

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 17, 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.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll all Supervisors were noted present.

APPROVAL OF MEETING MINUTES

Supervisor Chu, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of January 27, 2009, February 3, 2009, and February 10, 2009. The motion carried by the following vote:

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

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

090220 [Accept and Expend State Grant funds - Recreation and Park Department - \$65,000]
Supervisor Mar

Resolution authorizing the San Francisco Recreation and Park Department to apply for, accept and expend an Urban Forestry Public Education Grant administered by the California Department of Forestry and Fire Protection in the amount of \$65,000 for the Urban Forestry Project.

Resolution No. 75-09
ADOPTED

**090221 [Accept and Expend State Grant funds - Recreation and Park Department - \$200,000]
Supervisor Mar**

Resolution authorizing the San Francisco Recreation and Park Department to apply for, accept and expend an Urban Forestry Inventory Grant administered by the California Department of Forestry and Fire Protection in the amount of \$200,000 for the Urban Forestry Inventory Project.

(Fiscal Impact.)

Resolution No. 74-09

ADOPTED

Recommendation of the Land Use and Economic Development Committee

**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.

Ordinance No. 38-09

FINALLY PASSED

Recommendations of the Rules Committee

090117 [Settlement of Lawsuit - Antia Lelaind - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Antia Lelaind against the City and County of San Francisco et al. for \$175,000; the lawsuit was filed on September 22, 2006, in the United States District Court of the Northern District of California, Case No. C06-05870 MHP; entitled Antia Lelaind v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

090158 [Settlement of Lawsuit - Mark Boyd - \$85,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Mark Boyd against the City and County of San Francisco for \$85,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

**090172 [Settlement of complaint before the Federal Energy Regulatory Commission and approval of Revised
Procedures]**

Ordinance authorizing settlement of proceedings before the Federal Energy Regulatory Commission in FERC Dockets No. ER05-516-000, et al, initiated by the City against Pacific Gas & Electric Company contesting costs and terms and conditions for the interconnection of City facilities under the Interconnection Agreement with PG&E and approving the Revised Procedures for interconnection of City facilities. (Public Utilities Commission)

PASSED ON FIRST READING

090155 [Settlement of Claim - Deo Dutt - \$98,443.83]

Resolution approving the settlement of unlitigated claim of State Farm Insurance Company as subrogee for Deo Dutt against the City and County of San Francisco for \$98,443.83; claim was filed on October 21, 2008. (City Attorney)

Resolution No. 82-09

ADOPTED

090037 [Appointments, Mental Health Board - Errol Wishom, Mary Ann Jones and Virginia Wright]

Motion appointing Errol Wishom, Mary Ann Jones and Virginia Wright, terms ending January 31, 2010 and January 31, 2012, to the Mental Health Board.

Motion No. M09-46

APPROVED

090244 [Appointments, Library Citizens Advisory Committee - Theodore Bamberger and Houston Garcia]

Motion appointing Theodore Bamberger and Houston Garcia, terms ending July 18, 2010, to the Library Citizens Advisory Committee, residency requirement waived.

Theodore Bamberger, succeeding himself, term expired, seat 12, must be member from the community at large, representative of senior citizens for a two-year term ending July 18, 2010.

Houston Garcia, succeeding Douglas Ryan, term expired, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment, for a two-year term ending July 18, 2010.

Motion No. M09-47

APPROVED

090245 [Appointment, Asthma Task Force - Rondell Lane, M.D.]

Motion appointing Rondell Lane, M.D., term ending July 1, 2011, to the Asthma Task Force.

Rondell Lane, M.D., succeeding Natasha Madaris, resigned, seat 1, must be a representative of a community-based organization that provides community-based research or advocacy related to asthma issues in San Francisco and is a voting member, for term ending July 1, 2011.

Motion No. M09-48

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From the Consent Agenda

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

**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.

Supervisor Maxwell, seconded by Supervisor Mar, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, 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.

Supervisor Maxwell, seconded by Supervisor Mar, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

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

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

081592 [Appointments, Voting Systems Task Force - Joanne Sanford, Ka-Ping Yee, Gregory Miller, Beth Mazur, Tim Mayor, Elizabeth Bergman and Roger Donaldson]

Motion appointing Joanne Sanford, Ka-Ping Yee, Gregory Miller, Beth Mazur, Tim Mayor, Elizabeth Bergman and Roger Donaldson, terms to be determined, to the Voting Systems Task Force, residency requirement waived.

Supervisor Chu requested to divide the question relating to the appointment of Brent Turner. (See File No. 090333)

Supervisor Chu, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED AS DIVIDED. The motion carried by the following vote:

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

090333 [Appointment, Voting Systems Task Force - Brent Turner]

Motion appointing Brent Turner, term to be determined, to the Voting Systems Task Force, residency requirement waived.

Brent Turner, new assignment, seat 2, must represent good government groups, for two-year term to be determined.

Supervisor Chu, seconded by Supervisor Elsbernd, moved that this Motion be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

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

REGULAR AGENDA**UNFINISHED BUSINESS****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)

Ordinance No. 39-09

FINALLY PASSED by the following vote:

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

NEW BUSINESS**Recommendations of the Budget and Finance Committee****081603 [Redevelopment Agency Budget]
Mayor, Supervisor Mirkarimi**

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009 to reprogram \$3,301,225 of funds budgeted for the Western Addition A2 Plan Area from the Muni Substation line item to the Fillmore Jazz Preservation District Revolving Loan Program line item in the amount of \$2,366,000, to the Office of Economic and Workforce Development for marketing and economic development activities within the Fillmore Jazz Preservation District including predevelopment planning for the Muni Substation in the amount \$535,225, subject to Budget and Finance Committee Reserve, and to a new Western Addition A2 property management line item in the amount of \$400,000.

(Fiscal Impact.)

Resolution No. 92-09

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Campos, Chu, Dufty, Mar, Maxwell, Mirkarimi
Noes: 4 - Avalos, Chiu, Daly, Elsbernd

**090197 [Tax Exempt and Taxable Revenue Certificates of Participation]
Mayor**

Resolution of the City and County of San Francisco authorizing the execution and delivery from time to time of its Tax-Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation in an amount not to exceed \$150,000,000 in order to provide short-term financing to pay for certain capital improvements, and approving and authorizing execution of a trust agreement and certain financing documents and authorizing other related actions.

(Fiscal Impact.)

Resolution No. 85-09

ADOPTED by the following vote:

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

**090131 [Appropriating \$16,500,000 of State Loans for West Marina Yacht Harbor Renovations in the Recreation and Park Department for Fiscal Year 2008-2009]
Supervisor Alioto-Pier**

Ordinance appropriating \$17,000,000 of loan funding from the California Department of Boating and Waterways for renovations of the West Harbor of the Marina Yacht Harbor in the Recreation and Park Department for Fiscal Year 2008-2009, and placing \$15,500,000 on Controller's Reserve pending receipt of the funds from the State within six (6) months for the prior quarter's invoiced costs.

(Fiscal Impact.)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Ordinance appropriating \$16,500,000 of loan funding from the California Department of Boating and Waterways for renovations of the West Harbor of the Marina Yacht Harbor in the Recreation and Park Department for Fiscal Year 2008-2009, and placing \$15,000,000 on Controller's Reserve pending receipt of the funds from the State within six (6) months for the prior quarter's invoiced costs.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

**090100 [Solar Energy Incentive Program]
Supervisors Mirkarimi, Campos, Mar**

Ordinance amending the San Francisco Environment Code by amending Sections 18.3, 18.4, 18.6, 18.7-1, 18.7-2, 18.7-3, 18.7-4, and 18.7-6, and by repealing Section 18.7-7, to increase the incentives available to low-income and non-profit applicants under the Solar Energy Incentive Program and to make technical changes to program requirements.

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Noes: 1 - Elsbernd

**090140 [De-appropriating \$1,000,000 of Power for Resale for use with the Solar Incentive Program at the Public Utilities Commission for Fiscal Year 2008-2009]
Mayor, Supervisors Mirkarimi, Dufty, Mar**

Ordinance de-appropriating \$1,000,000 of Power for Resale expenses and appropriating \$1,000,000 for the Solar Incentive Program at the Public Utilities Commission for Fiscal Year 2008-2009, allowing \$500,000 of low income/nonprofit funding to be utilized for the general GoSolarSF program, and amending San Francisco Environmental Code section 18.7-5.

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Daly, Elsbernd

- 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.

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

- 081400 [Recreation and Park Department - Water Use Efficiency and Recycled Water]**
Supervisors Mirkarimi, Maxwell, Campos, Mar

Ordinance making environmental findings and amending San Francisco Park Code Article 3 by adding Section 3.19, to require the Recreation and Park Department to maximize water use efficiency and to use Recycled Water where available for Park irrigation needs.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Chu, Elsbernd

Recommendations of the Land Use and Economic Development Committee

- 081504 [Massage Services in South of Market Residential/Service Mixed Use District]**
Supervisors Daly, Dufty

Ordinance amending the Planning Code by amending Section 803.4, Section 815, and Table 815 to allow a business operating as a full-service spa to provide massage services with a conditional use authorization; adopting findings, including environmental findings, Section 302 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

- 081598 [Public Works Code - Appellate body for minor sidewalk encroachments]**
Supervisor Elsbernd

Ordinance amending the Public Works Code Section 723.2 to change the appellate body for Minor Sidewalk Encroachment Permits from the Board of Supervisors to the Board of Appeals.

PASSED ON FIRST READING by the following vote:

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

**081620 [Zoning - Ordinance amending the Planning Code to correct errors and omissions]
Supervisor Maxwell**

Ordinance amending the Planning Code to correct errors including: 1) amend Section 140(a) to properly reference Sections 504 and 503 of the Housing Code instead of 501.4 and 501.1, respectively; 2) amend 151 to specify the number of required parking spaces per beds in hospital uses; 3) amend Section 209.8 to link exceptions to "if permitted in the nearest NC District" instead of C-1 and C-2; 4) amend Section 263.9 to properly reference Chart C instead of Chart B and to reference Section 271 instead of Section 270(4) which does not exist; 5) amend Sections 816.67 (SLR District), 817.67 (SLI District), and 818.67 (SSO District) to properly reference Section 225 Wholesaling, Storage, Distribution and Open-Air Handling of Materials and Equipment instead of Section 255 which does not exist; 6) amend Appendix A to Article 10, List of Designated Landmarks to correct the number for certain Landmarks; and 7) amend each neighborhood commercial district and neighborhood commercial transit district to explicitly prohibit Amusement Enterprises as currently defined by Section 790.04, except NC-3 and NCT-3 where Amusement Enterprises would be reviewed as Conditional Use authorization per Section 303; making environmental findings; and findings of consistency with the City's General Plan and Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee

Supervisor Alioto-Pier Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Daly, moved to excuse Supervisor Alioto-Pier from voting on this matter. The motion carried by the following vote:

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

090334 [Appointment, San Francisco Bay Conservation and Development Commission - Supervisor Michela Alioto-Pier]

Motion appointing Supervisor Michela Alioto-Pier, for an indefinite term, to the San Francisco Bay Conservation and Development Commission.

Michela Alioto-Pier, succeeding Aaron Peskin, seat 1, must be a member of the Board of Supervisors whose district includes within its boundaries lands lying within the San Francisco Bay (Districts 1, 2, 3, 6, and 10), for an indefinite term.

NOT APPROVED by the following vote:

Ayes: 4 - Chu, Duffy, Elsbernd, Maxwell
Noes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi
Excused: 2 - Alioto-Pier, Chiu

Supervisor Chiu Excused From Voting

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

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

090057 [Appointment, San Francisco Bay Conservation and Development Commission - David Chiu]

Motion appointing Supervisor David Chiu, for an indefinite term, to the San Francisco Bay Conservation and Development Commission.

David Chiu, succeeding Aaron Peskin, seat 1, must be a member of the Board of Supervisors whose district includes within its boundaries lands lying within the San Francisco Bay (Districts 1, 2, 3, 6, and 10), for an indefinite term.

(Supervisor Chu dissented in Committee.)

Supervisor Daly, seconded by Supervisor Avalos, moved to duplicate the file and amend the duplicated file to include the appointment of Supervisor Alioto-Pier to the San Francisco Bay Conservation and Development Commission.

(See File No. 090334)

Motion No. M09-49

APPROVED by the following vote:

Ayes: 7 - Avalos, Campos, Daly, Duffy, Mar, Maxwell, Mirkarimi

Noes: 2 - Chu, Elsbernd

Excused: 2 - Alioto-Pier, Chiu

090151 [Appointments, Golden Gate Bridge, Highway and Transportation District - Janet Reilly and Lynne Newhouse Segal]

Motion appointing Janet Reilly and Lynne Newhouse Segal, terms ending January 31, 2011, to the Golden Gate Bridge Highway and Transportation District.

Janet Reilly, succeeding herself, term expired, seat 1, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Lynne Newhouse Segal, succeeding herself, term expired, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors, for a two year term ending January 31, 2011.

Motion No. M09-50

APPROVED by the following vote:

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

Supervisors Campos and Mar Excused From Voting

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

Ayes: 9 - Alioto-Pier, Avalos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi
Excused: 2 - Campos, Mar

- 090207 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor David Campos]
Motion appointing a member of the Board of Supervisors as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, term ending January 31, 2011.

(Supervisor Daly dissented in Committee.)

Supervisor Dufty, seconded by Supervisor Mar, moved to amend by adding the name of Supervisor David Campos for consideration of appointment to the Golden Gate Bridge District, Highway and Transportation District.

Motion passed without objection.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to amend by adding the name of Supervisor Eric Mar for consideration of appointment to the Golden Gate Bridge, Highway and Transportation District. (See File 090335)

Motion passed without objection.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to amend by adding the name of Supervisor Alioto-Pier for consideration of appointment to the Golden Gate Bridge District, Highway and Transportation District.

Supervisor Mirkarimi withdrew his second to amend to add Supervisor Alioto-Pier's name for consideration.

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

Ayes: 9 - Alioto-Pier, Avalos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi
Excused: 2 - Campos, Mar

Motion appointing Supervisor David Campos as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, term ending January 31, 2011.

NOT APPROVED by the following vote:

Ayes: 5 - Avalos, Chiu, Daly, Dufty, Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Elsbernd, Maxwell
Excused: 2 - Campos, Mar

- 090335 [Appointment, Golden Gate Bridge, Highway and Transportation District - Supervisor Eric Mar]
Motion appointing Supervisor Eric Mar, term ending January 31, 2011, to the Golden Gate Bridge Highway and Transportation District.

Supervisor Daly, seconded by Supervisor Avalos, moved that this Motion be REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 5 - Avalos, Chiu, Daly, Elsbernd, Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty, Maxwell
Excused: 2 - Campos, Mar

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

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Alioto-Pier, 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 Dufty introduced, welcomed and presented a Certificate of Honor to Gene Marie O'Connell in recognition of her service of 32 years to the City and County of San Francisco. Supervisors Elsbernd, Maxwell, Chu and Alioto-Pier also expressed their appreciation to Gene Marie O'Connell.

Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to Mary Red in recognition of her service of 35 years to the City and County of San Francisco in the Clerk of the Board of Supervisors' Office. Supervisors Maxwell, Alioto-Pier, Avalos, Elsbernd, Mirkarimi, Daly, and Chu also expressed their appreciation to Mary Red.

Supervisor Alioto-Pier introduced, welcomed, and presented a Certificate of Honor to members of the Presidio Trust Association.

SPECIAL ORDER 4:00 P.M.

090159 [Public Hearing - Appeal of Mitigated Negative Declaration - 110 The Embarcadero]

Hearing of persons interested in or objecting to the decision of the Planning Commission on November 6, 2008, approving a Mitigated Negative Declaration (Case No. 2006.1294E) for the proposed development at 110 The Embarcadero (Assessor's Block 3715, Lot 002). The project as proposed would demolish an existing two-story office building and construct a new 123-foot tall, 10-story over basement building containing approximately 52,890 square feet of office use; 2,490 square feet of ground floor retail space, 2,670 square feet of rooftop open space, and no parking spaces located within the C-3-O Zoning District and the 84-X Height and Bulk District. (Appellant: Sue C. Hestor on behalf of San Franciscans for Reasonable Growth)

(Filed 2/4/09; Companion Measure to 090160, 090161, 090162; District 6.)

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

Sue Hestor, Attorney for the San Franciscans for Responsible Growth, Appellant

Ralph Schoenman; support of the appellant

Lloyd Thibeaux; support of the appellant

Paul Currier; support of the appellant

Brad Paul; support of the appellant

Arthur Feinstein; support of the appellant

Male speaker; support of the appellant

Frank Askin; support of the appellant

Michael Corbett; support of the appellant

Gary Dollis; support of the appellant

Zack Stewart; support of the appellant

Joan Good; support of the appellant

Russ Miashiro; support of the appellant

Female speaker; support of the appellant

Nan Roth; support of the appellant

Brian McDonald; support of the appellant

Andy Katz; support of the appellant

Sarah Kelban; support of the appellant

Harvey Schwartz; support of the appellant

Peter; support of the appellant

John Logan; support of the appellant

David Harman; support of the appellant

Male speaker; support of the appellant

Commissioner Bill Sugaya; support of the appellant

David Osgood; support of the appellant

Evelyn Grossman; support of the appellant

Katherine Hyden; support of the appellant

Stewart Morton; support of the appellant

Steve Setzler; support of the appellant

Fred Hallerdice; support of the appellant

Bill Wyco, Tim Fry, Kevin Guy and Joyce Navarette, representatives of the Planning Department, reviewed their recommendations with the Board members.

Michael Burke and Jay Turnbull, representing the project sponsor Hines Interests LP

Walter Johnson; support of the project sponsor

Ernestine Weiss; support of the project sponsor

Female speaker; support of the project sponsor

Representative of the Carpenter's Union; support of the project sponsor

Michael Tiera, Representative of the Building Trades Union; support of the project sponsor

Female speaker; support of the project sponsor

Paul Gephardt; support of the project sponsor

Joel Koeppel; support of the project sponsor

*Dale Smith; support of the project sponsor
Charlie Lavery; support of the project sponsor
Chris Steiner; support of the project sponsor
Terry Andrews; support of the project sponsor
Jack Gold; support of the project sponsor
Ted Soo; support of the project sponsor
John A. Ratkin; support of the project sponsor
Michael Orfeld; support of the project sponsor
Harry Yaeger; support of the project sponsor
Dan Byer; support of the project sponsor
Male speaker; support of the project sponsor
Terry McGellitts; support of the project sponsor
Steve O'Connell; support of the project sponsor
Syad Maseree; support of the project sponsor
Dan; support of the project sponsor
Adrian Simi; support of the project sponsor
Claude Everhardt; support of the project sponsor
Larry Mazzola Jr.; support of the project sponsor
Dan Crevens; support of the project sponsor
Manny Flores; support of the project sponsor
Male speaker; support of the project sponsor*

REBUTTAL PERIOD

*Sue Hestor, Attorney for the San Franciscans for Responsible Growth, Appellant
Heard at Public Hearing.
The President declared the public hearing closed.*

FILED.

(Only one of the following two motions should be approved.)

- 090160 [Affirming adoption of the mitigated negative declaration for 110 The Embarcadero]**
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 110 The Embarcadero.
Supervisor Daly, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd
- 090161 [Reversing adoption of the mitigated negative declaration for 110 The Embarcadero]**
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 110 The Embarcadero.
Motion No. M09-51
Supervisor Daly, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd

090162 [Preparation of findings to reverse adoption of the mitigated negative declaration for 110 The Embarcadero]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 110 The Embarcadero.

Motion No. M09-52

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

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd

COMMITTEE REPORTS

**081563 [Public Employment - San Francisco's Local Agency Formation Commission (LAFCO)]
Supervisors Mirkarimi, Mar**

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance 2008-2009) to reflect the addition of one position (.20 FTE) 9775L Senior Community Development Specialist II and one position (.20 FTE) 9770L Community Development Assistant to the Board of Supervisors (BOS).

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Mirkarimi

Noes: 4 - Alioto-Pier, Chu, Elsbernd, Maxwell

**090230 [MOU, Amendment No. 1 - Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.)]
Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

PASSED ON FIRST READING by the following vote:

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

Absent: 1 - Dufty

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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

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

Walter; shared in song concern with general issues

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

Tes Warley; expressed concern with issues relating to the closure of the Park Library

Collen; expressed concern with issues relating to the fiscal crisis in the Federal Government, State and City

John Jenkel; expressed concern with issues relating to US terrorism in unconstitutional wars

Don Becker; expressed support for SB810 California Health Insurance Reliability Act

Betty Kaho; expressed support for SB810 California Health Insurance Reliability Act

Barbara Cummins; expressed support for SB810 California Health Insurance Reliability Act

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.

**090288 [Accept and 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).

Resolution No. 91-09

ADOPTED

**090289 [Accept and 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.

Resolution No. 88-09

ADOPTED

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.

Resolution No. 79-09

ADOPTED

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.

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

Resolution No. 90-09

ADOPTED

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.

Resolution No. 87-09

ADOPTED

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.

Resolution No. 81-09

ADOPTED

090295 [Accept and 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.

Resolution No. 89-09

ADOPTED

090204 [Final Map - 73-83 Grattan Street]

Motion approving Final Map 4294, a 6 Residential Unit Condominium Project, located at 73 – 83 Grattan Street being a subdivision of Lot 025 in Assessors Block No. 1280 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,057; District 5.)

Motion No. M09-45

APPROVED

090206 [Final Map - 1300-1320 Potrero Avenue, 2801 25th Street]

Motion approving Final Map 4876, a Two Lot Subdivision with a Three Unit Commercial Condominium Project on Parcel "A" and a Two Unit Commercial Condominium Project on Parcel "B", located at 1300 – 1320 Potrero Avenue, 2801 25th Street being a subdivision of Lot 029 in Assessors Block No. 4276 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,072; District 9.)

Motion No. M09-44

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 so 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.)

Resolution No. 84-09

ADOPTED by the following vote:

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

- 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.

Resolution No. 77-09

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd

- 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.

Resolution No. 78-09

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Chu, Daly, Mar, Mirkarimi
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Maxwell

*Supervisor Campos, seconded by Supervisor Mirkarimi, moved to rescind the previous vote:
Motion to rescind the previous passed without objection.*

Supervisor Campos, seconded by Supervisor Mirkarimi, moved to waive the Board Rule 2.1 to refer matters to Committee.

*Motion to waive Board Rule 2.1 passed by the following vote:
Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 2 - Alioto-Pier, Elsbernd*

Resolution No. 78-09

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Chu, Daly, Mar, Mirkarimi
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Maxwell

- 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 24, 2009

Supervisor Mirkarimi, seconded by Supervisor Avalos, 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

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

**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.

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

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

Resolution No. 80-09

ADOPTED AS AMENDED 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.

[Purely Commendatory Finding]

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

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved ADOPTION of the purely commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Dufty, seconded by Supervisor Mirkarimi, 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

090257 [Commending Mary Red]

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

Resolution commending Mary Red on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 35 years of service to the City and County of San Francisco. (Clerk of the Board)

Resolution No. 86-09

ADOPTED by the following vote:

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

- 090305 [Honoring Gene Marie O'Connell's 32 years of service and the contributions she has made to the City and County of San Francisco]**
Supervisors Dufty, Elsbernd, Avalos, Chiu, Maxwell, Mirkarimi, Chu, Campos, Mar

Resolution honoring Gene Marie O'Connell's 32 years of service and the contributions she has made to the City and County of San Francisco.

Resolution No. 83-09

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 090318 [Planning Code-Landmark Designation of 2055 Union Street (Metro Theater)]**
Supervisor Alioto-Pier

Ordinance designating 2055 Union Street (Metro Theater), Assessor's Block No. 0541, Lot No. 018, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code 101.1(b) and environmental findings.

3/17/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 090319 [Zoning - Providing for a Five Feet Special Height Exception for Active Ground Floor Uses in the NC-2 and NC-3 Designated Parcels Along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue]**
Supervisor Avalos

Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for ground floor uses in the NC-2 and NC-3 designated parcels along Randolph and Broad Streets, from 19th Avenue to San Jose Avenue; amending Sections 711.1 and 712.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

3/17/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/16/2009.

**090320 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance]
Supervisor Chiu**

Ordinance amending the San Francisco Administrative Code by amending Sections 14B.3, 14B.7, 14B.8, adding a new Section 14B.9, and renumbering Sections 14B.10, 14B.11, 14B.12, 14B.13, 14B.14, 14B.15, 14B.16, 14B.17, 14B.18, 14B.19 to (1) require departments to set aside contracts worth \$400,000 or less for the Micro-Local Business Enterprise Set Aside Program; (2) create a pilot Graduated Local Business Enterprise program that will enable graduated firms to receive a 5% bid discount; and (3) allow bidders and proposers the flexibility of meeting the participation goal by either achieving adequate good faith efforts or by meeting and/or exceeding the participation goal based on the availability of MBEs, WBEs, and OBEs.
3/17/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/16/2009.

**090321 [Massage Services in South of Market Residential/Service Mixed Use District]
Supervisor Duffy**

Ordinance amending the Planning Code by amending Section 803.4, Section 815, and Table 815 to allow a business operating as a full-service spa to provide massage services with a conditional use authorization; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
3/17/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/16/2009.

**090327 [First Source Hiring Program - expand definitions of "entry level position" and "economically disadvantaged individual"]
Supervisor Mirkarimi**

Ordinance amending section 83.4 of the San Francisco Administrative Code by expanding the definitions of "economically disadvantaged individual" and "entry level position."
3/17/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/16/2009.

**090328 [Eligibility Criteria for Community Living Fund]
Supervisors Mirkarimi, Mar**

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-12, to establish a pilot program using the Elder Economic Security Index Fund as a factor for determining eligibility for the Community Living Fund.
3/17/09, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/16/2009.

**090329 [Recreation and Park Department - Sharp Park]
Supervisor Mirkarimi**

Ordinance making environmental findings and amending San Francisco Park Code Article 3 by adding Section 3.20, to require the Recreation and Park Department to develop a plan, schedule and budget for restoring Sharp Park habitat for the California red-legged frog and the San Francisco garter snake in conformance with the requirements of the Endangered Species Act, and transferring Sharp Park to, or developing a joint management agreement with, the Golden Gate National Recreation Area.
3/17/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

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

Ordinance amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one position: 0965 Department Head V (FTE 0.25) and the deletion of one position: 0964 Department Head IV (FTE 0.25) at the San Francisco Employees' Retirement System.

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090336 [Appropriating \$4,385,681 of Revenue and General Fund Reserve for the November 2008 and May 2009 elections in the Department of Elections for Fiscal Year 2008-2009]
Mayor**

Ordinance appropriating \$3,181,333 of State mandated cost reimbursement revenue, \$79,597 of county candidate filing fee revenue, and \$1,124,751 of General Fund Reserve, for a total appropriation of \$4,385,681, for costs associated with the November 2008 General Election and May 2009 Special Election in the Department of Elections for Fiscal Year 2008-2009.

(Fiscal Impact.)

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

**090257 [Commending Mary Red]
Supervisors Dufty, Chiu, Maxwell, Daly, Alioto-Pier, Elsbernd, Mirkarimi, Chu, Campos, Mar, Avalos**

Resolution commending Mary Red on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 35 years of service to the City and County of San Francisco. (Clerk of the Board)

3/17/09, ADOPTED.

**090305 [Honoring Gene Marie O'Connell's 32 years of service and the contributions she has made to the City and County of San Francisco]
Supervisors Dufty, Elsbernd, Avalos, Chiu, Maxwell, Mirkarimi, Chu, Campos, Mar**

Resolution honoring Gene Marie O'Connell's 32 years of service and the contributions she has made to the City and County of San Francisco.

3/17/09, ADOPTED.

**090322 [Accept and Expend Grant Funds - Healthy San Francisco program evaluation - \$250,000]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$250,000 from the California Endowment to fund the Healthy San Francisco program evaluation; for the period of January 1, 2009 through July 31, 2010.

(Fiscal Impact.)

3/17/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 090323 [Approval of Software License and Software Maintenance contracts between the Department of Public Health and Philips Healthcare]**
Supervisor Dufty

Resolution authorizing the Department of Public Health to enter into to a Software License and Software Maintenance contract with Philips Healthcare.

3/17/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

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

Draft resolution authorizing the Airport to accept and expend a grant in the amount not-to-exceed Fifteen Million Eight Hundred Thousand Dollars (\$15,800,000) from the Transportation Security Administration for the Terminal 2 In-Line Explosives Detection System Matrix.

(Fiscal Impact.)

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090325 [Street Name Change to Willie L. Brown, Jr. Boulevard]**
Mayor, Supervisors Maxwell, Dufty, Elsbernd, Chu, Alioto-Pier

Resolution initiating the process to change the name of Third Street to Willie L. Brown, Jr. Boulevard in recognition of Willie L. Brown, Jr.'s many contributions to San Francisco and the State of California.

3/17/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 090326 [Accept and Expend DWR Grant Funds - SFPUC - \$517,500]**
Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a California Department of Water Resources Grant in the amount of \$517,500.

(Fiscal Impact.)

3/17/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 090330 [Issuance and Sale of Revenue Bonds - Westmont College - \$122,500,000]**
Supervisor Mirkarimi

Resolution approving the issuance and sale of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$122,500,000 to finance educational facilities owned and operated by the Westmont College.

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 090331 [Accept and Expend Private Grant - Back on Track Program - \$111,998]**
Supervisor Mirkarimi

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$111,998 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for fiscal year 2008-2009 and 2009-2010.

3/17/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090337 [Library Fee Amnesty Program]
Mayor, Supervisor Chiu**

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

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090338 [International Museum of Women]
Supervisors Alioto-Pier, Chu, Maxwell, Dufty, Mar, Campos**

Resolution urging the City and County of San Francisco to aid the International Museum of Women in their efforts to secure a permanent physical location in San Francisco to display their exhibitions and to educate and enrich those who visit.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090339 [Timothy Pflueger Day - March 22, 2009]
Supervisors Chiu, Campos**

Resolution proclaiming March 22, 2009, to be Timothy Pflueger Day in San Francisco.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090341 [Celebrating March 2009 as American Red Cross Month]
Supervisors Dufty, Campos**

Resolution celebrating March 2009 as American Red Cross Month.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090342 [Recognizing freshwater as a human right and the importance of access to safe drinking water for all]
Supervisors Dufty, Campos**

Resolution recognizing freshwater as a human right and the importance of access to safe drinking water for all.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090343 [Honoring Sandee Blechman for her thirteen years of dedicated service]
Supervisor Dufty**

Resolution honoring Sandee Blechman for her thirteen years of dedicated service to the Jewish Community Center of San Francisco.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090344 [Apply for Caltrans Transportation Planning Grant]
Supervisors Maxwell, Campos**

Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the California Department of Transportation (Caltrans) for the purpose of conducting a community design process for Cesar Chavez Street.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090345 [Accept and Expend Private Grant - Arts Commission - \$5,000]
Supervisor Maxwell**

Resolution authorizing the Arts Commission of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$5,000 from the Cynthia Woods Mitchell Fund for Historic Interiors (a fund of the National Trust for Historic Preservation) for the Bayview Opera House Renovation and Restoration Project.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090346 [Celebrating the Persian New Year Holiday of Nowruz and urging San Francisco's representatives in Congress to co-sponsor Congressperson Michael Honda's Nowruz Resolution]
Supervisors Mirkarimi, Maxwell, Alioto-Pier, Dufty, Campos**

Resolution celebrating the Persian New Year Holiday of Nowruz and urging San Francisco's representatives in Congress to co-sponsor Congressperson Michael Honda's Nowruz Resolution.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090347 [Commending restaurants that have stopped serving foie gras]
Supervisors Mirkarimi, Campos**

Resolution commending restaurants that have removed foie gras from their menus.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**090253 [Student emergency response volunteer program]
Supervisor Elsbernd**

Hearing on the student emergency response volunteer program.

3/17/09, RECEIVED AND ASSIGNED to City and School District Select Committee.

**090306 [Potential impact of budget cuts on programs that serve homeless]
Supervisor Avalos**

Hearing to discuss the potential impact of budget cuts on programs that serve homeless and formerly homeless adults and families including supportive housing, shelters, drop-in centers, employment programs and other social services.

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090307 [Department of Public Works February 20, 2009 departmental budget submissions to the Mayor's Office on proposed midyear reductions and layoffs]
Supervisor Avalos**

Hearing to consider the Department of Public Works February 20, 2009 departmental budget submissions to the Mayor's Office, proposed midyear reductions and layoffs, major changes to departmental budgets including plans for consolidation, new initiatives, proposed layoffs and service cuts, impacts to non-profit service delivery, fee increases and other options for increasing revenues.

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090308 [City's timeline and process to develop the City and County of San Francisco 5-Year Consolidated Plan]
Supervisor Avalos**

Hearing on the City's timeline and process to develop the City and County of San Francisco 5-Year Consolidated Plan (Con Plan) needed to receive funding from Housing & Urban Development (HUD).

3/17/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**090309 [Children's Fund and Children's Baseline]
Supervisor Avalos**

Hearing on the Children's Fund and Children's Baseline including a report from the Controller and major departments that administer and manage programs and services funded by the Children's Baseline.

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090310 [Controller's Budget Improvement Project]
Supervisor Avalos**

Hearing on Controller's Budget Improvement Project.

3/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090311 [Update on the City's plan to utilize economic stimulus funds from the American Recovery and Reinvestment Act of 2009]
Supervisor Avalos**

Hearing to consider update on the City's plan, preparations, and strategies to utilize economic stimulus funds from the American Recovery and Reinvestment Act of 2009 and departments' and the Mayor's proposals on how to utilize incoming investments.

3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090312 [Use of recreation areas in San Francisco]
Supervisor Campos**

Hearing on coordination efforts between the City's Recreation and Park Department and the San Francisco Unified School District (SFUSD) for the purpose of maximizing the use of recreation areas in San Francisco. 3/17/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090313 [San Francisco's public safety conditions on citywide crime levels]
Supervisor Campos**

Hearing on San Francisco's public safety conditions, including a discussion of citywide crime levels and crime levels by police district station and/or neighborhood. The hearing shall include a presentation from the Mayor's Office of Criminal Justice and/or the San Francisco Police Department, which shall provide all information relevant to the discussion. The information provided shall include, without limitation: (1) update on crime statistics citywide and broken down by police district station and/or neighborhood; (2) data and plans on the progress of crime fighting strategies and crime prevention programs; (3) reports on arrests, charges, and prosecutions made; and (4) any other relevant information. To the extent possible, data shall be broken down by ethnicity, gender, age, or any other relevant category. 3/17/09, RECEIVED AND ASSIGNED to Public Safety Committee.

**090314 [San Francisco Police Department's (SFPD) strategies for implementing various reports]
Supervisor Campos**

Hearing on the San Francisco Police Department's (SFPD) strategies for implementing and addressing the recommendations issued in various reports, including, without limitation, the Police Executive Research Forum's (PERF) Organizational Assessment of SFPD; Dr. Lorie Fridell's Fair and Impartial Policing report; the Public Safety Strategies Group's District Station Boundaries Analysis; and the report by the Community Policing Advisory Committee. 3/17/09, RECEIVED AND ASSIGNED to Public Safety Committee.

**090315 [SF Municipal Transportation Agency (MTA) work orders]
Supervisor Dufty**

Hearing on all San Francisco Municipal Transportation Agency (MTA) work orders since fiscal year 2006-2007 through fiscal year 2009-2010. 3/17/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090316 [Committee of the Whole - Hearing on the Board of Supervisors' roles and responsibilities during a City Emergency]
Supervisors Maxwell, Chiu**

Hearing on the roles and responsibilities of the Board of Supervisors during a City Emergency. 3/17/09, ASSIGNED to Board of Supervisors. Pursuant to File 090350, Board to sit as a Committee of the Whole on March 31, 2009.

**090317 [Bike Plan Environmental Impact Report and Schedule for Plan Adoption]
Supervisor Maxwell**

Hearing on the update from City agencies on the progress of the Bike Plan's CEQA analysis.
3/17/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**090351 [Committee of the Whole - Hearing on the proposed motion amending the Rules of Order of the Board of Supervisors by amending Rule 5.1]
Supervisor Avalos**

Hearing to discuss the proposed motion amending the Rules of Order of the Board of Supervisors by amending Rule 5.1 to create a subcommittee of the Budget and Finance Committee.
3/17/09, ASSIGNED to Board of Supervisors. Pursuant to File 090349, Board to sit as a Committee of the Whole on March 24, 2009.

Motions

**090348 [Creating a subcommittee of the Budget and Finance Committee - Board of Supervisors]
Supervisor Avalos**

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 5.1 to create a subcommittee of the Budget and Finance Committee.
3/17/09, ASSIGNED to Board of Supervisors.

**090349 [Board waiver of committee reference requirement and convening as a Committee of the Whole on March 24, 2009, for purposes of considering an amendment to Board Rule 5.1, which would create a subcommittee of the Budget and Finance Committee]
Supervisors Avalos, Elsbernd**

Motion suspending Rule 4.38 of the Rules of Order of the San Francisco Board of Supervisors to consider, without reference to committee, an amendment to Board Rule 5.1 which would create a subcommittee of the Budget and Finance Committee of the San Francisco Board of Supervisors; motion that the Board sit as a Committee of the Whole on March 24, 2009, for the purpose of considering the proposed amendment to Rule 5.1.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090350 [Board of Supervisors to sit as a Committee of the Whole - March 31, 2009]
Supervisors Maxwell, Chiu**

Motion that the Board convenes as a Committee of the Whole on March 31, 2009, to consider Board of Supervisors File Number 090316, a hearing to discuss the Board's roles and responsibilities in the event of a City emergency.

3/17/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

- 090261 [Settlement of Lawsuit - Estenez v. First American Title Insurance Company, et al.]**
Ordinance authorizing settlement of the lawsuit entitled Estenez v. First American Title Insurance Company, et al., filed on November 26, 2007 by Ernesto Estenez, Administrator With Will Annexed of the Estate of Guillermo Crosbie-Grimaldo, aka G. Crosbie-Grimaldo, aka Guillermo Crosbie, deceased, against the City and County of San Francisco, in San Francisco Superior Court Case No. CGC 07-469460; settlement in exchange for plaintiff's waiver of the right to appeal the order granting summary judgment and judgment entered thereon, and on such further terms set forth in the Settlement Agreement dated as of January 31, 2009, contained in Board of Supervisors File No. 090261, or as shall be negotiated and approved by the City Attorney's Office. (City Attorney)
2/26/09, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 090251 [Approve SFPUC Sunol Valley Construction Management Contract]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-915R, Sunol Valley Regional Construction Management Services, with CH2MHill, for an amount not to exceed \$16,000,000 with a term of up to 60 months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

(Fiscal Impact.)
3/9/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 090252 [Street Encroachment at 19th Avenue and Crespi Drive]**
Supervisor Elsbernd

Resolution granting revocable permission to Parkmerced Investors Properties LLC, to occupy portions of the public right-of-way to construct, realign, and maintain an existing paved curb islands to improve pedestrian accessibility and vehicular traffic circulation and safety, resurface portions of Crespi Drive with new Bomanite stamped concrete paving and install three (3) decorative columns at the entry way to Crespi Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance the Property at 3711 19th Avenue (Assessor's Blocks 7315, 7316, 7320), conditioned upon the payment of an annual assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)
3/9/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 090262 [Lease of Real Property at 520 Jones Street]**
Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and Pacific Bay Inn, Inc., as Landlord, for the Pacific Bay Inn located at 520 Jones Street, San Francisco. (Real Estate Department)
3/2/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090263 [Approval of an historical property contract for 166-178 Townsend Street]

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between 178 Townsend Properties LLC, the owner of 166-178 Townsend Street, and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract. (Planning Department)

3/2/09, RECEIVED AND ASSIGNED to Land Use and Economic Development 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 the following public property locations:*

*Utility Boxes
Northeast corner Post & Steiner
Southwest corner Cole & Haight
Southwest corner Shrader & Haight
Southwest corner Steiner & Haight*

*Bus Shelters
Southwest corner Pierce & Hayes
Northeast corner McAllister and Laguna
Southwest corner Hayes & Fillmore
All bus shelters on Haight and Fillmore need power washing and graffiti
Southwest corner Buchanan & Haight
Southeast corner Buena Vista East
Southwest corner Buena Vista West*

*Fire Hydrant
Northwest corner Haight & Scott*

*Emergency Boxes
Southeast corner Scott & Oak
Southeast corner Haight & Steiner*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:*

*Metal Poles
In front of 355 Fulton
Northeast corner Eddy & Webster
Southeast corner Fulton & Fell
Northeast corner Lyon & Scott
Southeast corner Stanyan & Hayes
Northeast corner Fell & Webster
In front of 478 Haight
Southeast Clayton & Hayes*

*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:*

*300 Buchanan
799 Haight
1421 Eddy
905 Haight
173 Fillmore*

1001 Haight
339 Fillmore
1020 Haight
500 Fillmore
1052 Haight
627 Fillmore
1192 Haight
733 Fillmore
1299 Haight
867 Fillmore
1301 Haight
522 Haight
1560 Haight
525 Haight
1569 Haight
609 Haight
1829 Haight
631 Haight
255 Scott
668 Stanyan

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:*

*Garbage Cans
Northeast corner Buchanan & Haight
Northwest corner Haight & Steiner
Southeast corner Buena Vista West*

*Mailboxes
Southeast corner Post & Steiner*

*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 & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight*

*San Francisco Chronicle
Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic*

Examiner

Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily
Northwest corner of Hayes & Gough

City Star
Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly
Southeast corner of Masonic & Haight and Southeast corner of Haight & Fillmore

From: Supervisor Avalos
To: Director, Recreation and Park Department
Requesting/Inquiring: Please provide a line item summary of the Recreation and Parks Department accounting and use of the \$13.9 million in Children's Baseline funding.

Additionally, please provide the following summary of children's programming:
For the last three fiscal years, what have been the trends regarding funding level and children/youth served for each of the major programs below:

Tiny tots?
Latchkey (both school year and summer)?
Day camps?
Other Afterschool programs?

For the last three fiscal years, what have been the trends for revenues generated from fees for these programs?

For the last three fiscal years, what have been the trends for scholarships provided for these programs?

From: Supervisor Avalos
To: Director, Department of Building Inspection
Requesting/Inquiring: Requesting a report from DBI on the baseline of services they provide to the Mission Commercial Corridor, including, but not limited to inspections and enforcement of blight, clutter, and abandoned and vacant storefronts and buildings. Please specify which services are permanent and which are considered temporary. This inquiry is in consideration of the pending approval of the Mission Commercial Corridor Community Benefits District to quantify the existing level of services so that the CBD can supplement the current level services and not replace them.

From: Supervisor Avalos
To: Director, MTA
Requesting/Inquiring: Requesting a report from MTA on the baseline of services they provide to the Mission Commercial Corridor, including, but not limited to cleaning and maintenance of bus shelters and surrounding areas and traffic enforcement. Please specify which services are permanent and which are considered temporary. This inquiry is in consideration of the pending approval of the Mission Commercial Corridor Community Benefits District to quantify the existing level of services so that the CBD can supplement the current level services and not replace them.

From: Supervisor Avalos
To: Director, Department of Public Works
Requesting/Inquiring: Requesting a report from DPW on the baseline of services they provide to the Mission Commercial Corridor, including, but limited to pressure washing of sidewalks, trees and landscape maintenance, graffiti abatement, trash pickup, and sidewalk sweeping. Please specify which services are permanent and which are considered temporary. This inquiry is in consideration of the pending approval of the Mission Commercial Corridor Community Benefits District to quantify the existing level of services so that

the CBD can supplement the current services and not replace them.

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft an ordinance - Standards for and Regulation of Vacant Buildings:

102A.3 Vacant/Abandoned Building Inspection & Registrations

If a residential building is entirely vacant for more than 90 days, or a commercial/mixed-use building is entirely vacant for more than 1 years, the owner of record or agent designated on the Assessor's Records must register the building as vacant property with the Department of Building Inspection.

1. *Annual Registration Fee.* A \$625.00 annual registration fee is required.
2. *Liability insurance.* The owner of record is required to maintain and provide proof of Liability Insurance coverage in the amount of \$300,000 minimum for residential structures and \$1,000,000 for commercial or mixed use structures.
3. *Sign Postage.* The property owner is required to post a sign no smaller than 8 ½ inches by 11 inches that is protected from the weather in a conspicuous location at the front of the building delineating current information containing the name, address, and phone number of the owner of record or authorized agent. If a notice of default or foreclosure has been recorded for the subject property the lender information must also be identified.
4. *Maintenance of Vacant Property, Exterior.* The property owner shall keep the premises clean by maintaining vegetation; removing weeds, debris, garbage, graffiti, maintain foundations, roofs, chimneys, flues, gutters, downspouts, scuppers, flashing, exterior stairs and decks.
5. *Maintenance of Vacant Property, Interior.* The property owner shall keep the building interior free from garbage, debris, rodent, pest or insect infestation, and plumbing or roof leaks.
6. *Vacant Building Security, Building doors, windows, and openings may be secured with plywood panels for the first year. After the first year the plywood panels must be replaced with steel security panels or secured doors and windows and a commercially services 24-hour burglar alarm system approved by the building official.*

Registration fee support:

\$625.00 = 2.5 hours of inspector time @ \$170.00 (\$425.00) plus 2 hours administrative (clerical time) @ \$104.00 (\$208.00) = \$625.00 in round numbers.

In Memoriams

Lepeti Tuitele Fazio - Entire Board

Michael Frederick Quirie - Supervisor Elsbernd

Connie Evia - Supervisor Chiu

Percy L. Corke - Supervisor Avalos

Richard Aoki - Supervisors Mar, Mirkarimi, Maxwell

ADJOURNMENT

There being no further business the Board adjourned at the hour of 8:18 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 April 14, 2009.



Angela Calvillo
Clerk of the Board