Francisco edition]
Supervisors Chu, Chiu**

Resolution commending Ming Pao Daily News' San Francisco edition for five years of service to the Chinese-American community in the San Francisco Bay Area.

3/3/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090295 [Accept- Expend Federal/State Pass Through Grant - San Francisco Public Library - \$5,000]
Supervisor Chu**

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of \$5,000 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for the SFPL Partnerships Plan which will provide a coherent system for staff to document, nurture, learn about, and extend partnerships that strengthen library ties within the community.

3/3/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090296 [Ten Year Capital Expenditure Plan]
Mayor, Supervisor Chiu**

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2010-2019.

3/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request For Hearings

**090269 [Crimes against women in the City and County of San Francisco]
Supervisors Alioto-Pier, Campos**

Hearing on recent trends on crimes against women in the City and County of San Francisco. The hearing will explore recent trends, including statistical data, on crimes against women, such as rape, assault, domestic violence and any other crimes targeting women. The hearing will ask the San Francisco Police Department and the Mayor's Office of Criminal Justice to provide (1) an update on crime statistics as it applies to violence against women; 2) data and plans on the progress of crime fighting measures and any violence prevention programs as it related to women; 3) reports on the arrest, charged and prosecution of crimes against women; 4) any other information relevant to said subject; and (5) any plans to apply for funds mentioned in the American Recovery and Reinvestment Act of 2009 to combat violence against women.

3/3/09, RECEIVED AND ASSIGNED to Public Safety Committee.

**090270 [Three Year Budget Projection Report]
Supervisor Avalos**

Hearing to consider the Three Year Budget Projection Report from the Controller, Budget Analyst, and Mayor's Budget Office.

3/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090271 [Executive search for a new Chief of the San Francisco Police Department]
Supervisor Campos**

Hearing on the process that the San Francisco Police Commission will follow to conduct the executive search for a new Chief of the San Francisco Police Department.

3/3/09, RECEIVED AND ASSIGNED to Public Safety Committee.

**090272 [San Francisco Police Department's Fraud Division]
Supervisor Duffy**

Hearing to review the San Francisco Police Department's Fraud Division including levels of staffing, investigative backlogs and any increase in financial crimes including, but not limited to check fraud, embezzlement, forgery and identity theft in the City and County of San Francisco.
3/3/09, RECEIVED AND ASSIGNED to Public Safety Committee.

**090273 [Potrero Power Plant]
Supervisor Maxwell**

Hearing on the status of the plant's discharge permit and the ongoing investigation into soil and bay mud contamination at the Mirant Corporation's Potrero Power Plant.
3/3/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**090297 [Impacts of Cuts to Department of Building Inspection, Housing Inspection Division]
Supervisor Daly**

Hearing on the impacts of the cuts to Department of Building Inspection, Housing Inspection Division on San Francisco residents living in substandard housing.
3/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

**090268 [Canceling the Regularly Scheduled Board Meeting on Tuesday, March 10, 2009]
Supervisor Chiu**

Motion canceling the regularly scheduled Board meeting on Tuesday, March 10, 2009.
3/3/09, APPROVED.

PROPOSED ORDINANCES

090210 [Zoning Map Amendment - 2400 Irving Street]

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco by amending Sheet ZN05 and Sheet SU05 to change the zoning classification of the northern portion of the property located at 2400 Irving Street, Block 1725, Assessor's Lot No. 053, from RH-2 (Residential House, Two-Family) to NC-2 (Small-Scale Neighborhood Commercial District) and include it within the Irving Street Restaurant & Fast Food Restricted Use SUD; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b). (Planning Department)
2/19/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/2/2009.

090211 [Planning Code-Amending Appendix C to Article 11 Regarding 608 Folsom Street]

Ordinance amending the designation of 608 Folsom Street (Assessor's Block 3735, Lot 009) from Category V (Unrated) to Category III (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

2/19/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/2/2009.

090212 [Settlement of Lawsuit - State of California v. Foley, City and County of San Francisco, et al.]

Ordinance authorizing settlement of the lawsuit filed by State of California, acting through the Department of Transportation ("Caltrans") against the City and County of San Francisco in exchange for the provision of an easement modification agreement relocating certain access rights and otherwise preserving the pre-existing easement rights of the City and County of San Francisco and making environmental findings; the lawsuit was filed on June 29, 2006 in Alameda County Superior Court, Case No. RG06277087, entitled State of California v. Foley, City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation For Judgment in Condemnation and [Proposed] Judgment (and exhibits thereto), contained in Board of Supervisors File No. 090212. (City Attorney)

2/19/09, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Ave.

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

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:

Utility Boxes

In front of 79 Clayton

Northwest corner Grove and Webster

Southwest corner Steiner & Waller

Northeast corner Oak & Scott

Garbage Cans

Northeast corner of Haight & Fillmore

Northeast corner of Webster & Grove

Northwest corner of Buchanan and Haight

Mailboxes

Northeast corner Fillmore & Haight

Emergency Boxes

*Northeast corner Oak & Fillmore
Northeast corner Fillmore & Haight*

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:

*295 Buchanan
478 Haight
120 Webster
546 Haight
811 Oak
999 Haight
1689 Fulton
1220 Haight
900 Oak
160 Pierce
815 Oak
400 Haight
799 Haight
208 Haight
1106 Fell
1174 Fell
1100 Fell
1213 Fell
300 Buchanan
1566 Haight
1589 Fulton
1352 Haight
999 Oak
1301 Haight
250 Scott
428 Haight*

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:

*Metal Pole
In front of Fulton
Southeast corner Ashbury and Haight
In front of 926 Oak*

*Wood Poles
Southeast corner of Lassuant & Steiner
Northeast corner of Steiner and Waller*

*Bus Shelters
Southwest corner Broderick & Hayes*

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting for legislation to be drafted amending section 14B of the Administrative code to:

- 1) Require, rather than permit, the director of the Human Rights Commission to set aside certain contracts worth \$250,000 or less to be awarded to Micro-Local Business Enterprises.
- 2) Require that the director of HRC report to the Board of Supervisors within 60 days of final approval of legislation on the number and value of contracts set aside of Micro LBEs.
- 3) Streamline the contracting process for contracts of all dollar values to provide that, where prescribed LBE participation goal is met, the requirement for "good faith efforts" of proof of outreach to LBEs will be waived.

From: Supervisor Maxwell

To: General Manager, SFPUC

Requesting/Inquiring: Inquiring as to the specifics of CAL-ISO's local capacity requirements and the financial obligations that San Francisco may owe under the program.

In Memoriams

Joseph Zarkin - Supervisor Duffy

Dorothy Ruth Christiani - Supervisor Duffy

Ngar Chun Kuang Yee - Supervisor Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:37 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 March 31, 2009.

A handwritten signature in black ink, appearing to read "Angela Calvillo", is written over a horizontal line.

Angela Calvillo
Clerk of the Board