

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, March 9, 2010 - 2:00 PM**

**Legislative Chamber, Room 250  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689**

### **Regular Meeting**

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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**

#### **Meeting Days**

**Budget and Finance Committee**  
Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday  
1:30 PM

**City and School District Select Committee**  
Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

1st and 3rd Thursday  
3:30 PM

**City Operations and Neighborhood Services Committee**  
Supervisors Chu, Avalos, Elsbernd

2nd and 4th Monday  
10:30 AM

**Government Audit and Oversight Committee**  
Supervisors Mar, Chu, Maxwell

2nd and 4th Thursday  
1:00 PM

**Land Use and Economic Development Committee**  
Supervisors Maxwell, Mar, Chiu

Monday  
1:00 PM

**Public Safety Committee**  
Supervisors Chiu, Mirkarimi, Dufty

1st and 3rd Monday  
10:00 AM

**Rules Committee**  
Supervisors Campos, Alioto-Pier, Mar

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

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 2:11 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 Avalos, 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

## **AGENDA CHANGES**

*There were none.*

## **APPROVAL OF MEETING MINUTES**

Supervisor Maxwell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of January 26, 2010, February 2, 2010, and 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

## **COMMUNICATIONS**

*There were none.*

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

**100059 [Appropriating \$3,257,575 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for FY2009-2010]**

**Sponsor: Mayor**

Ordinance appropriating \$3,257,575 of General Fund Reserve to fund indigent defense expenses associated with increased felony caseloads in the Superior Court for FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113, and placing \$406,665, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113, on Budget and Finance Committee Reserve.

(Fiscal Impact.)

**FINALLY PASSED**

**100099 [Appropriating \$1,233,664 of General Fund Reserve to the Public Defender for Salary Expenditures]**

**Sponsors: Mar; Daly**

Ordinance appropriating \$1,233,664 from the General Fund Reserve to the Public Defender for salary expenditures in FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113.

**FINALLY PASSED**

**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.

**FINALLY PASSED**

**100219 [Accept and Expend Grant - State Energy Program - \$2,993,029]**

**Sponsor: Mayor**

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend FY2009-2010 American Recovery and Reinvestment Act funds from the U.S. Department of Energy's State Energy Program, disbursed through the California Energy Commission's California Comprehensive Residential Building Retrofit Program, in the amount of \$ 2,993,029.

**ADOPTED**

**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)

**ADOPTED**

**100209 [Accept and Expend Grant - American Recovery and Reinvestment Act - \$2,080,000]**

**Sponsors: Mayor; Duffy 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.

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

**ADOPTED**

**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.

**ADOPTED**

**Recommendation of the Government Audit and Oversight Committee****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.

**APPROVED**

**Recommendation of the Land Use and Economic Development Committee****091477 [Zoning Map Amendments - 1415 Mission Street Project at Mission and Tenth Streets]**

Ordinance amending the Zoning Map of the City and County of San Francisco by amending Sectional Map 7 to change the use classification of the property located at 1415 Mission Street (Assessor's Block No. 3510, Lot No. 001) from C-M (Heavy Commercial) to C-3-G (Downtown General Commercial) and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Commission)

**FINALLY PASSED**

**Recommendation of the Public Safety Committee****100100 [Accept and Expend Grant - Department of Juvenile Probation - \$150,000]  
Sponsor: Maxwell**

Resolution authorizing the Department of Juvenile Probation to retroactively accept and expend a grant in the amount of \$150,000 from the The Zellerbach Family Foundation to support the Department of Juvenile Probation's ongoing efforts in organizational and leadership development, in developing and implementing evidence based practices, and in strengthening partnerships with community based organizations.

**ADOPTED**

**Recommendations of the Rules Committee****091370 [Determining Surviving Spouse Status for Retirement Purposes]  
Sponsor: Elsbernd**

Ordinance amending Chapter 16 of the Administrative Code by adding Administrative Code Section 16.80-8 to determine qualifications for "surviving spouse" status under the City's retirement plans.

**FINALLY PASSED**

**091435 [Child Care Planning and Advisory Council Membership]  
Sponsor: Chiu**

Ordinance amending San Francisco Administrative Code by amending Section 5.200, to: (1) reduce the number of members of the Child Care Planning and Advisory Council from 30 to 25, and provide for the appointment of 12 members by the Board of Supervisors, 12 members by the Board of Education, and the joint appointment of one member by the Board of Supervisors and Board of Education; (2) provide for the establishment of a Council Executive Committee; and (3) amend the attendance, qualification, membership term, and compensation provisions for Council Members.

**FINALLY PASSED**

**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

### Recommendations 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 Chu, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED on Page 65, Line 13, replacing 'Polk' with 'Mason.' 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

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

Noes: 2 - Chu, Elsbernd

Excused: 1 - Alioto-Pier

**091443 [Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums]****Sponsors: Mar; Avalos**

Ordinance amending Articles 19F and 19I of the San Francisco Health Code by amending Sections 1009.20-1009.23, 1009.25, and 1009.81; adding Sections 1009.26, 1009.27, and 1009.29-1009.32; and repealing Section 1009.24, to prohibit smoking in: 1) business establishments and bars regardless of whether owner-operated; 2) common areas of multi-unit housing complexes; 3) tourist lodging facilities; 4) tobacco shops; 5) charity bingo games; 6) unenclosed dining areas of restaurants; 7) service waiting areas; 8) areas outside entrances, exits and operable windows and vents of all buildings except at the curb of the nearest street, sidewalk or alley; 9) farmers markets; and 10) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas; adding administrative procedures and penalties; repealing criminal penalties; adding provisions for cost recovery and liens; and adding Administrative Code Section 10.100-193, to establish a new Public Health Environmental Health Code Compliance Fund.

*Privilege of the floor was granted to Dr. Mitch Katz, Director of the Department of Public Health, who provided an overview.*

**Supervisor Mar, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. 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

**Board of Supervisors Sitting as a Committee of the Whole****100234 [Committee of the Whole - Just Cause Eviction Protections for Residential Tenants in Properties Subject to Foreclosure Which Adds to the Definition of "Foreclosure" and Includes New Noticing Requirements]**

Hearing of persons interested in or objecting to new amendments to proposed Ordinance relating to just cause eviction protections for residential tenants in properties subject to foreclosure which adds to the definition of "foreclosure" and includes new noticing requirements. (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Board relating to the amendments to the just cause eviction legislation referenced in File No. 100039. 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**

## **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 Elsbernd, moved that this Ordinance be AMENDED on Page 45, Line 13, after 'evicted,' by adding 'by the person or entity who took title through foreclosure (see Section 37.9D(a))' and on Page 45, Line 15, after 'Chapter 37;' by adding 'or at the end of the tenant's existing lease, whichever occurs later.' The motion carried by the following vote:**

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

Excused: 1 - Alioto-Pier

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 to provide for particular notice of rights to tenants in possession of a rental unit at the time of foreclosure, and that failure to provide the notice can be an affirmative defense in unlawful detainer proceedings; findings in support of the legislation; severability clause; technical corrections.

**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

## **NEW BUSINESS**

### **Recommendations of the Budget and Finance Committee**

#### **100113 [Private Ambulance Regulatory Fee Payments]**

**Sponsor: Avalos**

Ordinance amending Business and Tax Regulations Code Section 249.8 to require payment of private ambulance regulatory fees to the Department of Emergency Management rather than to the City Treasurer. (Department of Emergency Management)

*Supervisor Avalos requested to be added as sponsor.*

**PASSED, ON FIRST READING by the following vote:**

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

Excused: 1 - Alioto-Pier



**100105 [Approval of Contract for Uncompensated Reimbursement Recovery Services for the Department of Public Health - \$16,570,000]**

Resolution authorizing the San Francisco Department of Public Health to amend its contract with Health Advocates, LLC to provide uncompensated reimbursement recovery services for the term of April 1, 2006, through December 31, 2013, in the amount of \$16,570,000. (Public Health Department)  
(Fiscal Impact.)

**ADOPTED by the following vote:**

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

**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.

*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

**Recommendations of the Government Audit and Oversight Committee****100023 [Requiring that Census Workers be Allowed Access to Residential Hotels to Engage in Census Activities]****Sponsors: Mirkarimi; Mar, Campos and Chiu**

Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to add a new goal to the Uniform Visitor Policy and any Supplemental Visitor Policies to ensure that census workers engaged in census activities are allowed access to Residential Hotels, and requesting the Rent Board to amend the Uniform Visitor Policy to incorporate this addition.

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

**PASSED, ON FIRST READING by the following vote:**

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

**100160 [Appropriating \$400,000 of Revenues From the Little Hollywood Property Exchange to Fund Park and Open Space Planning in the City Planning Commission for FY2009-2010]****Sponsor: Maxwell**

Ordinance appropriating \$400,000 of revenues from the transfer of a 50-foot by 628-foot strip of Channel Street on the southwest side of 7th Street owned by the City and County of San Francisco, in exchange for 35,250 square feet of land at the southwest corner of Tocoloma and Lathrop Avenues owned by Norcal Waste Systems, Inc. for park and open space planning in the Showplace Square/Potrero Hill Plan Area of the Eastern Neighborhoods Program in the City Planning Commission, the Recreation and Park Department, and the Department of Public Works for FY2009-2010.

**PASSED ON FIRST READING by the following vote:**

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

Noes: 3 - Avalos, Campos, Daly

Excused: 1 - Alioto-Pier

**Recommendations of the Land Use and Economic Development Committee****091113 [Seismic Strengthening of Soft-Story, Wood-Frame Buildings]****Sponsors: Mayor; Campos and Chiu**

Ordinance finding a compelling public policy basis for expediting the processing and review of permits for voluntary seismic retrofit upgrades of soft-story, wood-frame buildings and amending the Planning Code, Building Code, Fire Code, and Public Works Code to waive permit processing fees for the proportionate share of work related to such seismic retrofit upgrades; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1.

(Economic Impact.)

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

**PASSED, ON FIRST READING by the following vote:**

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

Excused: 1 - Alioto-Pier

**091406 [Street Encroachment at 1 Webster Street]****Sponsor: Dufty**

Ordinance granting revocable permission to Cross Cultural Family Center, Inc., to occupy a portion of the public right-of-way to construct and maintain a fenced outdoor play space with a trellised entry, a seating area and stroller parking on the west side of Webster Street between Duboce Avenue and Hermann Street, for a new child development center at 1 Webster Street (Block No. 0874, Lot No. 014); waiving the annual right-of-way occupancy assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

**PASSED, ON FIRST READING by the following vote:**

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

Excused: 1 - Alioto-Pier

**100029 [Acceptance of Sewer Main and Reissuance of Encroachment Permit for Poppy Lane]****Sponsor: Dufty**

Ordinance accepting an irrevocable offer for a sewer main; dedicating said improvements for public use; accepting a sewer main on Poppy Lane for maintenance and liability purposes; rescinding Resolution No. 493-00 in order to modify and reissue the major encroachment permit for 101 Poppy Lane in accordance with this Ordinance; accepting Department of Public Works Order No. 178,477; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the eight priority policies of City Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Public Works Department)

**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 Public Safety Committee****100020 [Penalties for Assaulting or Battering a Patrol Special Officer]****Sponsor: Dufty**

Resolution encouraging the Chief of the San Francisco Police Department to consider imposition of increased potential penalties for individuals who commit assault or battery on a patrol special police officer.

**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 Chu, seconded by Supervisor Mar, 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

*Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Merle Goldstone in recognition of her years of service upon her retirement and her continued community support. Supervisors Dufty, Chiu, Mirkarimi and Mar spoke joining in this presentation.*

*Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Steven Gong in recognition of their 30 year anniversary, the accomplishments, and continued community support of the Center for Asian American Media. Supervisor Chiu spoke joining in this presentation.*

## COMMITTEE REPORTS

### Recommendation of the City Operations and Neighborhood Services Committee

**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.

**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.*

*Emil Lawrence; expressed various concerns.*

*Lois Roberts; expressed concerns relating to lost articles.*

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

*Male Speaker; expressed concerns relating to inspection rates and process.*

*Christopher Dahl; expressed concerns relating to the City Charter.*

*Gray Harrison; shared experiences with recent incident at Bayview Hunter's Point community meeting.*

*Female Speaker; expressed concerns about a recent article relating to incident at Bayview Hunter's Point community meeting.*

*Female Speaker; expressed concerns about a recent article relating to incident at Bayview Hunter's Point community meeting.*

*Roger Scott; expressed concerns relating to shipyard property.*

*Alex Torino; expressed concerns about a recent article relating to incident at Bayview Hunter's Point community meeting.*

*Jay Crawford; expressed concerns about a recent article relating to incident at Bayview Hunter's Point community meeting.*

*Male Speaker; shared experiences with recent incident at Bayview Hunter's Point community meeting.*

*Nancy Cross; expressed concerns relating to second hand smoke.*

*Helen Jensen; shared experiences with recent incident at Bayview Hunter's Point community meeting.*

*Male Speaker; expressed concerns about a recent article relating to incident at Bayview Hunter's Point community meeting.*

*Male Speaker; expressed various religious concerns.*

*Eric Brooks; expressed concerns about a recent article relating to incident at Bayview Hunter's Point community meeting.*

*Male Speaker; shared experiences with recent incident at Bayview Hunter's Point community meeting.*

*Ron Stutts; expressed concerns about a recent article relating to incident at Bayview Hunter's Point community meeting.*

*Rebecca Reese; expressed concerns about a recent article relating to incident at Bayview Hunter's Point community meeting.*

*Richard McRee; expressed concerns relating to technology, inventions and patents.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **100236 [Supporting the March to Sacramento to Protect Public Higher Education in California - March 22, 2010]**

#### **Sponsors: Avalos; Mar and Campos**

Resolution supporting the March 22, 2010, "March in March IV" Sacramento to protect and promote public higher education in California and to urge State government officials to work together on FY2010-2011 budget that does not include cuts to public education and student fee increases.

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

**ADOPTED**

**100237 [Extending the Life of Western SoMa Citizens Planning Task Force]**

**Sponsor: Daly**

Resolution extending the life of the Western SoMa Citizens Planning Task Force.

**ADOPTED**

**100238 [Endorsing the California Democracy Act]**

**Sponsors: Mar; Avalos, Mirkarimi and Campos**

Resolution endorsing the California Democracy Act and supporting the campaign to ensure its passage in 2010.

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

**ADOPTED**

**100239 [Supporting Senate Bill 438 Regarding Charter Schools]**

**Sponsors: Mar; Campos**

Resolution supporting Senate Bill 438 to ensure all charter schools adhere to the state's student speech and employee protection laws.

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

**ADOPTED**

**100241 [Support of Institutional Financial Aid for Students Affected by the Provision of Assembly Bill 540]**

**Sponsors: Mar; Campos**

Resolution supporting institutional financial aid for students affected by the provision of Assembly Bill 540.

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

**ADOPTED**

**100242 [Call for the Federal Government to Release California Gray Whale Population Research Findings and Fund Assessment]**

**Sponsors: Mirkarimi; Campos**

Resolution calling on the Federal Government to make California Gray Whale (*Eschrichtius Robustus*) population research findings immediately available and to fund the National Marine & Fisheries Service to assess the major threats to the California Gray Whale.

*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 Elsbernd requested that File No. 100240 be severed so that it may be considered separately.*

#### **100240 [Supporting Senate Bill 330 Regarding University of California]**

**Sponsor: Mar**

Resolution supporting Senate Bill 330 for increased transparency and accountability in auxiliary organizations and foundations in the University of California and California State University systems.

**REFERRED to the City Operations and Neighborhood Services Committee**

### **IMPERATIVE AGENDA**

*There were none.*

### **LEGISLATION INTRODUCED AT ROLL CALL**

#### **Introduced by Supervisors or Mayor**

#### **Ordinances**

#### **100268 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance and Amend Annual Salary Ordinance FY2009-2010 - \$729,932]**

**Sponsor: Mayor**

Ordinance authorizing the Department of Children, Youth & Their Families to retroactively accept and expend grant funding in the amount of \$729,932 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs; and amending the Annual Salary Ordinance No. 183-09 for FY2009-2010 to reflect the addition of one Class 1822 grant-funded position (0.50 FTE) at the Department of Children, Youth & Their Families and one Class 2910 grant-funded position (0.50 FTE) at the Public Defender's Office.

03/09/10; RECEIVED AND ASSIGNED to Public Safety Committee.

**091251 [Development Fee Collection Procedure; Administrative Fee]**

**Sponsors: Mayor; Duffy**

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or, in the case where a site permit is issued, the first addendum authorizing construction of the project, with a temporary option for the project sponsor to defer payment prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed that would be deposited into the same fund that receives the development fees, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; providing that the ordinance's operative date is May 15, 2010; and adopting findings, including environmental findings.

10/27/09; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

11/03/09; REFERRED TO DEPARTMENT.

11/03/09; SUBSTITUTED.

11/03/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/26/2009.

11/23/09; REFERRED TO DEPARTMENT.

11/24/09; RESPONSE RECEIVED.

12/15/09; SUBSTITUTED.

12/15/09; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/28/09; REFERRED TO DEPARTMENT.

01/26/10; RESPONSE RECEIVED.

02/01/10; RESPONSE RECEIVED.

03/09/10; SUBSTITUTED.

03/09/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.



**091252 [Affordable Housing Transfer Fee Restriction Alternative for Inclusionary and Jobs Housing Linkage Programs]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code by amending Sections 313.4 and 315.5 and by adding Section 313.16 to add an alternative for compliance with the Jobs Housing Linkage Program and the Residential Inclusionary Affordable Housing Program by allowing a project sponsor to defer 33% of its obligation under either Program in exchange for recording an Affordable Housing Transfer Fee Restriction on the affected property providing that 1% of the value of the property be paid to the Citywide Affordable Housing Fund at every future transfer of the Property; and making findings including findings under the California Environmental Quality Act.

10/27/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/26/2009.

11/03/09; REFERRED TO DEPARTMENT.

11/24/09; RESPONSE RECEIVED.

02/01/10; RESPONSE RECEIVED.

03/09/10; SUBSTITUTED.

03/09/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**091275 [Development Impact and In-Lieu Fees]****Sponsors: Mayor; Duffy**

Ordinance amending the San Francisco Planning Code to create Article 4 for development impact fees and requirements, move Planning Code Sections 135(j), 135.3(d), 135.3(e), 139, 143, 149, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4, and renumber and amend the sections; to provide that the Department of Building Inspection (DBI) will collect the development fees prior to issuance of the first building permit or other document authorizing project construction and verify that any in-kind public improvements required in lieu of a development fee are implemented prior to issuance of the first certificate of occupancy; to allow a project sponsor to defer payment of a development fee upon agreeing to pay a deferral surcharge, which option shall expire after three years unless further extended; to add introductory sections to Article 4 for standard definitions and procedures, delete duplicative code provisions and use consistent definitions, language and organization throughout; to require annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; to provide that the ordinance's operative date is May 15, 2010; and to instruct the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number; adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

11/03/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/3/2009.

11/18/09; REFERRED TO DEPARTMENT.

12/15/09; SUBSTITUTED.

12/15/09; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/29/09; REFERRED TO DEPARTMENT.

12/29/09; RESPONSE RECEIVED.

02/01/10; RESPONSE RECEIVED.

03/09/10; SUBSTITUTED.

03/09/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## **Resolutions**

**100263 [Authorizing the Filing of an Application for Section 190 Grade Separation Grant Funds - \$5,000,000]****Sponsor: Elsbernd**

Resolution authorizing the Department of Public Works to file an application seeking state Section 190 Grade Separation funds, in the amount of \$5,000,000 from the California Department of Transportation for the reconstruction of the Jerrold Avenue railroad bridge grade separation and to enter into a Memorandum of Understanding to pass through the funds to the Peninsula Corridor Joint Powers Board.

03/09/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**100264 [Urging Lennar Corporation to Issue a Formal Written Apology]****Sponsor: Daly**

Resolution urging the Lennar Corporation to issue a formal, written apology to members of the Stop Lennar Action Movement (SLAM) and the City and County of San Francisco for irresponsible and potentially dangerous behavior.

03/09/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**100265 [Urging the Treasury Oversight Committee to Ratify Socially Responsible Investment Goals in the City's Investment Policy to Encourage Investments Related to Foreclosure Mitigation]****Sponsors: Chiu; Mar and Maxwell**

Resolution urging the Treasury Oversight Committee to ratify socially responsible investment goals in the City's Investment Policy to encourage investments related to foreclosure mitigation.

03/09/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100266 [Urging the Department of Technology to Respond to Google's Request for Information with a Proposal that Allows the City to Maintain Control Over Fiber Networks]****Sponsor: Chiu**

Resolution urging the City and County of San Francisco's Department of Technology to respond to Google, Inc.'s Request for Information with a proposal to build a fiber network in San Francisco that is consistent with the City's core value of maintaining control over fiber infrastructure deployed in the City.

03/09/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100269 [Approving Commercial Paper Reimbursement Agreement and Dealer Agreements]****Sponsor: Mayor**

Resolution of the City and County of San Francisco approving the form of Reimbursement Agreement or Reimbursement Agreements and the form of Dealer Agreement in connection with its Tax-Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation, authorizing the execution and delivery of one or more of such Reimbursement Agreement and the execution and delivery of one or more Dealer Agreements and authorizing other related actions. (Fiscal Impact.)

(Supervisor Mirkarimi dissented in Committee.)

03/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100271 [Accept and Expend Grant - U.S. Department of Justice 2009 Community Oriented Policing Services Technology Initiative for the Expansion of a Gunshot Location System Project - \$1,000,000]****Sponsor: Mayor**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$1,000,000 from the U.S. Department of Justice Office of Community Oriented Policing Services for expansion of a gunshot location system project.

03/09/10; RECEIVED AND ASSIGNED to Public Safety Committee.

**100274 [Commemorating the 75th Anniversary of the Works Progress Administration]****Sponsors: Mar; Avalos and Campos**

Resolution commemorating the 75th anniversary of the Works Progress Administration on April 10, 2010.

03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100275 [Supporting Senate Bill 220 for Health Insurance Coverage and Smoking Cessation]****Sponsors: Mar and Campos**

Resolution supporting Senate Bill 220 for Health Insurance Coverage and Smoking Cessation.

03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100276 [Commending the Alice Fong Yu Chinese Immersion Alternative School Exchange Program]****Sponsors: Mar; Elsbernd and Campos**

Resolution commending the exchange program between the Experimental High School attached to Beijing Normal University and the Alice Fong Yu Chinese Immersion Alternative School in San Francisco.

03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100277 [Reallocation of Grant - Capital Projects in Golden Gate Park - \$2,067,663]****Sponsor: Mar**

Resolution authorizing the reallocation of \$2,067,663 in Proposition 40 grant funds among two capital projects in Golden Gate Park.

03/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100278 [Supporting California Senate Bill 1225 Regarding Child Care Facilities]****Sponsors: Avalos; Dufty, Mar and Campos**

Resolution supporting Senate Bill 1225 which would extend until 2016 the subsidy program that allows San Francisco child care facilities to serve children from low-income families.

03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100279 [Accept and Expend Gift – Recreation and Park Department – \$15,000]****Sponsor: Chu**

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a gift in the amount of \$15,000 to cover the staff overtime cost associated with the August 4th and 5th 2009 Maccabi Games volunteer event.

03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 100280 [Urging the Governor of California to Approve the Transit Assistance Funding Package]**  
**Sponsors: Mayor; Chiu, Dufty, Avalos, Elsbernd, Mirkarimi, Mar, Maxwell, Campos and Chu**  
Resolution urging the Governor of California to sign the transit assistance funding package as approved by the California State Legislature on March 4, 2010.  
03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100281 [Declaring March 23, 2010, as Gordon Park Li Day]**  
**Sponsors: Dufty; Chiu, Elsbernd and Campos**  
Resolution congratulating Mr. Gordon Park Li, on his outstanding career and thanking him for his exceptional service to the City of County of San Francisco over the past 37 years and declaring March 23, 2010, as Gordon Park Li Day in the City and County of San Francisco.  
03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100282 [Initiative Constitutional Amendment - Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers"]**  
**Sponsors: Mirkarimi; Maxwell, Mar, Avalos, Campos and Dufty**  
Resolution opposing Proposition 16, an Initiative Constitutional Amendment, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers."  
03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 100240 [Supporting Senate Bill 330 Regarding University of California]**  
**Sponsor: Mar**  
Resolution supporting Senate Bill 330 for increased transparency and accountability in auxiliary organizations and foundations in the University of California and California State University systems.  
03/02/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
03/09/10; REFERRED to Government Audit and Oversight Committee.

## **Charter Amendment**

- 100267 [Amending the Charter's Definition of Voter]**  
**Sponsor: Mirkarimi**  
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Article XVII to change the definition of "voters."  
03/09/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

## **Requests for Hearing**

**100270 [Existing Shelter System Serving the Needs and Ensuring Equal Treatment of Lesbian, Gay, Bisexual, and Transgender People]**

**Sponsor: Campos**

Hearing on how the existing shelter system is serving the needs and ensuring equal treatment of Lesbian, Gay, Bisexual, and Transgender people.

03/09/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**100272 [San Francisco Public Utilities Commission's Plan for Utilizing and Protecting San Francisco's Watersheds]**

**Sponsor: Campos**

Hearing on the San Francisco Public Utilities Commission's plan for utilizing and protecting San Francisco's watersheds.

03/09/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100273 [Treasure Island Redevelopment Plans]**

**Sponsor: Maxwell**

Hearing on the status of the redevelopment of former Naval Station at Treasure Island including the land use planning, infrastructure plans, and draft design for development document.

03/09/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## **Motions**

**100262 [Removal of Tommy Escarcega from the Reentry Council]**

**Sponsor: Campos**

Motion removing Tommy Escarcega from the Reentry Council.

03/09/10; RECEIVED AND ASSIGNED to Rules Committee.

**100283 [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 March 16, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

03/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100284 [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 March 16, 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).

**Introduced by the President at Request of Department****PROPOSED ORDINANCES****100178 [Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - \$25,750]**

Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc., against the City and County of San Francisco for \$25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)

02/23/10; RECEIVED AND ASSIGNED to Rules Committee.

**100179 [Settlement of Lawsuit - Vicente V. Vista - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Vicente V. Vista against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001; entitled Vista v. City and County of San Francisco, et al. (City Attorney)

02/23/10; RECEIVED AND ASSIGNED to Rules Committee.

**100180 [Settlement of Lawsuit - Thomas Barnes - \$135,000]**

Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)

02/25/10; RECEIVED AND ASSIGNED to Rules Committee.

**100181 [Settlement of Lawsuit - Elbert Harris - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for \$100,000 plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)

02/25/10; RECEIVED AND ASSIGNED to Rules Committee.

**100182 [Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]**

Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)

02/25/10; RECEIVED AND ASSIGNED to Rules Committee.

**100246 [Permits the Bureau of Delinquent Revenue to Assign Accounts Receivable with a Value of \$10,000 or Less to a Collection Agency]**

**Sponsor: Mirkarimi**

Ordinance amending Section 10.39-1 of the Administrative Code to increase the cap on accounts receivable that the Bureau of Delinquent Revenue may assign to a collection agency from \$4,000 to accounts with a fair market value of \$10,000. (Treasurer-Tax Collector)

02/25/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/8/2010.

**100247 [Additional Penalty for Underreporting Tax by Twenty-five Percent or More]**

Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more. (Treasurer-Tax Collector)

02/25/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/8/2010.

**100248 [Creation of General Reserve and Budget Stabilization Reserve]**

**Sponsors: Chiu; Mayor, Chu and Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Section 10.60, to adopt a binding financial policy under Charter Section 9.120 creating a General Reserve and a Budget Stabilization Reserve and providing rules for deposits to and withdrawals from such funds. (Controller)

03/01/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/8/2010. 4/1/10 - Memo from President Chiu waiving the 30-Day Rule.

**100251 [Approval of Contract with AT&T for City Telecommunications Services - \$75,000,000]**

Ordinance approving a contract with AT&T for the purchase of telecommunications services and equipment for a maximum cost of \$75,000,000, for a four and one-half year term beginning on March 1, 2010. (Department of Technology)  
(Fiscal Impact.)

03/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## PROPOSED RESOLUTIONS



**100183 [Lease with the U.S. Government for Office Space for the U.S. Drug Enforcement Administration at the Airport]**

Resolution approving and authorizing the execution of Lease No. 10-0015 with the U.S. Government for office space to be occupied by the U.S. Drug Enforcement Administration, a Federal agency, in Terminal 3 at San Francisco International Airport. (Airport Commission)

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

**100184 [Airport Concession Lease]**

Resolution approving Amendment No. 3 to the Clear Channel Outdoor, Inc. Lease Agreement, for the Airport Advertising Program at San Francisco International Airport Lease No. 00-0408 between Clear Channel Outdoor, Inc., dba Clear Channel Airports and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

02/24/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100185 [Airport Lease and Operating Agreement]**

Resolution approving the exercise of the fourth of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

02/24/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100249 [Settlement of Unlitigated Claim – Marlon Miranda - \$75,000]**

Resolution approving the settlement of the unlitigated claim filed by Marlon Miranda against the City and County of San Francisco for \$75,000; claim was filed on June 18, 2009. (City Attorney)

03/01/10; RECEIVED AND ASSIGNED to Rules Committee.

**100250 [Settlement of Unlitigated Claim – Thelma Jefferson - \$200,000]**

Resolution approving the settlement of the unlitigated claim filed by Thelma Jefferson against the City and County of San Francisco for \$200,000; claim was filed on September 28, 2009. (City Attorney)

03/01/10; RECEIVED AND ASSIGNED to Rules Committee.

**Requests Granted**

*From: Supervisor Mirkarimi*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to prepare legislation amending the City Administrative Code to require the Controller to prepare a monthly report listing the five City departments using the most comp time in the preceding month. This report should be included in the monthly overtime report required by Administrative code Section 18.13-1 and 18.13-5.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Utility Boxes*

*Northeast corner Geary & Divisadero*

*Southeast corner Webster & Fell*

*Southwest corner 7th Avenue & Lincoln*

*Southwest corner Haight & Fillmore*

*Northeast corner Masonic & Waller*

*Northeast corner Linden & Buchanan*

*Northwest corner Fell & Buchanan*

*Bus Shelters*

*Southwest corner 9th Avenue & Irving*

*Northeast corner Laguna & Hayes*

*Southeast corner Buena Vista East & Haight*

*Northeast corner Haight & Buena Vista East*

*Fillmore & Haight (all 4 bus stops, graffiti and grime)*

*Emergency Boxes*

*Northwest corner Pierce & Haight*

*Southeast corner Fulton & Scott*

*Northwest corner Ashbury & Fell*

*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 Poles*

*Southwest corner Fillmore & Hayes, by bus shelter*

*Southwest corner Baker & Fell*

*Metal Poles*

*Northwest corner Grove & Laguna*

*Southeast corner Hayes & Buchanan*

*Southeast corner Golden Gate & Broderick*

*Northwest corner Turk & Laguna*

*On Sutter, south side of street, between Broderick & 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 from the following private property locations:*

*959 Divisadero  
2436 Bush  
2498 Sutter  
1401 Baker  
Rosa Parks Senior Center, corner Golden Gate & Webster  
1200 Laguna  
548 Octavia  
550 Octavia  
605 Webster  
299 Webster  
689 Fulton  
422 Grove, side of building  
378 Fillmore  
546 Haight  
533 Haight  
901 Haight  
698 Haight  
433 Haight  
598 Waller*

*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  
Irving & 10th Avenue, north side of the street  
Sink hole in front of 588 Haight Street*

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

*Garbage Cans  
Northeast corner Webster & Fulton  
Southeast corner Haight & Buena Vista East  
Southwest corner Eddy & Buchanan*

*Mailboxes  
Northeast corner Scott & Haight  
Northeast corner Haight & Fillmore  
Southwest corner Pierce & Haight  
Southwest corner McAllister & Buchanan*

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 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

### **In Memoriam**

Gerard Joseph Page – Supervisor Avalos  
Aldo Peter Figone – Supervisor Alioto-Pier  
Dr. George W. Davis – Supervisors Maxwell and Dufty  
Dr. Edgar Wayburn – Supervisor Chiu

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 4:22 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 April 2, 2010.*

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Angela Calvillo, Clerk of the Board