

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, February 2, 2010 - 2:00 PM

Legislative Chamber, Room 250
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, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

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
10:00 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: John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisor Alioto-Pier was noted absent. There was a quorum.

Supervisor Alioto-Pier Excused from Voting

Supervisor Campos, seconded by Supervisor Mar, moved that Supervisor Alioto-Pier be excused from voting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of January 5, 2010. The motion carried by the following vote:

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

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

091447 [Ordinance Levying Special Taxes Within Special Tax District No. 2009-1 San Francisco Sustainable Financing]

Sponsors: Mayor; Mar and Dufty

Ordinance to authorize and levy special taxes within the City and County of San Francisco Special Tax District 2009-1 (San Francisco Sustainable Financing); authorize the Director of Public Finance to determine the special tax rate and amount to be levied each fiscal year; to establish the method for the collection of special taxes and other matters necessary or advisable in connection therewith.

Ordinance No. 16-10

FINALLY PASSED

091464 [Early Implementation of Two-Year Budget and Five-Year Financial Plan Requirements]

Sponsors: Mayor; Chiu and Mirkarimi

Ordinance designating the Port, the Airport, and the Public Utilities Commission for early implementation of the two-year budget requirement under Charter Section 9.100 and the five-year financial plan requirement under Charter Section 9.119.

Ordinance No. 21-10

FINALLY PASSED

100022 [Accept and Expend Grant - Reentry Council and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$50,000]

Sponsor: Maxwell

Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$50,000 from the San Francisco Foundation, to support the development of data collection tools and service standards for the new Reentry Council, and amending Ordinance No. 183-09 (Annual Salary Ordinance FY2009-2010), to reflect the addition of temporary salaries to fund one (1) temporary (.50 FTE) grant-funded 8173 Legal Assistant position in the Office of the Public Defender.

Ordinance No. 22-10

FINALLY PASSED

100074 [Accept and Expend Grant - PG&E Efficiency Contract - \$11,540,000]

Sponsor: Mayor

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$11,540,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to implement an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco.

Resolution No. 33-10

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

100011 [Accept and Expend Grant - HIV Prevention Programs - \$512,960]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$512,960 from the California Department of Public Health Office of AIDS to assist with a project entitled "HIV Prevention Programs;" for the period of July 1, 2009, through June 30, 2010.

Resolution No. 34-10

ADOPTED

100042 [Accept and Expend Grant - Supporting HIV Health Services - \$3,533,612]

Sponsor: Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$3,533,612 from the California Department of Public Health Office of AIDS, to assist with a project entitled "Single Allocation Model" for the period of July 1, 2009, through June 30, 2010.

Resolution No. 35-10

ADOPTED

Recommendations of the Land Use and Economic Development Committee

091162 [Purchaser's Authority to Permit Informal Solicitation of Certain Contracts for Purchase of Goods or Services and to Set Aside Contracts for Small Local Businesses]

Sponsors: Chu; Chiu, Maxwell, Mayor, Dufty, Mirkarimi and Campos

Ordinance amending Administrative Code section 21.5 to allow Purchaser to permit informal solicitation for contracts for commodities and services up to \$100,000 and for those contracts utilizing federal grant funds where authorized and to update Purchaser's authority to set aside contracts for local small businesses.

Ordinance No. 17-10

FINALLY PASSED

091163 [Economic Stimulus Measures for Capital Project Acceleration]**Sponsors: Chu; Chiu, Maxwell, Mayor, Dufty, Mirkarimi and Campos**

Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.1, to add a definition for a department head and designee and to increase the threshold amount for sealed competitively bid construction contracts from \$100,000 to \$400,000 with a future increase by the Controller in 2015; amending Section 6.20, to update and conform references to Administrative Code Chapter 14B; amending Section 6.21, to update and conform references to Administrative Code Chapter 14B; amending Section 6.22(A), to clarify and conform to state law the minimum contract amount requiring performance and payment bonds to \$25,000; amending Section 6.22(J), to allow for early release of retention to subcontractors certified by the Human Rights Commission as Local Business Enterprises or subcontractors on multi-year construction projects; amending Section 6.40, to increase the minimum competitive amount for the procurement of professional services for public work projects from \$25,000 to \$100,000 with a future increase in 2015 by the Controller; amending Section 6.60 to update and conform references to the Municipal Transportation Agency; amending Section 6.62, Job Order Contracts, to amend the Local Business Enterprise goal enforcement procedure and allow for micro-LBE set-asides, to increase the maximum contract amount from \$3,000,000 to \$5,000,000 and the maximum contract time to five years, to increase the maximum service order amount from \$200,000 or \$400,000 (depending on the program) to \$400,000 for all purposes, and adding new subcontractor listing and subcontractor substitution requirements.

Ordinance No. 19-10**FINALLY PASSED****091404 [Procedures to Attain Local Business Enterprise Subcontracting Goals for Design-Build and Integrated Project Delivery Contracts]****Sponsors: Chiu; Mayor, Dufty, Mirkarimi, Campos and Chu**

Ordinance amending Administrative Code Chapter 14B, Local Business Enterprise, and Non-Discrimination in Contracting Ordinance, to add a new Section 14B.19 establishing uniform procedures to attain project LBE goals for design-build and integrated project delivery contracts.

Ordinance No. 18-10**FINALLY PASSED****Recommendations of the Rules Committee****091233 [Administrative Code Amendments Related to False Claims]****Sponsor: Alioto-Pier**

Ordinance amending Administrative Code Sections 6.22, 6.42, and 21.35 to clarify that the false claims provisions of Chapters 6 and 12 are statutory rather than contractual and to eliminate the requirement that such provisions be incorporated into public works contracts or professional services contracts.

Ordinance No. 23-10**FINALLY PASSED**

091381 [Settlement of Lawsuit - Marco Maestrini - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Marco Maestrini against the City and County of San Francisco for \$40,000; the lawsuit was filed on June 6, 2007, in the United States District Court for the Northern District of California, Case No. C07-02941 PJH; entitled Marco Maestrini, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 24-10

FINALLY PASSED

091382 [Settlement of Lawsuit - Ben H. Lyon - \$47,500]

Ordinance authorizing settlement of the lawsuit filed by Ben H. Lyon against the City and County of San Francisco for \$47,500; the lawsuit was filed on May 9, 2007, in San Francisco Superior Court, Case No. 463-228; entitled Ben H. Lyon, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 25-10

FINALLY PASSED

091383 [Settlement of Lawsuit - Glynis Senegal and Joseph Senegal - \$158,000]

Ordinance authorizing settlement of the lawsuit filed by Glynis Senegal and Joseph Senegal against the City and County of San Francisco for \$158,000; the lawsuit was filed on May 5, 2006, in San Francisco Superior Court, Case No. 451-969; entitled Glynis Senegal and Joseph Senegal v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 26-10

FINALLY PASSED

091387 [Settlement of Lawsuit - San Franciscans for Livable Neighborhoods - \$141,692.50]

Ordinance authorizing settlement of the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for \$141,692.50 for attorneys' fees; the lawsuit was filed on November 30, 2004, in San Francisco Superior Court, Case No. 504-780; entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco, et al.; other material terms of said settlement are that payment is to be made in two equal installments, one in calendar year 2010, one in calendar year 2011.

Ordinance No. 27-10

FINALLY PASSED

091403 [Inclusion of Textiles in Sweatfree Contracting Ordinance]

Sponsors: Campos; Mar

Ordinance adding Section 12U.5.1 of the Administrative Code to provide that contracts for textiles are within the coverage of the Sweatfree Contracting Ordinance.

Ordinance No. 28-10

FINALLY PASSED

091446 [Modifying the Membership of the Food Security Task Force]**Sponsor: Maxwell**

Ordinance amending the San Francisco Health Code by amending Section 470.1, to modify the membership of the Food Security Task Force and to direct the Task Force to prepare an annual assessment of the state of hunger and food insecurity in San Francisco, and by amending Section 470.2, to extend the term of the Task Force.

Ordinance No. 29-10

FINALLY PASSED

100037 [Appointment, Small Business Commission - Kathleen Dooley]

Motion appointing Kathleen Dooley, term ending January 6, 2014, to the Small Business Commission. (Clerk of the Board)

Kathleen Dooley, succeeding herself, seat 2, term expired, must be an owner, operator, or officer of a San Francisco small business, for the unexpired portion of a four-year term ending January 6, 2014.

Motion No. M10-23

APPROVED

100038 [Appointments, San Francisco Health Authority - John Gressman, Tracey Faulkner and Steve Fields]

Motion appointing John Gressman, Tracey Faulkner and Steve Fields terms ending January 15, 2012, to the San Francisco Health Authority. (Clerk of the Board)

John Gressman, succeeding himself (residency requirement waived), seat 5, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2012.

Tracey Faulkner, succeeding herself, seat 11, must be a nominee of the Health Authority Beneficiary Advisory Committee, at least one of whom shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for the unexpired portion of a three-year term ending January 15, 2012.

Steve Fields, succeeding himself, (residency requirement waived), seat 12, must be a person knowledgeable in matters relating to either traditional safety net providers, health care organizations, the Medi-Cal program, or the activities of the health authority, nominated by the program committee of the health committee, for the unexpired portion of a three-year term ending January 5, 2012.

Motion No. M10-24

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Alioto-Pier

Severed from the Consent Agenda

Supervisor Campos requested that File No. 091405 be severed so that it may be considered separately.

091405 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance]**Sponsors: Chiu; Chu, Maxwell, Mayor, Dufty and Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 14B.2, 14B.3, 14B.7, 14B.8, 14B.13 and 14B.15 to (1) each fiscal year, require departments to set aside not less than 50% of public works/construction contracts worth \$400,000 or less and to establish a goal to set aside not less than 25% of other contracts worth \$100,000 or less for the Micro-Local Business Enterprise Set Aside Program, but the 25% goal shall become a requirement after 120 days, (2) permit departments to designate public works/construction Job Order Contracts, without limitation as to dollar value, as set aside for the Micro-Local Business Enterprise Set Aside Program in order to satisfy the department's 50% requirement, (3) require departments to report quarterly during the year 2010 and thereafter yearly to the Board of Supervisors on the contracts set aside for the Micro-Local Business Enterprise Set Aside Program, and to cooperate with HRC's requests for information to fulfill its reporting requirements, and (4) require Micro - LBEs that subcontract any portion of a set-aside contract to perform at least 25% of the contract work, (5) create a SBA-LBE category, in addition to the Small and Micro-LBE categories, that gives contractors with income set with reference to Small Business Administration limits a bid preference of 2% on contracts between \$400,000 and \$20 million, except that in the case of contracts \$10 million and under, the 2% discount shall not apply if a Small or Micro-LBE would otherwise be the winning bidder or proposer, and (6) provide that subcontracting participation goals may be satisfied only with Small and Micro-LBEs, except that if there are insufficient Small and Micro-LBEs available, the HRC Director may set goals based on the availability of all LBEs and permit contractors to satisfy those goals with SBA-LBEs, in addition to Small and Micro LBEs, or set separate goals for Small and Micro-LBEs and SBA LBEs, (7) contractors who achieve total LBE participation on a bid or proposal in excess of 35% of their established LBE subcontracting participation goals are to be exempt from satisfying good faith outreach requirements, and (8) total LBE participation on a bid or proposal is to be calculated using only Micro and Small-LBE contractors, joint venture partners and subcontractors and subconsultants, except that SBA-LBE subcontractors and subconsultants may be counted if the Director has established subcontracting goals for them on the contract.

Ordinance No. 20-10

Supervisor Campos moved to divide the question relating to SBA/LBE Category.

Supervisor Avalos, seconded by Supervisor Campos, moved to continue the divided question relating to SBA/LBE Category to February 23, 2010.

The motion to continue FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Dufty

Noes: 7 - Maxwell, Mirkarimi, Chiu, Chu, Daly, Elsbernd, Mar

Excused: 1 - Alioto-Pier

Supervisor Daly, seconded by Supervisor Campos, moved to continue the divided question relating to SBA/LBE Category to February 9, 2010.

The motion to continue FAILED by the following vote:

Ayes: 5 - Mirkarimi, Avalos, Campos, Daly, Dufty

Noes: 5 - Maxwell, Chiu, Chu, Elsbernd, Mar

Excused: 1 - Alioto-Pier

The question relating to SBA/LBE Category FINALLY PASSED as divided by the following vote:

Ayes: 7 - Maxwell, Mirkarimi, Chiu, Chu, Daly, Elsbernd, Mar

Noes: 3 - Avalos, Campos, Dufty

Excused: 1 - Alioto-Pier

FINALLY PASSED as divided by the following vote:

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

Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

090583 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]

Sponsors: Avalos; Campos, Mirkarimi and Mar

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending 37.9 to provide an owner the option of giving additional notice in lieu of making relocation payments for owner move-in eviction of a newly covered single-family home or individually owned condominium, provided the tenant was initially given specified notice of this status (new Section 37.9(a)(8)(ix)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

FINALLY PASSED OVER THE MAYOR'S VETO. The motion FAILED by the following vote:

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

Noes: 3 - Chu, Dufty, Elsbernd

Excused: 1 - Alioto-Pier

Recommendation of the Budget and Finance Committee

100065 [Appropriation Ordinance to Reflect Mayor's Budget Balancing Plan for FY2009-2010]

Sponsor: Mayor

Ordinance appropriating \$10,193,602 of sources and \$4,556,230 of uses and de-appropriating \$1,444,829 of sources and \$30,908,851 of uses in various departments consistent with the Mayor's Proposed Budget Balancing Plan for Fiscal Year 2009-2010, de-appropriating \$1,444,458 of General Fund Reserve, and de-appropriating \$35,680,341 of General Fund Unallocated revenues to balance the projected shortfall for FY2009-2010.
(Fiscal Impact.)

Ordinance No. 30-10

FINALLY PASSED by the following vote:

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

Excused: 1 - Alioto-Pier

Recommendations of the Government Audit and Oversight Committee

Supervisor Chu Excused from Voting

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that Supervisor Chu be excused from voting on File No. 091218. The motion carried by the following vote:

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

091218 [MOU, Amendment #2 - Local 798, Unit 1]

Sponsor: Mayor

Ordinance adopting and implementing Amendment #2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by extending the term of the parties' agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY's 2009-2010 and 2010-2011.

Ordinance No. 31-10

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly
Excused: 2 - Alioto-Pier, Chu

091219 [MOU, Amendment #2 - Local 798, Unit 2]

Sponsor: Mayor

Ordinance adopting and implementing Amendment #2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by extending the term of the parties' agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY's 2009-2010 and 2010-2011.

Ordinance No. 32-10

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly
Excused: 1 - Alioto-Pier

Recommendation of the Land Use and Economic Development Committee

090835 [Residential Rent Ordinance Prohibiting Owner Move-In Evictions of Households with a Child Under the Age of 18, Except by an Owner Moving In with a Child and Except Where the Owner Only Owns One Unit in the Building]

Sponsors: Mar; Chiu

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.9(j) to prohibit an owner move-in eviction during the school year where a child under the age of 18 resides in the unit with a tenant who has a custodial or family relationship with that child, and that tenant has resided in the unit for 12 months or more, except that this provision will not apply where there is only one unit owned by the landlord in the building or where the owner will move into the unit pursuant to a Section 37.9(a)(8) eviction has a custodial or family relationship with a child under the age of 18 who will reside in the unit with the owner; and renumbering current Section 37.9(j) as Section 37.9(k).

(Supervisor Maxwell dissented in Committee.)

Ordinance No. 33-10

FINALLY PASSED by the following vote:

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

Excused: 1 - Alioto-Pier

Recommendation of the Rules Committee

091402 [Medical Cannabis Task Force]

Sponsors: Campos; Mirkarimi, Avalos and Daly

Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1 through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of Supervisors on medical cannabis issues.

Ordinance No. 34-10

FINALLY PASSED by the following vote:

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

Noes: 2 - Chu, Elsbernd

Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

091457 [Earthquake Safety and Emergency Response General Obligation Bonds - \$412,300,000]

Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi, Mar and Maxwell

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$652,070,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.
(Fiscal Impact.)

Supervisor Chiu, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED on Page 8, Line 4, by deleting 2009 and adding January 7, 2010. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$652,070,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

Supervisor Chiu, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED AS AMENDED to February 9, 2010. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

091458 [Earthquake Safety and Emergency Response General Obligation Bond Election - \$412,300,000]**Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi, Mar and Maxwell**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$652,070,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

Supervisor Chiu, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED on Page 12, Line 17, by deleting 2009 and adding January 7, 2010. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$652,070,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

Supervisor Chiu, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to February 9, 2010. The motion carried by the following vote:

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

100049 [Accept and Expend Grant - Protocol for ENERGYSTAR and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$80,000]

Sponsor: Dufty

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$80,000 from the US Environmental Protection Agency-Region 9 to research and develop a new protocol for ENERGYSTAR in Multifamily High-rise residential and mixed-use buildings and amending Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

PASSED, ON FIRST READING by the following vote:

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

From the Budget and Finance Committee Without Recommendation**091454 [MOU - San Francisco Deputy Sheriffs' Association - Unit 12A]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association for Unit 12A, to be effective July 1, 2009, through June 30, 2012.
(Fiscal Impact.)

Privilege of the floor was granted to Martin Gran (Department of Human Resources) who provided an overview and responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

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

091455 [MOU - San Francisco Deputy Sheriffs' Association - Unit 12B]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association for Unit 12B, to be effective July 1, 2009, through June 30, 2012.

PASSED ON FIRST READING by the following vote:

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

Recommendation of the City Operations and Neighborhood Services Committee**091441 [Recreation and Park Department - Animal Protections; Increasing Penalties for Park Code Violations]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code by amending Section 4.01 to prohibit entrance into animal habitats or enclosures at the San Francisco Zoo and the bison paddock; amending Section 5.07 to prohibit feeding non-domesticated animals in parks; amending Section 5.08 to prohibit taunting or endangering animals at the Zoo or in the bison paddock; and amending Section 10.01 to increase the penalties for violation of the Park Code up to \$500 maximum for an infraction and up to \$1000 for a misdemeanor.

Supervisor Elsbernd, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED on Page 3, Lines 14-15, regarding feeding of certain animals or birds. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendation of the Land Use and Economic Development Committee

091231 [Authorizing the Municipal Transportation Agency to Implement On-Street Parking Meter and Parking Control Pilot Projects]

Ordinance authorizing the Municipal Transportation Agency to implement and extend SFpark parking meter and parking control pilot projects. (Municipal Transportation Agency)

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

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

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

President Chiu introduced, welcomed, and presented a Certificate of Honor to Keisha Nzewi (American Heart Association) and Sara Dorband, a heart disease survivor, in recognition of American Heart Month and for their continued community support.

COMMITTEE REPORTS

Recommendation of the Rules Committee

091429 [Establishing a Film Commission, its Membership, Qualifications, and Powers] **Sponsors: Alioto-Pier; Daly, Campos and Mar**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 5.107 to establish a Film Commission, establish its membership and qualifications, establish duties, and provide for the issuance of film permits.

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED to February 9, 2010. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

Recommendation of the Land Use and Economic Development

100047 [Planning Code - Interim Controls Related to Affordable Housing Requirements]

Sponsors: Mayor; Chiu

Resolution approving interim controls providing that the alternatives provided to project applicants of residential development under Planning Code Section 315 et seq. shall, except for certain eligible projects, be suspended and replaced by an interim affordable housing fee that is equivalent to the current in lieu fee and amending the housing requirements for residential projects in the Rincon Hill Area Plan for 18 months or until a permanent ordinance amending Planning Code Section 315 et seq. is adopted; and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Resolution No. 36-10

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Richard Robinson; expressed various concerns.

Paulette Brown; expressed concerns relating to human services and violence in the community.

Male Speaker; expressed various religious concerns.

Peter Warfield; expressed concerns relating to the SF Public Library.

Walter Paulson; shared in song certain concerns with the Board.

Abe Johnston; expressed various concerns.

Darryl Shultz; expressed concerns relating to local emergency and use of appropriate materials.

Christopher Dahl; expressed concerns relating to contractors.

Female Speaker; expressed concerns relating to local emergency and use of appropriate materials.

Male Speaker; expressed concerns relating to local emergency and use of appropriate materials.

Ernie Martin; expressed concerns relating to local emergency and use of appropriate materials.

Male Speaker; expressed concerns relating to local emergency and use of appropriate materials.

Chuck Perry; expressed concerns relating to local emergency and use of appropriate materials.

Dean LaTourrette; expressed concerns relating to local emergency and use of appropriate materials.

Laura Capelli; expressed concerns relating to local emergency and use of appropriate materials.

Ace Washington; spoke regarding Black History Month.

Dennis Rogers; expressed concerns relating to local emergency and use of appropriate materials.

Christine Adena; expressed concerns relating to local emergency and use of appropriate materials.

Mr. Dufty; expressed various concerns.

Edmond Juicy; spoke regarding Black History Month.

Emil Lawrence; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**100106 [Supporting the Department of Public Works Accreditation Efforts]****Sponsor: Dufty**

Resolution supporting the Department of Public Works' application to the American Public Works Association for accreditation.

Resolution No. 37-10**ADOPTED****100107 [Declaring February 5, 2010, as Joe Illick Day in San Francisco]****Sponsor: Dufty**

Resolution declaring February 5, 2010, as Joe Illick Day in San Francisco.

Resolution No. 38-10**ADOPTED****100108 [Commending the Obama Administration for the Granting of Temporary Protected Status to Haitians Living in the United States]****Sponsors: Campos; Avalos, Chiu and Mar**

Resolution commending the Obama Administration for granting temporary protected status to Haitians in the United States, and directing the Clerk of the Board to send a letter of support to President Obama, Secretary Napolitano, Speaker Pelosi, Senator Feinstein, and Senator Boxer.

Resolution No. 39-10*Supervisor Mar requested to be added as a co-sponsor.***ADOPTED****100110 [Declaring February 1 - 7, 2010, as Larry Brinkin Week in the City and County of San Francisco]****Sponsors: Dufty; Mar**

Resolution declaring February 1 - 7, 2010, as Larry Brinkin Week in the City and County of San Francisco.

Resolution No. 40-10*Supervisor Mar requested to be added as a co-sponsor.***ADOPTED****100111 [Urging Congress and President Obama to Increase California's Federal Medical Assistance Percentage by Renewing Federal Stimulus Funds]****Sponsor: Avalos**

Resolution urging Congress and President Obama to increase California's Federal Medical Assistance Percentage by renewing federal stimulus funds.

Resolution No. 41-10**ADOPTED**

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Alioto-Pier

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 100109 be severed so that it may be considered separately.

100109 [In Solidarity With the Workers of the Mexican Electricians Union]

Sponsors: Avalos; Mar

Resolution urging President Felipe Calderon and the Mexican Federal Government to immediately re-instate the workers of the Mexican Electricians Union and remove all military and police personnel from the occupied Mexican power plants.

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

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

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

Excused: 1 - Alioto-Pier

Resolution urging Congress and President Obama to urge President Felipe Calderon and the Mexican Federal Government to immediately re-instate the workers of the Mexican Electricians Union and remove all military and police personnel from the occupied Mexican power plants.

Resolution No. 42-10

ADOPTED AS AMENDED by the following vote:

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

Excused: 1 - Alioto-Pier

IMPERATIVE AGENDA

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

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

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

Excused: 1 - Alioto-Pier

[Brown Act Finding]

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

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

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

Excused: 1 - Alioto-Pier

100122 [Concurring in January 19, 2010, Proclamation of Local Emergency]**Sponsor: Elsbernd**

Motion concurring in the Mayor's January 19, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

Motion No. M10-25

Privilege of the floor was granted to Ed Reiskin, Director of the Department of Public Works, who provided an update of the current situation and responded to questions raised throughout the discussion.

APPROVED by the following vote:

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

Excused: 1 - Alioto-Pier

100123 [Concurring in January 22, 2010, Proclamation of Local Emergency]**Sponsors: Mayor; Elsbernd**

Motion concurring in the Mayor's January 22, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

Motion No. M10-26**APPROVED by the following vote:**

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

Excused: 1 - Alioto-Pier

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

100134 [Health Service System Plans and Contribution Rates]**Sponsor: Elsbernd**

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

(Fiscal Impact.)

02/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100136 [Floodplain Management Program]**Sponsor: Elsbernd**

Ordinance amending the floodplain management program established by Chapter 2A, Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; providing requirements for designating floodplains and for construction and development in floodplains.

02/02/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/2/2010.

100142 [Appropriating \$2,816,535 of State and Federal Revenues for Various Purposes in the Human Services Agency for FY2009-2010]**Sponsor: Mayor**

Ordinance appropriating \$2,816,535 of various revenues, including \$672,043 of additional In-Home Support Services administrative and fraud prevention allocation from the State, \$1,315,790 of additional Federal and State Older Youth Adoption Services allocation, and \$828,704 of additional State Food Stamps administrative allocation, for In-Home Support Services administration, In-Home Support Services fraud prevention, the Food Stamps eligibility program, and activities to promote older youth adoptions in the Human Services Agency for FY2009-2010.
(Fiscal Impact.)

02/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100143 [Public Employment - Human Services Agency]**Sponsor: Mayor**

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY2009-2010) to reflect the addition of 43 new positions (18.06 FTEs) at the Human Services Agency.

02/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions**100133 [Loan to the Community Center Project of San Francisco, Inc., at 1800 Market Street - \$157,500]****Sponsors: Duffy; Campos**

Resolution authorizing the City to make a \$157,500 loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, located at 1800 Market Street, and authorizing actions in furtherance of the Resolution.
(Fiscal Impact.)

02/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100135 [Establishing Monthly Contribution Amount to Health Service Trust Fund]**Sponsor: Elsbernd**

Resolution establishing monthly contribution amount to Health Service Trust Fund.

02/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100137 [Accept and Expend Grant - Recreation and Park Department Urban Forestry Project - \$200,000]**Sponsor: 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 Project.

02/02/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100138 [Accept and Expend Grant - Recreation and Park Department Urban Forestry Project - \$65,000]**Sponsor: Mar**

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

02/02/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100140 [Department of Public Works to Limit the Scope of Revetment Work at Ocean Beach and Urging the Re-Establishment of a Long-Term Planning Process for Ocean Beach Erosion]**Sponsor: Mirkarimi**

Resolution directing the Department of Public Works to limit the scope of revetment work at Ocean Beach south of Sloat Boulevard and analyze the feasibility of repurposing existing concrete and rock revetment, and urging the re-establishment of a long-term planning process for addressing erosion Ocean Beach that includes removing any new rock revetment when it is safe to do so.

02/02/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100141 [Declaring the City's Intention to Appropriate Available Rainy Day Reserve Funds to the San Francisco Unified School District]**Sponsors: Mayor; Dufty, Chiu and 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 2010-2011 school year.

(Fiscal Impact.)

02/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing**100124 [Municipal Transportation Agency's Budget for FY2010-2011 and FY2011-2012]****Sponsor: Avalos**

Hearing to consider the Municipal Transportation Agency's proposed two-year budget for FY2010-2011 and FY2011-2012.

02/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100130 [San Francisco Unified School District's Bayview Empowerment Project]**Sponsor: Dufty**

Hearing on the San Francisco Unified School District's Bayview Empowerment Project to promote schools, City, and community collaboration to support success of students and schools in the Bayview Community.

02/02/10; RECEIVED AND ASSIGNED to City and School District Select Committee.

100129 [Truancy Initiatives by the San Francisco Unified School District and the City and County of San Francisco]**Sponsor: Dufty**

Hearing to consider progress and future direction of Truancy initiatives by the San Francisco Unified School District and the City and County of San Francisco, including the new Truancy Assessment and Referral Center, Bayview CARES Center, and other efforts by the Mayor, District Attorney, and other departments.

02/02/10; RECEIVED AND ASSIGNED to City and School District Select Committee.

100128 [Students Served by Multiple Systems Within San Francisco Unified School District]**Sponsor: Dufty**

Hearing to consider how we are addressing the needs of students who are being served by multiple systems within San Francisco Unified School District and the City and County of San Francisco, among others.

02/02/10; RECEIVED AND ASSIGNED to City and School District Select Committee.

100127 [Mobile Food Vendors Regulations]**Sponsor: Dufty**

Hearing on the existing and desired procedures and regulations related to the operation of mobile food vehicles and pushcarts.

02/02/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100126 [City Services Performance Reports]**Sponsor: Chu**

Hearing to consider reports on the performance of City Services, including the bi-monthly Government Barometer Report to understand key activity and performance measures in major service areas, such as public safety, health and human services, streets and public works, public transit, recreation, environment, and customer service.

02/02/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100125 [Controller's FY2009-2010 Six-Month Report]**Sponsor: Avalos**

Hearing to consider the Controller's Six-month report for FY2009-2010.

02/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100146 [Committee of the Whole - Earthquake Safety and Emergency Response General Obligation Bonds - \$652,070,000]

Hearing of persons interested in or objecting to proposed Resolution and proposed Ordinance relating to the Earthquake Safety and Emergency Response General Obligation Bonds - \$652,070,000. (Clerk of the Board)

02/02/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Motions**100119 [Committee of the Whole - Redevelopment Agency Disposition and Development Agreement]****Sponsor: Mirkarimi**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on February 23, 2010, for the purpose of considering a resolution approving a disposition and development agreement for a vacant parcel at 1345 Turk Street.

02/02/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100122 [Concurring in January 19, 2010, Proclamation of Local Emergency]**Sponsor: Elsbernd**

Motion concurring in the Mayor's January 19, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

02/02/10; APPROVED.

100123 [Concurring in January 22, 2010, Proclamation of Local Emergency]**Sponsors: Mayor; Elsbernd**

Motion concurring in the Mayor's January 22, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

02/02/10; APPROVED.

100131 [Update on Labor Negotiations Concerning City Workers from the Mayor's Office and the Department of Human Resources]**Sponsor: Chiu**

Motion that the Board of Supervisors convene in closed session on February 9, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

02/02/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100132 [Closed Session - Update on Labor Negotiations Concerning City Workers from the Mayor's Office and the Department of Human Resources]**Sponsor: Chiu**

Motion that the Board of Supervisors convene in closed session on February 9, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e).

02/02/10; ASSIGNED to Board of Supervisors.

100139 [Budget and Legislative Analyst Audit of the Alemany Farmers' Market]

Sponsor: Maxwell

Motion directing the Budget and Legislative Analyst to conduct an audit of the Alemany Farmers' Market and the Real Estate Department in its capacity as operator of the market.

02/02/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100145 [Adopting Findings Related to the Conditional Use Appeal on Property Located at 1969 California Street]

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street. (Clerk of the Board)

02/02/10; REFERRED to Board of Supervisors.

Introduced by the President at the Request of Department

PROPOSED RESOLUTION

100085 [Settlement of Unlitigated Claim - Patricia Geary - \$80,000]

Resolution approving the settlement of the unlitigated claim filed by Patricia Geary against the City and County of San Francisco for \$80,000; claim was filed on September 16, 2009. (City Attorney)

01/21/10; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Campos

To: Director, Recreation and Park Department (RPD)

Requesting/Inquiring: Garfield is one of the most used pools. Garfield pool is essential to district health especially among certain demographic groups. It is crucial for the children of the Mission (and students who come with the school program) to have Garfield to learn to swim, fight diabetes and childhood obesity, etc.

A significant number of my constituents have expressed frustration with respect to RPD's approach to work on Garfield pool, as well as disparities between access to pools depending on district. In light of this, please respond to the following queries:

- Usually, the pools are closed for 2-5 weeks a year for maintenance. We have been told that there was no significant maintenance for Garfield this year. Is this the case?

- This year, we were assured by Aquatics and RPD that there was money budgeted for repairs and it would reopen Feb. 1 at the latest. What became of the aforementioned money? A line item accounting of where said money was and has gone would be appreciated.

- Last week, we heard that there were more serious repairs – the shell of the pool needs to be relined or repainted. The pool was closed in Oct. and we have been told that no significant work has been done since then. Why?

- There's the issue of overhead lights not working. We've been told that RPD has known about this issue for at least a year. Have lights been ordered? Were estimates made for the inside roof work? How does RPD plan to deal with these issues and in what timeframe?

- RPD manages nine pools; is the cost of resurfacing not already a known quantity? Constituents have conveyed that it is common knowledge amongst users and staff that Garfield pool needed to be resurfaced. Is that the case? If so, does the resurfacing constitute a newly realized expense? Was no work performed at Garfield for more than 2 months? Has RPD been planning to close the pool for some time?

- If running the pools is a money loser, why not cut back equally at all the pools, rather than eliminate all swimming for an entire neighborhood? Perhaps there is a need for a citywide pool hours equity plan; RPD's thoughts on this matter are welcomed. All of the pools are important city resources, Garfield is no different.

Your prompt response on this important matter is very much appreciated.

Thank You.

From: Supervisors Maxwell and Dufty

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to:

- 1. Modify Administrative Code Chapter 6.68 to allow, for the Bayview Library Project, "Cost-and-Quality" based selection in an Integrated Project Delivery approach, similar to that which already exists for "Design-Build" elsewhere in the code.*
- 2. Authorize the contracting authority to limit the solicitation to firms legally based in the zip code in which the project is located.*

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

Northeast corner Fell & Stanyan

Southwest corner Sutter & Fillmore

Southeast corner Baker & Fell

Southeast corner Bush & Fillmore

Southwest corner Post & Fillmore

Garbage Cans

*Northwest corner Parnassus & Stanyan
Northwest corner Haight & Fillmore*

Bus Shelters

*Southeast corner Sutter & Scott
Southeast corner McAllister & Fillmore
In front of 500 Fillmore
Haight & Fillmore, all four bus shelters graffiti & grime*

Mailboxes

*Southwest corner Masonic & Haight
Northeast corner Laguna & McAllister
Northeast corner Fell & Buchanan*

Emergency Boxes

Northeast corner Pierce & Turk

Wood Poles

3 poles on Linden Alley, between Octavia & Gough

Metal Poles

*Southeast corner California & Divisadero
Southeast corner Laguna & Fulton
Northwest corner Fillmore & Haight, near the bus shelter on the Fillmore side*

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 private property locations:

*2402 California
1615 Broderick
299 Webster
350 Laguna
501 Divisadero, on the Fell Street side
1646 Haight
619 Webster
745 Buchanan, on the sides of the building, Grove and the alley
322 Fillmore
501 Fillmore
350 Laguna*

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 & Fillmore
Southeast corner of Fillmore & 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 Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following location: On Fillmore, between McAllister & Eddy.

In Memoriams

J.D. Salinger – Supervisor Mirkarimi
Howard Zinn – Supervisor Mirkarimi
Rick Fragulia – Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:17 p.m.

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

Approved by the Board of Supervisors on March 9, 2010.

Angela Calvillo, Clerk of the Board