

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, February 23, 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.

Volume 105 Number 6

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 2:13 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 Dufty, seconded by Supervisor Mirkarimi, 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

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

President, David Chiu, indicated the Mayor would not make an appearance before the Board of Supervisors.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

100101 [Appropriating \$305,000,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for FY2009-2010]

Sponsor: Mayor

Ordinance appropriating \$305,000,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election authorizing the second issuance of general obligation bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for FY2009-2010.

(Fiscal Impact.)

Ordinance No. 41-10

FINALLY PASSED

100066 [Accept and Expend Grant - Transportation Development Act, Article 3 - \$1,089,413]

Sponsors: Mayor; Chiu and Dufty

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend a grant in the amount of \$1,089,413 from the Metropolitan Transportation Commission for various bicycle projects in the City and County of San Francisco in FY2009-2010.

Resolution No. 48-10

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

100096 [Accept and Expend Grant - Light Brown Apple Moth Program - \$42,448.60]

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Food and Agriculture in the amount of \$42,448.60 to fund the Little Brown Apple Moth Program for the period of July 1, 2009, through June 30, 2010.

Resolution No. 49-10

ADOPTED

100097 [Accept and Expend Grant - Ghana's Most-At-Risk Populations Size Estimation - \$28,465]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$28,465 from the University of California San Francisco (UCSF), to assist with a project entitled "Ghana's Most-At-Risk Populations Size Estimation" for the period of January 1, 2010, through March 31, 2010.

Resolution No. 50-10

ADOPTED

Recommendation of the Land Use and Economic Development Committee

091472 [Agreement to Purchase a Road Easement Over Portions of APN 011-001-028 Located in Stanislaus County]

Resolution approving and authorizing an agreement for the purchase of a 0.48 acre permanent road easement over portions of Assessor's Parcel No. 011-001-028 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Resolution No. 51-10

ADOPTED

Recommendation of the Rules Committee

100115 [Appointments, Citizen's Committee on Community Development - Charlie Sciammas, Rene Cazenave, Joshua Arce and Gaylen Mohre]

Motion appointing Charlie Sciammas, Rene Cazenave, Joshua Arce and Gaylen Mohre, terms to be determined, to the Citizen's Committee on Community Development. (Clerk of the Board)

Charlie Sciammas, seat 1, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a one-year term to be determined.

Rene Cazenave, seat 2, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a one-year term to be determined.

Joshua Arce, seat 3, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a two-year term to be determined.

Gaylen Mohre, seat 4, new appointment, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City No person who is either employed by or serves on the governing board of any entity that has a CDBG or ESG grant application pending with the City shall be eligible to serve as a member, for a two-year term to be determined.

Motion No. M10-30

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

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

091015 [Reimbursement to City for Dignitary Security Provided During Campaign-Related Travel by Elected Officials]

Sponsors: Mirkarimi; Campos, Avalos and Daly

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding sections 3.600, 3.605, 3.610 and 3.615, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings and to require the Police Department to report to the Board of Supervisors regarding the cost of security.

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

From the Board

100039 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units that are Subjected to Foreclosure]

Sponsors: Avalos; Campos, Mirkarimi and Mar

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2 and adding new Section 37.9D 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), when those units are subjected to foreclosure; 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.

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to March 2, 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 Budget and Finance Committee

091460 [Authorizing the Execution of an Option to Purchase Interests in the Properties Located at 1600 and 1670 Owens Street, San Francisco and Acquire Related Design and Construction Plans]

Sponsor: Mayor

Ordinance approving the City's execution of option agreement for purchase of (i) real property located at 1600 Owens Street, San Francisco, California for purpose of construction of new laboratory building for use by the City's Office of the Chief Medical Examiner and the Forensic Science Division, (ii) tenancy-in-common interest in the land and existing parking structure located at 1670 Owens Street San Francisco, California, (iii) rights to use existing permitted base building design and construction documents in connection with City's proposed construction of new laboratory building at 1600 Owens Street, and (iv) acquisition of rights and assumption of obligations under certain existing design and development contracts related to such proposed laboratory building construction; exempting acquisition by City of existing permitted base building design and construction documents and related design or construction contracts from Chapter 6 of City's Administrative Code; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

(Supervisor Mirkarimi dissented in Committee.)

Supervisor Campos, seconded by Supervisor Elsbernd, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. 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 Committee

091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach, and Chinatown]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require a conditional use to install a garage in an existing residential structure in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in an existing residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require a conditional use to install a garage in an existing residential structure; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Fiscal Impact.)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to March 9, 2010. The motion carried by the following vote:

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

Noes: 1 - Daly

Excused: 1 - Alioto-Pier

Board of Supervisors Sitting as a Committee of the Whole

100173 [Committee of the Whole - Earthquake Safety and Emergency Response General Obligation Bonds - \$412,300,000]

Hearing of persons interested in or objecting to proposed Resolution and proposed Ordinance relating to the Earthquake Safety and Emergency Response General Obligation Bonds - \$412,300,000.

The President inquired as to whether any member of the public wished to address the Board relating Earthquake Safety and Emergency Response General Obligation Bonds referenced in File Nos. 091457 and 091458. There were no speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report Without Recommendation

Recommendations of the Budget and Finance Committee

Privilege of the floor was granted to Starr Terrell, the Mayor's Liaison to the Board of Supervisors, Edwin Lee, City Administrator, Joanne Hayes-White, Fire Chief, Charles Higuera, Project Manager, Ben Rosenfield, Controller, and Brian Strong, Capital Planning Program Coordinator, who provided an overview of File Nos. 091457 and 091458 and responded to questions raised throughout the discussion.

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, and a Public Safety Building, 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 \$412,300,000 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.)

Resolution No. 47-10

ADOPTED by the following vote:

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

Noes: 1 - Daly

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: \$412,300,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building, and 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 proposed 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.

Ordinance No. 40-10**FINALLY PASSED by the following vote:**

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

Noes: 1 - Daly

Excused: 1 - Alioto-Pier

Board of Supervisors Sitting as a Committee of the Whole**100171 [Committee of the Whole - Mandated Reduction of Expenditures to Programs for City Services, Designated by the Board of Supervisors]**

Hearing of persons interested in or objecting to proposed Charter Amendment relating to the mandated reduction of expenditures to programs for City services, designated by the Board of Supervisors (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating Mandated Reductions of Expenditures to Programs for City Services referenced in File No. 091430. There were no speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report Without Recommendation

Recommendation of the Rules Committee

091430 [Mandated Reduction of Expenditures to Programs for City Services, Designated by the Board of Supervisors]

Sponsor: Avalos

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Sections 9.103 and 9.104 to: (1) allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, in an amount not to exceed the total value of expenditure reductions made by the Board at the same time; (2) require the relevant City departments to report to the Board on their plans for expenditure of the money appropriated; and, (3) allow the Mayor to reject or reduce an appropriation identified as mandatory and reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

Board of Supervisors Sitting as a Committee of the Whole

100172 [Committee of the Whole - Reducing Employer Retirement Benefit Costs and Payment for Employee Retirement Contributions]

Hearing of persons interested in or objecting to proposed Charter Amendments relating to reducing employer retirement benefit costs and payment for employee retirement contributions. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating Reducing Employer Retirement Benefit Costs and Payment for Employee Retirement Contributions referenced in File Nos. 091433, 100156, and 100157. Bob Muskat (Labor Council) spoke expressing concerns relating savings to City. Paul Solesco (Labor Council) spoke relating to work within committee. Robert Halland (SEIU) spoke expressing various concerns. Jean Thomas spoke expressing concerns relating to one time raise option. Sally (SEIU) spoke expressing concerns relating to current give-backs. Brenda Barros spoke in support of two-year option. Richard Robinson spoke expressing various concerns. Louise Von spoke expressing various concerns. Female Speaker spoke expressing concerns relating to current give-backs and reductions. Male Speaker spoke expressing concerns relating to janitor wages. Walter Paulson shared in song certain concerns relating to retirement benefits. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report Without Recommendation

Recommendations of the Rules Committee**091433 [Reducing Employer Retirement Benefit Costs]****Sponsors: Elsbernd; Mayor**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System (SFERS) set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees' Retirement System (CalPERS); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a three-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a three-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula.

Supervisor Elsbernd, seconded by Supervisor Mar, moved that this Charter Amendment be CONTINUED to March 2, 2010. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

100156 [Reducing Employer Retirement Benefit Costs]**Sponsors: Mar; Campos**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, A8.510, A8.590-4 and A8.590-5, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) restrict the City and County from agreeing to pay required employee contributions to the San Francisco Employees' Retirement System (SFERS) or the California Public Employees' Retirement System (CalPERS) after June 8, 2010, for firefighters, police officers and deputy sheriffs; (2) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (3) require the difference between the City and County's contribution to the SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (4) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (5) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the CalPERS; (6) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a two-year formula for the calculation of final compensation to the fullest extent possible; (7) require all contracts and contract amendments on and after July 1, 2010 for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (8) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a two-year formula; and (9) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a two-year formula.

Supervisor Mar, seconded by Supervisor Elsbernd, moved that this Charter Amendment 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

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, City and County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System (SFERS) set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees' Retirement System (CalPERS); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a two-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a two-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a two-year formula.

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED AS AMENDED AS A COMMITTEE OF THE WHOLE to March 2, 2010. The motion carried by the following vote:

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

100157 [Payment for Employee Retirement Contributions]

Sponsors: Mar; Campos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section(s) A8.409-5, to: (1) restrict the City and County from agreeing to pay required employee contributions to the San Francisco Employees' Retirement System (SFERS) or the California Public Employees' Retirement System (CalPERS) after June 8, 2010, for certain employees; (2) authorize the City and County to offer a one-time seven percent (7%) wage increase to certain employees as acknowledgement that the City and County will no longer pay the required seven and one-half percent (7.5%) employee contribution to SFERS or the required employee contribution to CalPERS afforded in their most recent collectively bargained agreement, provided that no such increase shall become effective before July 1, 2011; and (3) require voter approval before the City and County can pay, for up to a two-year period, required employee contributions to SFERS or CalPERS after June 8, 2010.

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

100052 [Appropriating \$410,000 of Anticipated PGA Tour Revenue for the Harding Park Golf Course in the Department of Recreation and Parks for FY2009-2010]

Sponsor: Elsbernd

Ordinance appropriating \$410,000 of anticipated PGA Tour revenue to fund preparation of the Harding Park Golf Course for the 2010 Schwab Cup Tournament in the Department of Recreation and Parks for FY2009-2010.

(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

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

Sponsors: Mayor; Dufty

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 \$828,702 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, and placing \$284,783 of salaries and fringe benefits in the In-Home Support Services Investigations program on Budget and Finance Committee reserve.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

100143 [Public Employment - Human Services Agency]

Sponsor: Mayor

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY2009-2010) to reflect the addition of 42 new positions (17.64 FTEs) at the Human Services 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

100161 [Adopting Implementation Plan for CleanPowerSF]**Sponsors: Mirkarimi; Campos, Mar, Dufty, Chiu and Daly**

Ordinance adopting a revised Implementation Plan for the City's Community Choice Aggregation Program, CleanPowerSF, and authorizing the filing of the Implementation Plan with the California Public Utilities Commission.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

091287 [Tenderloin Housing Clinic Contract Approval - \$82,286,121]

Resolution approving, retroactively, the contract between the City and County of San Francisco and the Tenderloin Housing Clinic to provide master-leased housing for formerly homeless single adults to the Human Services Agency for the period of January 1, 2010, to June 30, 2015, in the amount of \$82,286,121. (Human Services Department)

Resolution No. 52-10**ADOPTED by the following vote:**

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

Excused: 1 - Alioto-Pier

100081 [Lease for Surface Parking Between the Port of San Francisco and Central Parking System, Inc., Located in the Northern Waterfront]

Resolution approving a Port Commission Lease (Lease No. L-14795) with Central Parking System, Inc., a Tennessee Corporation, for certain real property located at Seawall Lots (SWL) 301 bounded by Taylor Street, Jefferson Street, and Powell Street, and SWL 314 bounded by The Embarcadero and Bay Street, and Kearny Street in the City and County of San Francisco for a term of 3 years. (Port)

Resolution No. 53-10

Privilege of the floor was granted to Jeff Bauer and Monique Moyer (Port) who provided an overview and responded to questions raised throughout the discussion.

ADOPTED by the following vote:

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

Noes: 1 - Campos

Excused: 1 - Alioto-Pier

Recommendations of the Government Audit and Oversight Committee**100148 [Setting the Budget and Legislative Analyst Services Work Plan for 2010]****Sponsor: Mar**

Motion approving the Budget and Legislative Analyst Services work plan for 2010, which: (a) allocates hours for calendar year 2010, (b) authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours based on Board of Supervisors service needs, and (c) requires Board of Supervisors approval of hours re-allocation greater than 10 percent; and establishes performance goals and sets a date for the 2010 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

Motion No. M10-31**APPROVED by the following vote:**

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

Excused: 1 - Alioto-Pier

Privilege of the floor was granted to Harvey Rose and Severin Campbell (Budget and Legislative Analyst) who provided an overview of File Nos. 100057 and 100094 and responded to questions raised throughout the discussion.

100057 [Budget and Legislative Analyst Audit of the City's General Fund Revenues]**Sponsor: Mirkarimi**

Motion requesting the Budget and Legislative Analyst to: (1) conduct an audit of the City and County of San Francisco's existing lease, fee, and other General Fund revenues generated by City department activities and of the City's collection of General Fund revenues; and (2) identify new General Fund revenues, enhancement of existing General Fund revenues, and improved collection of General Fund revenues.

Motion No. M10-32**APPROVED by the following vote:**

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

Noes: 1 - Elsbernd

Excused: 1 - Alioto-Pier

100094 [Budget and Legislative Analyst Limited Scope Performance Audit of the San Francisco Municipal Transportation Agency to Determine its Effectiveness]**Sponsors: Campos; Mirkarimi and Chiu**

Motion directing the Budget and Legislative Analyst to conduct a limited scope performance audit of the San Francisco Municipal Transportation Agency (SFMTA) to determine if the SFMTA is operating in the most efficient, effective, and economical manner in establishing and collecting revenues and in managing expenditures.

Motion No. M10-33

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

APPROVED by the following vote:

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

Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee**091407 [Recreation and Park Department - Naming Parcel 4 as Sutro Dunes]****Sponsors: Mar; Maxwell**

Ordinance amending the San Francisco Park Code by renaming Article 1 as "Title and General Provisions" and adding Section 1.05 to name the parcel located at the junction of the Great Highway and Balboa Street "Sutro Dunes."

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

100009 [Acceptance of Streets and Roadway Structures for Maintenance and Liability Purposes]**Sponsor: Dufty**

Ordinance accepting for maintenance and liability purposes the streets and roadway structures listed herein, subject to specified limitations and conditions, pursuant to California Streets and Highways Code Section 1806 and San Francisco Administrative Code Sections 1.51 et seq.; and approving Department of Public Works Order No. 178,355.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

100010 [Local Streets and Roads Needs Assessment]**Sponsors: Dufty; Chiu**

Resolution supporting the findings of the California Statewide Local Streets and Roads Needs Assessment.

Resolution No. 54-10**ADOPTED 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**Supervisor Daly Excused from Voting**

Supervisor Mar, seconded by Supervisor Avalos, moved that Supervisor Daly be excused from voting on File No. 100116. The motion carried by the following vote:

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

Excused: 2 - Alioto-Pier, Daly

100116 [Appointment, Association of Bay Area Government Executive Board - Supervisor Chris Daly]

Motion appointing Supervisor Chris Daly, as an alternate member, term ending June 30, 2011, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Motion No. M10-34

APPROVED by the following vote:

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

Excused: 2 - Alioto-Pier, Daly

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****100120 [Committee of the Whole - Redevelopment Agency Sale of Land at 1345 Turk Street Through a Disposition and Development Agreement]**

Sponsors: Mirkarimi; Mar

Hearing to consider the Proposed Disposition and Development Agreement between the Redevelopment Agency of the City and County of San Francisco and MSPDI, Turk LLC., for the disposition of land at 1345 Turk Street, pursuant to the provisions of the California Community Redevelopment Law Section 33433.

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

The President inquired as to whether any member of the public wished to address the Board relating Redevelopment Agency Sales of Land at 1345 Turk Street referenced in File No. 100121. Olson Lee (Redevelopment Agency) provided an overview of the project and responded to questions raised throughout the discussion. Diane Smith spoke expressing concerns relating to certificate holders. Louise Von spoke expressing concerns relating to public housing. Richard Robinson spoke expressing various concerns. Ace Washington spoke expressing concerns relating to certificate holders. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report Without Recommendation

100121 [Redevelopment Agency Sale of Land at 1345 Turk Street Through a Disposition and Development Agreement]**Sponsors: Mirkarimi; Mar**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement for Assessor's Block No. 0756, Lot No. 017, commonly known as 1345 Turk Street, to sell the Site to MSPDI Turk, LLC, a California limited liability company, for the development of 32 affordable for sale housing units for low- and moderate-income households.

Resolution No. 55-10

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

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

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

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support as referenced below:

*Supervisor Mar recognized Dorsey Nunn (Legal Services for Prisoners with Children);
Supervisor Chiu recognized Brian Gadsden and Herve Ernest;
Supervisor Chu recognized Kenyatta Scott (Abraham Lincoln High School);
Supervisor Mirkarimi recognized Don Lacey (KPOO FM), Marcus Boks, and Idris Ackamoor and Rhodessa Jones (Cultural Odyssey);
Supervisor Daly recognized Bobby Bogan (Seniors Organizing Seniors);
Supervisor Elsbernd recognized Courtney Johnson Clenendin;
Supervisor Dufty recognized John Weber;
Supervisor Campos recognized Karen Huggins (Holly Courts Residential Council);
Supervisor Maxwell recognized Emily Wade-Thompson (George Washington Elementary School);
and
Supervisor Avalos recognized Joseph Lambert and Elba Clemente-Lambert (Creative Music Emporium).*

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.
Louise Von; expressed concerns relating to public comment.
Mr. Wright; expressed various concerns including MUNI youth fast pass fare increase.
Nick Quesada; expressed concerns relating to MUNI youth fast pass fare increase.
Diane Wesley Smith; expressed concerns relating to cruise ship emissions.
Male Speaker; expressed various religious concerns.
Female Speaker; expressed concerns relating to the San Francisco Housing Authority.
Juan La Vega; expressed concerns relating to MUNI youth fast pass fare increase.
Hillary Liang; expressed concerns relating to MUNI youth fast pass fare increase.
Regina Liang; expressed concerns relating to MUNI youth fast pass fare increase.
Leah LaCroix; expressed concerns relating to MUNI youth fast pass fare increase.
Marvin Martinez; expressed concerns relating to MUNI youth fast pass fare increase.
Richard McRee; expressed concerns relating to technology, inventions and patents.
John DiDonna; shared in poem certain concerns with the Board.
Kristen Uhler; expressed concerns relating to MUNI youth fast pass fare increase.
Breyana Singletary; expressed concerns relating to MUNI youth fast pass fare increase.
Walter Paulson; shared in song certain concerns with the Board.
Shane; expressed concerns relating to MUNI youth fast pass fare increase.
Jesus Perez; expressed concerns relating to MUNI youth fast pass fare increase.
Daniela; expressed concerns relating to MUNI youth fast pass fare increase in Spanish and English.
Raul; expressed concerns relating to MUNI youth fast pass fare increase in Spanish and English.
Male Speaker; expressed concerns relating to MUNI youth fast pass fare increase.
Peter Warfield; expressed concerns relating to the SF Public Library.
Mario Yedidia (Youth Commission); expressed concerns relating to MUNI youth fast pass fare increase.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100163 [American Red Cross Month - March 2010]

Sponsors: Dufty; Campos

Resolution declaring March 2010 as American Red Cross Month.

Resolution No. 56-10

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

ADOPTED

100164 [Extending the Joint City and School District Committee]

Sponsors: Dufty; Campos

Motion amending the Board of Supervisors' Rules of Order No. 5.7 to extend the term of the Joint City and School District Select Committee through March 1, 2011.

Motion No. M10-35

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

APPROVED

100165 [Endorsing Rally for California's Future - March 4, 2010]

Sponsors: Mar; Campos

Resolution endorsing Rally for California's Future, a statewide day of action in support of education and public sector services on March 4, 2010.

Resolution No. 57-10

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

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 Chiu requested that File No. 100190 be severed so that it may be considered separately.

100190 [Accept and Expend Grant - 2010 Census Grant]

Resolution authorizing the Office of Civic Engagement & Immigrant Affairs to accept and expend a grant in the amount of \$31,000 from the State of California, Governor's Office of Planning and Research, to support San Francisco's complete count outreach and education activities related to the 2010 Census.

Supervisor Chiu, seconded by Supervisor Mar, 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 authorizing the Office of Civic Engagement & Immigrant Affairs to accept and expend a grant in the amount of \$32,250 from the State of California, Governor's Office of Planning and Research, to support San Francisco's complete count outreach and education activities related to the 2010 Census.

Resolution No. 58-10

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

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

100204 [Americans with Disabilities Act - Reasonable Modification Policy]

Sponsor: Alioto-Pier

Ordinance adding Administrative Code Section 2A.22.3 to adopt a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

02/23/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/25/2010.

100206 [Appropriating \$157,500 of General Fund Reserve for a Loan to the Community Center Project of San Francisco in the City Administrator's Budget for FY2009-2010]

Sponsors: Dufty; Campos

Ordinance appropriating \$157,500 of General Fund Reserve for a loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, in the City Administrator's Budget for FY2009-2010.

(Fiscal Impact.)

(Supervisor Elsbernd dissented in Committee.)

02/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100208 [Accept and Expend Grant - American Recovery and Reinvestment Act and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$750,635]

Sponsors: Mayor; Dufty

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$750,635 from the Federal Department of Energy's Solar America Initiative to remove barriers to the deployment of solar technologies in San Francisco by addressing the lack of financing options for solar power installations and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

02/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

091269 [Payroll Expense Tax Biotechnology Exclusion Amendment]**Sponsors: Alioto-Pier; Dufty**

Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half (7.5) years irrespective of the application date.

(2/23/10 - Supervisor Alioto-Pier submitted a substitute ordinance bearing same title.)

(Fiscal Impact.)

02/23/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/3/2009. (Referred to the Small Business Commission for comment and recommendation.)

02/23/10; SUBSTITUTED.

02/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions**100205 [Accept and Expend Grant - FY2009 Federal Interoperable Emergency Communications Program - \$1,370,063]****Sponsor: Chu**

Resolution authorizing the Department of Emergency Management, as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to accept and expend retroactively a FY2009 Interoperable Emergency Communications Program Grant award in the amount of \$1,370,063 from the United States Department of Homeland Security, through the California Emergency Management Agency, for the period June 1, 2009, to February 28, 2011.

02/23/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100207 [Accept and Expend Grant - Homeless Health and Wellness Training - \$108,600]**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$108,600 from the San Francisco Community Clinic Consortium, to assist with a project entitled "Homeless Health and Wellness Training" for the period of March 27, 2009, through March 26, 2011.

02/23/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100209 [Accept and Expend Grant - American Recovery and Reinvestment Act - \$2,080,000]**Sponsors: Mayor; Dufty and Mar**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$2,080,000 from the California Energy Commission's State Energy Program, to provide financial assistance for GreenFinanceSF, the City's municipal financing program for energy and water retrofits of privately-owned buildings.

02/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100210 [Accept Grant - American Recovery and Reinvestment Act - \$875,957]**Sponsor: Mayor**

Resolution authorizing the Department of the Environment to accept a grant in the amount of \$875,957 from the California Energy Commission's State Energy Program, through the Association of Bay Area Governments, for the deployment of energy efficiency projects in the City.

02/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100211 [Potrero Branch Library Reopening]**Sponsors: Maxwell; Campos**

Resolution recognizing the Grand Reopening of the Potrero Branch Library and commending the San Francisco Public Library, residents of the Potrero, the Department of Public Works, and their team, for their hard work and commitment to San Francisco and its residents.

02/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100212 [Plan for Bicycle Facilities at Certain Dangerous Intersections and Street Segments]**Sponsors: Daly; Campos**

Resolution calling upon the Municipal Transportation Agency to commence study and planning for bicycle facilities around the intersections of Market, Polk, Oak and 10th Street, and of Howard, South Van Ness, 13th Street and Division, and along Division, 13th Street and Duboce from Folsom to Valencia.

02/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100213 [Urging Further Collaboration to Improve the 2010 Bay to Breakers]**Sponsor: Mirkarimi**

Resolution commending the improvements made to the 2009 Bay to Breakers and urging the race sponsors to further collaborate with City agencies, neighborhoods, and race advocates to develop plans that will minimize adverse impacts on affected neighborhoods while including floats and non-running participants and ensuring the long-term financial and logistical success of the race.

02/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100214 [Commending Brooks Orpik]**Sponsors: Chu; Dufty and Campos**

Resolution commending Brooks Orpik for representing San Francisco in the 2010 Winter Olympics.

02/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100215 [Urging the State Legislature and San Francisco's State Legislative Delegation to Permit the Continued Sale of Rice-Based Noodles]**Sponsors: Chiu; Campos**

Resolution urging the State Legislature and San Francisco's State Legislative Delegation to permit the continued sale of rice-based noodles.

02/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

091209 [Interim Zoning Controls for the Bayshore Corridor]**Sponsors: Maxwell; Campos and Dufty**

Resolution imposing interim zoning controls to require Conditional Use authorization for all projects that involve: (1) establishment of a formula retail use; (2) new retail uses that are 25,000 gross square feet or larger; and/or (3) a lot merger that creates a new lot that is 25,000 square feet or larger, for a period of eighteen (18) months, on all properties on lots fronting Bayshore Boulevard, from Jerrold Avenue to the I-280 Freeway; the west side of Loomis Street, from Jerrold Avenue to the I-280 Freeway; Oakdale Avenue from Loomis Street to Bayshore Boulevard; Marengo Street from Bayshore Boulevard to Waterloo Street; and the west side of Boutwell Street from Industrial Street to the I-280 Freeway; specifying criteria to be applied in the evaluation of a conditional use permit application, in addition to the criteria listed in Section 303 of the Planning Code; and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

10/20/09; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/27/09; REFERRED TO DEPARTMENT.

02/23/10; FILED PURSUANT TO RULE 5.36.

02/23/10; REACTIVATED PURSUANT TO RULE 5.23 to Land Use and Economic Development Committee.

Requests for Hearing**100197 [Implementation of the JOBS NOW Program]****Sponsor: Avalos**

Hearing on the implementation and administration of the JOBS NOW program in both the private and public sector, regarding process, outcomes and challenges.

02/23/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100198 [City Services Auditor Report - Port of San Francisco]**Sponsor: Mar**

Hearing on the City Services Auditor Report on Port of San Francisco regarding poor management and triangle parking lot oversight.

02/23/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100199 [City Services Auditor Report - San Francisco Municipal Transportation Agency]**Sponsor: Mar**

Hearing on the City Services Auditor Report on the San Francisco Municipal Transportation Agency regarding Mission Bartlett, North Beach, Vallejo Street, and San Francisco General Hospital garages audit.

02/23/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100200 [City Services Auditor Report - Office of Contract Administration]**Sponsor: Mar**

Hearing on the City Services Auditor Report on the Office of Contract Administration regarding Office Depot not in compliance with its contract an overcharge of at least \$5,750,00 to the City.

02/23/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100201 [Management Audit of San Francisco's Commodity Purchasing Process]**Sponsor: Mar**

Hearing on the management audit of San Francisco's Commodity Purchasing Process.

02/23/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100202 [San Francisco Municipal Transportation Agency's Quality Review]**Sponsor: Mar**

Hearing to consider the recently completed biennial review of the San Francisco Municipal Transportation Agency's progress toward its adopted goals, objectives, and performance standards as required under Charter Section 8A.107.

02/23/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100203 [Truck Route Planning in Southeast San Francisco]**Sponsor: Maxwell**

Hearing on the progress of the collaborative effort between the Municipal Transportation Agency and the Department of Public Health to address health and safety issues associated with truck traffic in southeast San Francisco.

02/23/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions**100216 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 8, 2010, Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 8, 2010, Election. (Clerk of the Board)

02/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments**PROPOSED ORDINANCES****100168 [Wastewater Revenue Bonds Issuance and Sale - Not to Exceed \$282,400,000]****Sponsor: Dufty**

Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

02/12/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

100166 [Settlement of Unlitigated Claim - Larkfield, Inc. - \$49,500]

Resolution approving the settlement of the unlitigated claim filed by Larkfield, Inc., against the City and County San Francisco for \$49,500; claim was filed on September 2, 2009. (City Attorney)

02/03/10; RECEIVED AND ASSIGNED to Rules Committee.

100167 [Agreement to Purchase Two Access Road Easements Over Portions of APN 016-002-014 Located in Stanislaus County]

Resolution approving and authorizing an agreement for the purchase of two permanent access road easements totaling 1.07 acres over portions of Assessor's Parcel No. 016-002-014 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$2,900; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

02/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100169 [Wastewater Revenue Bonds Issuance - Not to Exceed \$282,400,000]
Sponsor: Dufty**

Resolution approving the issuance of not to exceed \$285,600,000 in aggregate principal amount of wastewater revenue bonds to be issued by the Public Utilities Commission; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)
(Fiscal Impact.)

02/12/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:*

*Potholes and Sidewalk issues
Fell & Fillmore intersection
Fell & Steiner intersection
Fillmore & Golden Gate
Fillmore & McAllister, east 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 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
Irvine & 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 removing graffiti from the following locations:*

Garbage Cans

*On Haight between Central & Masonic
Northeast corner Page & Stanyan
Southwest corner Haight & Buena Vista East
Southwest corner Haight & Buchanan
Southeast corner Fillmore & Haight*

Mailboxes

Southwest corner Masonic & Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Utility Boxes

*Northwest corner Masonic & Haight
Northeast corner Steiner & Oak
Southeast corner Divisadero & Hayes
Northeast corner Waller & Scott
Northeast corner Oak & Fillmore
Northwest corner Fillmore & Hermann*

Bus Shelter

*Northwest corner Sutter & Laguna
Northeast corner Masonic & Fulton
Southeast corner Buena Vista East & Haight
Fillmore & Haight (all 4 bus stops, graffiti and grime)*

Emergency Boxes

Northeast corner Fell & Divisadero

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:

*499 Baker
501 Fillmore
326 Scott, fence
615 Oak
295 Buchanan
612 Haight
485 Scott
901 Haight
537 Haight
414 Haight
418 Haight
400 Duboce
1301 Haight
615 Haight*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Wood Pole
Southeast corner Cole & Page

Metal Poles
Northwest corner Central & Haight
Northwest corner Waller & Fillmore
Southeast corner Divisadero & Oak
Southwest corner McAllister & Fillmore, near bus stop
Northwest corner Laguna & Grove
In front of 445 Fillmore
Northwest corner Page & Fillmore
Northwest corner Fell & Fillmore

In Memoriams

Rosa Mae Richard – Supervisor Dufty
Elizabeth Driscoll – Supervisor Elsbernd
Peter Kolenda – Supervisors Elsbernd and Chu
Rosa Durham-Hammork – Supervisor Mirkarimi
Bruce Miller – Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:41 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 16, 2010.

Angela Calvillo, Clerk of the Board