

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Tuesday, April 21, 2009 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

Budget and Finance Subcommittee

Supervisors Avalos, Mirkarimi, Chu

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors Dufty, Daly, Alioto-Pier

Government Audit and Oversight Committee

Supervisors Mirkarimi, Mar, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Campos, Mirkarimi, Alioto-Pier

Rules Committee

Supervisors Daly, Chu, Campos

Meeting Days

Wednesday
1:30 PM

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.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Mirkarimi was noted absent.

There was a quorum present.

Supervisor Mirkarimi Excused From Attendance

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to excuse Supervisor Mirkarimi from attending today's meeting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of March 24, 2009. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

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

Resolution authorizing the Office 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.

Resolution No. 151-09
ADOPTED

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.

**Ordinance No. 67-09
FINALLY PASSED**

**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.

**Ordinance No. 68-09
FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Subcommittee

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

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

Ordinance No. 69-09

FINALLY PASSED by the following vote:

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

Noes: 1 - Daly

Excused: 1 - Mirkarimi

Recommendations of the Land Use and Economic Development Committee

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

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

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Mirkarimi

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

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

PASSED ON FIRST READING by the following vote:

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

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

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

(Economic Impact)

PASSED ON FIRST READING by the following vote:

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

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

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

(Economic Impact)

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

090256 [Agreement to Purchase an Access and Communication Easement in Tuolumne County]
Resolution approving and authorizing an agreement for the purchase of a perpetual, nonexclusive easement for access and installation of communications equipment in Tuolumne County (the "Easement"), for a purchase price of \$9,600, to facilitate and implement the project to upgrade the Hetch Hetchy Communications System; adopting environmental findings and findings under San Francisco Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

Resolution No. 150-09

ADOPTED by the following vote:

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

090355 [Airport Commission's Declaration of Emergency contract pursuant to Section 6.60 of the San Francisco Administrative Code]
Resolution concurring with the Airport Commission's Declaration of Emergency in response to the boiler failures at the Airport and approving a contract between the Airport Commission and Ghiloti Brothers for the purchase of two new boilers. (Airport Commission)

(Fiscal Impact.)

Resolution No. 144-09

ADOPTED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee**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 February 2, 2009, through July 31, 2010.

(Fiscal Impact.)

Resolution No. 152-09

ADOPTED by the following vote:

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

**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.)

Resolution No. 147-09

ADOPTED by the following vote:

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

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

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

Resolution No. 153-09

ADOPTED by the following vote:

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

Recommendation of the Land Use and Economic Development Committee**081282 [Urging City Departments to develop a Home Improvement Plan for the Bayshore Corridor]
Supervisors Maxwell, Dufty, Chiu**

Resolution urging the Planning Department, Office of Economic and Workforce Development, and Redevelopment Agency to develop plans and programs to establish a Green and Sustainable Home Improvement District for the Bayshore Corridor area in Bayview Hunters Point.

Amended, on Page 1, Title, Lines 4-5, after "Redevelopment Agency" by adding "and the San Francisco Municipal Transportation Agency" and on Page 2, Lines 15-20, after "3) a business attraction plan" by adding "that promotes opportunities for local businesses" and on Page 2, Lines 20-22, by adding "8) a plan to generate jobs for the surrounding communities through the establishment of this district, and 9) an assessment of traffic congestion impacts."

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

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

Resolution urging the Planning Department, Office of Economic and Workforce Development, and Redevelopment Agency, and the San Francisco Municipal Transportation Agency to develop plans and programs to establish a Green and Sustainable Home Improvement District for the Bayshore Corridor area in Bayview Hunters Point.

Resolution No. 154-09

ADOPTED AS AMENDED by the following vote:

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

Recess

The Board recessed at the hour of 2:56 p.m.

Reconvening of the Board

The Board reconvened at the hour of 3:33 p.m.

On the call of the roll, the following Supervisors were noted present:

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

There was a quorum present.

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

Privilege of the Floor

Supervisor Mar, 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 Mar introduced, welcomed, and presented a Certificate of Honor to Nancy DeStefanis for her contributions and teachings at Stow Lake in Golden Gate Park.

COMMITTEE REPORTS

Supervisor Mirkarimi was noted present at 3:33 p.m.

090233 [Appointment, Historical Preservation Commission - Ruth Todd]

Motion rejecting the Mayor's nomination for appointment of Ruth Todd to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090232. Transmittal date – February 24, 2009.)

Motion No. M09-74

APPROVED by the following vote:

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

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

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
Francisco Da Costa; expressed concern with issues relating to mandatory business and toxic dirt
Jackie Wright; expressed concern with issues relating to racism
John Di Donna; expressed concern with issues relating to black clothing
Walter; shared in song certain issues with the Board
Richard O'Neal; expressed concern with issues relating to availability of work
David Elder; expressed concern with issues relating to heritage*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Resolution declaring May 9 - 16, 2009, AmeriCorps Week.

Resolution No. 155-09
ADOPTED

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

Resolution urging the City and County of San Francisco to support Senate Bill 759, Aerial Spraying of Pesticide: Inert Ingredients Act.

Resolution No. 156-09
ADOPTED

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

Resolution congratulating President-Elect Mauricio Funes of El Salvador and encouraging further collaboration and solidarity with San Francisco's Sister City, Santa Tecla.

Resolution No. 145-09
ADOPTED

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

Resolution acknowledging immigrant contributions, denouncing Immigration and Customs Enforcement (ICE) raids, and supporting comprehensive immigration reform focused on family unity, worker justice, civil rights and a path to legalization.

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

Resolution No. 149-09

ADOPTED

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

Resolution urging the San Francisco Municipal Transportation Agency to examine and consider taxi medallion fees.

Resolution No. 146-09

ADOPTED

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

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

Resolution No. 157-09

ADOPTED

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

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

Resolution No. 158-09

ADOPTED

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

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

Resolution No. 148-09

ADOPTED

090454 [Final Map: 64 - 72 Townsend Street]

Motion approving Final Map 4779, a 3 Lot Airspace Mixed-Use Subdivision and a 74 Residential Unit Condominium Project, located at 64 – 72 Townsend Street being a subdivision of Lot 003 in Assessors Block No. 3789 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,126; District 6.)

Motion No. M09-75

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Mirkarimi

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**090473 [Building and Housing Code - Code Enforcement Fees for One and Two-Family Rental Units]
Supervisors Campos, Chiu, Daly**

Ordinance amending the San Francisco Building Code Chapter 1A, Section 110A, Table 1A-P, and the San Francisco Housing Code Chapter 3, Section 302 to authorize the Department of Building Inspection to charge a fee of \$52.00 per unit to recover the cost of on-going Housing Code enforcement services for one and two-family rental dwellings; and making environmental findings.

4/21/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/21/2009.

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

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

4/21/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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

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

4/21/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**090477 [Amending Planning Code - South of Market (SOMA) Community Stabilization Fund]
Supervisor Daly**

Ordinance amending the San Francisco Planning Code to clarify certain provisions relating to the South of Market (SOMA) Stabilization Fund by amending Section 318.2 and 318.7 to clarify that the Mayor's Office of Community Investment, the successor to the Mayor's Office of Community Development, will manage and expend the Fund; and amending Section 318.3 to clarify that the SOMA Stabilization fee is due before issuance of the final certificate of occupancy or within a time certain after the issuance of a first certificate of occupancy, whichever is sooner; and making certain findings including findings under the California Environmental Quality Act.

4/21/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/21/2009.

**090136 [Measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]
Supervisors Chiu, Duffy**

Ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the November 3, 2009 general municipal election.

(2/9/09 - Economic Impact)

2/3/09, RECEIVED AND ASSIGNED to Budget and Finance Committee. 02/06/09 - Referred to the Small Business Commission, Retirement Board, and the Ethics Commission for review and comment.

2/11/09, TRANSFERRED to Board of Supervisors.

2/18/09, TRANSFERRED to Budget and Finance Committee.

4/21/09, SUBSTITUTED. Supervisor Chiu submitted a substitute ordinance bearing new title.

4/21/09, ASSIGNED to Budget and Finance Committee.

Resolutions**090478 [Accept and Expend Grant - Department of Public Health - \$402,342]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend a grant in the amount of \$402,342 from the Centers for Disease Control and Prevention (CDC) to support the Medical Monitoring Project (MMP); for the period of June 1, 2009 through May 31, 2010.

4/21/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**090479 [Accept and Expend Grant - Mayor - \$3,000,000]
Mayor, Supervisor Dufty**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$3,000,000.

4/21/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**090480 [Supporting Senate Bill 797, the Toxin-Free Babies and Toddlers Act]
Supervisors Alioto-Pier, Campos**

Resolution urging the City and County of San Francisco to support Senate Bill 797 (SB 797), the Toxin-Free Babies and Toddlers Act.

4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090481 [Accept and Expend Grant - Department of Public Health (DPH) - \$100,000]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$100,000 from the National Association of County and City Health Officials (NACCHO) to support a public health preparedness project through the Communicable Disease and Prevention Section; for the period of April 1, 2009 through September 29, 2009.

4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090482 [Opposing Proposition 1D on the May 19, 2009, Statewide Special Election]
Supervisors Avalos, Mar, Campos, Daly**

Resolution opposing Proposition 1D on the May 19, 2009, Statewide Special Election.

4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090483 [Supporting Senate Bill 585 to ban gun shows at the Cow Palace]
Supervisors Avalos, Dufty, Maxwell, Campos**

Resolution supporting Senate Bill 585 to ban gun shows at the Cow Palace.
4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090486 [Drug Enforcement Administration (DEA) raids on medical cannabis dispensaries]
Supervisors Campos, Mirkarimi, Mar, Avalos, Daly**

Resolution urging a cessation of recent Drug Enforcement Administration raids on medical cannabis dispensaries.
4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090487 [Accept and Expend Grant - Department of Public Health (DPH) - \$34,645]
Supervisors Dufty, Campos**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$34,645 from the Public Health Foundation Enterprises (PHFE), to support a research project entitled "Chemoprophylaxis for HIV Prevention in Men;" for the period of February 1, 2009, through January 31, 2010.
4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090488 [Commending Parents for Public Schools-San Francisco for ten years of service]
Supervisors Dufty, Mar, Chiu, Campos**

Resolution commending Parents for Public Schools-San Francisco on ten years of service to the parents, students and public schools of San Francisco.
4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090489 [Building Safety Week - May 3-9, 2009]
Supervisor Elsbernd**

Resolution declaring May 3-9, 2009, as Building Safety Week in San Francisco, recognizing the public safety efforts undertaken by the professionals at the Department of Building Inspection, and honoring these public employees for their dedication to safety.
4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**090490 [Commending Robert Pender on the occasion of his 85th birthday]
Supervisors Elsbernd, Mar**

Resolution commending Robert Pender on the occasion of his 85th birthday.
4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090491 [Accept and Expend Grant - Department of Public Health - Laguna Honda Hospital (DPH-LHH) - \$7,500]**
Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health (DPH) – Laguna Honda Hospital (DPH-LHH), to accept and expend retroactively a grant in the amount of \$7,500 from the Stanford Geriatric Education Center, to support the transitional healthcare project, for the period of July 1, 2008 through June 30, 2009.

4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 090492 [Declaring June, July and August 2009 as Soda Free Summer]**
Supervisors Maxwell, Mar

Resolution declaring June, July and August 2009 as “Soda Free Summer” and urging all San Franciscans to join Shape Up SF to “Rethink Your Drink “ and go Soda Free this summer.

4/21/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

- 090452 [Withdrawing Charter Amendment for November 2009 Election - Board of Supervisors aides]**
Supervisors Alioto-Pier, Elsbernd

Motion withdrawing, pursuant to Section 370(a) of the Municipal Elections Code, the Board of Supervisors order of submission to the voters a Charter Amendment entitled Board of Supervisors aides.

4/21/09, RECEIVED AND ASSIGNED to Rules Committee.

- 090476 [Rejecting the FY 2009-2010 Municipal Transportation Agency (MTA) Budget]**
Supervisors Chiu, Mirkarimi

Motion rejecting the Municipal Transportation Agency’s (MTA) proposed FY 2009-2010 budget.

(Fiscal Impact.)

4/21/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCE

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

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

4/9/09, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

090455 [Settlement of Claim - Marsanne Weese - \$26,974.20]

Resolution approving the settlement of the unlitigated claim submitted by Marsanne Weese against the City and County of San Francisco for \$26,974.20; claim was submitted on September 26, 2008. (City Attorney) 4/9/09, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that would create a pilot program to allow street fairs to charge admission for events on the streets surrounding the Civic Center Park area.

Please explore the possibilities of requiring organizers to meet the following requirements:

- Must be a non-profit*
- Must pay a higher permit fee and donate a portion of the proceeds to charity.*
- Must outreach to residents within one block and offer them free admission.*
- A portion of the area must be designated for free-of-charge access with related activities or entertainment.*
- Receive approval of the Entertainment Commission.*

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 442 Haight

In front of 445 Fillmore

Southeast corner Stanyan & Waller

Oak and Central (Panhandle side)

Southwest corner Page & Scott

Southwest corner Masonic & Fulton

Southwest corner McAllister & Webster

Wood Poles

In front of 419 Clayton

Bus Shelters

Southwest corner Fillmore and Hayes

Fillmore and Hermann (graffiti in canopy)

All four bus shelters on Haight and Fillmore (graffiti in canopy)

Southwest corner Laguna & McAllister

Southeast corner McAllister 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

Northwest corner McAllister and Fillmore

Southeast corner of Broderick & Fell

Southeast corner Fell & Buchanan

Northeast corner Baker & Fulton

Garbage Cans

Northeast corner Haight & Buchanan

Southwest corner Haight & Webster

Mailboxes
Southwest corner Grove & Gough

Fire Hydrant
Northeast corner Clayton & Waller

Potholes
On Fillmore (West side, North of Grove)

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:

355 Laguna
2275 Fulton
1213 Fell
1230 Fell
745 Fillmore
515 Fell
478 Haight
498 Haight
430 Haight
1153 Oak
1008 Oak
501 Fillmore
399 Webster

In Memoriams

William E. Price - Entire Board
Ann L. Brady Powell - Supervisor Dufty
Kyle Peter Llarinas - Supervisor Elsbernd
Richard Peterson, Sr. - Supervisors Elsbernd, Dufty, Alioto-Pier, Chu, Maxwell

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:45 p.m.

Angela Calvillo, Clerk of the Board

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

Approved by the Board of Supervisors on May 19, 2009.



Angela Calvillo
Clerk of the Board