

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, June 22, 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

Meeting Days

Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 11:00 AM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Daly	2nd and 4th Thursday 10:30 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Elsbernd	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.	1st and 3rd Thursday 10:00 AM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

Supervisor Alioto-Pier Excused from Voting

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Alioto-Pier 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 Daly, moved to approve the Board Meeting Minutes of May 18, 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 Sub-Committee

100360 [Recreation and Park Department - Harding Park Fees]

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.12, to increase greens fees at Harding Park Golf Course, and making environmental findings.
(Recreation and Park Department)

FINALLY PASSED

100363 [Revising Board of Appeals Surcharges]**Sponsor: Mayor**

Ordinance amending San Francisco Administrative Code, Chapter 10G, Section 10G.1 to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the San Francisco Municipal Transportation Agency Board of Directors, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals; remove the surcharge imposed by the Art Commission for Street Artist Certificates; and making environmental findings.

FINALLY PASSED**100642 [Appropriating \$727,265 of General Fund Reserve and De-Appropriating \$397,801 for Salaries, Disability, and Workers' Compensation in the Sheriff's Department - FY2009-2010]****Sponsor: Mayor**

Ordinance appropriating \$727,265 of General Fund Reserve and de-appropriating \$397,081 of expenditure contingency to fund salary expenditures due to State reductions in the Courts, disability pay, and workers' compensation claims in the Sheriff's Department for FY2009-2010. (Fiscal Impact.)

FINALLY PASSED**100643 [Accept and Expend Grant - Federal Department of Energy Appropriations and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$1,000,000]****Sponsor: Mayor**

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$1,000,000 from the Federal U. S. Department of Energy appropriations to support the San Francisco Electric Vehicle Initiative and amending Ordinance No. 183-09 to reflect the addition of two (2) grant funded positions at the Department of the Environment.

FINALLY PASSED**Recommendation of the Budget and Finance Committee****100734 [Approval of a Loan from the Low Income Investment Fund to Refinance Existing Section 108 United States Department of Housing and Urban Development Loans - Not to Exceed \$1,925,000]****Sponsor: Mayor**

Resolution approving a loan in the amount not to exceed \$1,925,000 to the City and County of San Francisco from the Low Income Investment Fund to refinance existing Section 108 United States Department of Housing and Urban Development loans.

ADOPTED

Recommendation of the City Operations and Neighborhood Services Committee

100673 [Accept and Expend Grant - Prevention Umbrella for MSM in the Americas - \$101,261]

Sponsors: Chu; Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$101,261 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "Prevention Umbrella for MSM in the Americas" for the period of April 1, 2010, through March 31, 2011.

ADOPTED

Recommendation of the Rules Committee

100584 [Appointment as Road Commissioner - Edward D. Reiskin]

Sponsor: Mayor

Ordinance appointing Edward D. Reiskin, Director of the Department of Public Works, as Road Commissioner for the City and County of San Francisco, and repealing Ordinance 63-07.

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

From the Budget and Finance Sub-Committee Without Recommendation

100469 [Recreation and Park Department - Botanical Garden Non-Resident Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46, to establish admission fees to the Botanical Garden for non-San Francisco residents, and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Chu, Daly, Elsbernd, Maxwell

Noes: 3 - Dufty, Mar, Mirkarimi

Excused: 1 - Alioto-Pier

Recommendation of the Budget and Finance Sub-Committee

100567 [Official Advertising, FY2010-2011]

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising (Type 1 and Type 2) for FY2010-2011. (Office of Contract Administration)

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. 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

Resolution designating the Examiner and the San Francisco Chronicle as the official newspapers of the City and County of San Francisco for all official advertising (Type 1 and Type 2) for FY2010-2011. (Office of Contract Administration)

ADOPTED AS AMENDED by the following vote:

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

Noes: 1 - Daly

Excused: 1 - Alioto-Pier

Recommendations of the Budget and Finance Committee

100700 [Interim Consolidated Budget and Annual Appropriation Ordinance, FYs Ending June 30, 2011, and June 30, 2012]

Sponsor: Mayor

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures of the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

FINALLY PASSED by the following vote:

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

Excused: 1 - Alioto-Pier

100702 [Interim Annual Salary Ordinance, FY Ending June 30, 2011, for all Departments, and for FY Ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission]

Sponsor: Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2011, for all departments and for FY ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

FINALLY PASSED by the following vote:

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

Excused: 1 - Alioto-Pier

Recommendation of the City Operations and Neighborhood Services Committee

100104 [Retailers Duty to Disclose Specific Absorption Rate Values for Cell Phones]

Sponsors: Mayor; Maxwell

Ordinance amending the San Francisco Environment Code by adding Chapter 11, Sections 1100 through 1106, to require retailers to disclose specific absorption rate values for cell phones, and making environmental findings.

(Supervisor Elsbernd dissented in Committee)

FINALLY PASSED by the following vote:

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

Noes: 1 - Elsbernd

Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

100712 [Increasing Animal Care and Control Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Health Code, Article 1, by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to increase fees and set new fees for the Department of Animal Care and Control and to update language to reflect current practices; amending Section 41.25 to authorize administrative citations for violation of specified Health Code sections; amending Section 41.26 to update language regarding fee changes in subsequent fiscal years; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

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

100722 [San Francisco Enterprise Zone Tax Credit Forms and Fee]

Sponsor: Mayor

Ordinance amending Administrative Code, Chapter 2A, Article XIX, by amending Section 2A.270 to authorize the Economic and Workforce Development Department to process forms and supporting documentation to establish eligibility for San Francisco Enterprise Zone tax credits, authorizing fee, and making environmental findings.

PASSED, ON FIRST READING by the following vote:

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

100742 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]

Sponsor: Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: budget analyst (Board of Supervisors); absentee voter ballot distribution (Department of Elections); LGBT Anti-violence Education and Outreach Program (District Attorney); central shops security, convention facilities management, janitorial services, and security services (General Services Agency-City Administrator); security services-1680 Mission Street (General Services Agency-Public Works); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); Project S.A.F.E. (Police); and food services (Sheriff).

ADOPTED by the following vote:

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

100743 [Refunding Certificates of Participation - Not to Exceed \$155,000,000]**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Refunding Certificates of Participation in an aggregate principal amount not to exceed \$155,000,000 to refinance certain certificates of participation that financed various capital improvement projects; approving the form of a Trust Agreement between the City and County of San Francisco and the trustee (including certain indemnities contained therein); authorizing the selection of a trustee (Trustee); approving the form of a Property Lease between the City and the Trustee named therein relating to certain property generally known as the San Bruno Complex and certain other City-owned property; approving the form of a Project Lease between the City and the Trustee (including certain indemnities contained therein); approving the form of an Escrow Agreement between the City and an Escrow Agent named therein (including certain indemnities contained therein); approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Refunding Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Refunding Certificates of Participation, if sold by negotiated sale and approving the form of a Purchase Contract between the City and an Underwriter named therein; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Refunding Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**Privilege of the Floor**

Supervisor Maxwell, seconded by Supervisor Campos, 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 Maxwell introduced, welcomed, and presented a Certificate of Honor to Luminant SF Solar and Grace Tabernacle Church in recognition of their accomplishments and continued community support.

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

100583 [Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]

Sponsor: Mayor

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers Stationary Engineers, Local 39, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100608 [Memorandum of Understanding - Multiple Unions (Crafts Coalition)]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100609 [Memorandum of Understanding - San Francisco Institutional Police Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100610 [Memorandum of Understanding - San Francisco Deputy Probation Officers' Association]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100611 [Memorandum of Understanding - International Brotherhood of Electrical Workers, Local Union 6]**Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100612 [Memorandum of Understanding - Municipal Attorneys' Association]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100613 [Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, Supervising Probation Officers]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100614 [Memorandum of Understanding - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100615 [Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100616 [Memorandum of Understanding - Teamsters, Local 856 (Multi-Unit)]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100617 [Memorandum of Understanding - Transport Workers Union of America, Local 200]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100618 [Memorandum of Understanding - Transport Workers Union of America, Local 250-A (Non-MTA 7410)]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100619 [Memorandum of Understanding - Transport Workers Union of America, Local 250-A (Multi-Unit)]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100620 [Memorandum of Understanding - Service Employees International Union, Local 1021]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, to be effective July 1, 2010, through June 30, 2012.

PASSED, ON FIRST READING by the following vote:

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

100621 [Memorandum of Understanding, Amendment No. 4 – Municipal Executives' Association]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

PASSED, ON FIRST READING by the following vote:

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

100622 [Memorandum of Understanding, Amendment No. 3 - International Federation of Professional and Technical Engineers, Local 21]**Sponsor: Mayor**

Ordinance adopting and implementing the Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

PASSED, ON FIRST READING by the following vote:

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

100623 [Memorandum of Understanding, Amendment No. 2 - San Francisco District Attorney Investigators' Association]**Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award that establishes Amendment No. 2 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, by implementing specified terms and conditions of employment for FY2010-2011.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

100624 [Memorandum of Understanding, Amendment No. 4 - Union of American Physicians and Dentists (Unit 8-CC)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

100625 [Memorandum of Understanding, Amendment No. 3 - Union of American Physicians and Dentists (Unit 11-AA)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

100626 [Memorandum of Understanding, Amendment No. 1 - Laborers International Union, Local 261]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2009-2011 Memorandum of Understanding between the City and County of San Francisco and the Laborers, Local 261 by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

100627 [Memorandum of Understanding, Amendment No. 3 - Automotive Machinists Union, Local 1414]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

100628 [Compensation for Unrepresented Employees]**Sponsor: Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 2010.

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 Rules Committee**100797 [Appointment, Market and Octavia Community Advisory Committee - Kenneth Wingard]**

Motion appointing Kenneth Wingard, term ending December 16, 2010, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Kenneth Wingard, seat 4, succeeding Brad Villers, deceased, must be a local merchant and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2010.

APPROVED 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.

Supervisor Dufty was noted absent at 2:35 p.m. and was noted present at 2:51 p.m.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Regina Bostick; expressed concerns relating to basic telephone service standards legislation.
Abdallah Megahed; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Nicholas Holbrook; expressed concerns relating to proposed sit/lie legislation.
Hima; expressed concerns relating to strip club exploitation.
Dave; expressed various concerns.
Ariana; expressed concerns relating to proposed budget cuts.
Nellie Granado; expressed concerns relating to proposed budget cuts.
Terri Priestly; expressed concerns relating to proposed budget cuts.
Michael Goldman; expressed concerns relating proposed budget cuts.
Greg Ledbetter; expressed concerns relating to proposed budget cuts.
Christine Moyer; expressed concerns relating to proposed budget cuts and proposed sit/lie legislation.
Male Speaker; expressed concerns relating to proposed budget cuts.
Jose Castillo; expressed concerns relating to proposed alcohol mitigation fee legislation.
Female Speaker; expressed concerns relating to proposed sit/lie legislation.
Male Speaker; expressed concerns relating to proposed budget cuts.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100817 [Supporting the Designation as a Preserve America Community]

Sponsor: Chiu

Resolution supporting the designation of the City and County of San Francisco as a Preserve America Community by the United States Department of the Interior.

ADOPTED

100818 [Recurring Grant Funds to the Department of Public Health - FY2010-2011]

Sponsor: Chu

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2010-2011.

ADOPTED

100819 [Honoring Gigi Guevarra]

Sponsor: Dufty

Resolution honoring Gigi Guevarra on the occasion of her retirement from 23 years of service to the City and County of San Francisco.

ADOPTED

100820 [Requesting that the Prohibition on Gay Men Donating Blood be Revised]

Sponsors: Dufty; Campos

Resolution calling upon the United States Food and Drug Administration to revise their longstanding prohibition on gay men donating blood.

ADOPTED

- 100821 [Urging the Rejection of Assembly Bill 746 regarding Conflict of Interest]**
Sponsors: Chiu; Campos and Avalos
Resolution urging the California State Legislature to reject the passage of Assembly Bill 746 regarding conflicts of interest.
ADOPTED
- 100822 [Excluding Tobacco Products from the Trans-Pacific Partnership Trade Negotiations and all Future Trade Agreements]**
Sponsor: Mar
Resolution calling on U.S. Trade Negotiators to exclude lethal tobacco and tobacco products from the Trans-Pacific Partnership and other trade agreements negotiated by the United States, and urging the appointment of public health representatives to advise U.S. Trade Negotiators to protect public health.
ADOPTED
- 100823 [Supporting Soda Free Summer]**
Sponsor: Mar
Resolution supporting Soda Free Summer.
ADOPTED
- 100824 [Opposing the Safe, Clean, and Reliable Drinking Water Supply Act of 2010]**
Sponsor: Mar
Resolution opposing the Safe, Clean, and Reliable Drinking Water Supply Act of 2010.
ADOPTED
- 100828 [Honoring Officer Waldemar L. Jentzsch]**
Sponsor: Dufty
Resolution recognizing Officer Waldemar L. Jentzsch of the San Francisco Police Department.
ADOPTED
- 100770 [Committee of the Whole - Hearing on the Report of Assessment Costs for Sidewalk and Curb Repairs]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)
APPROVED

100773 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

APPROVED

100799 [Final Map 5736 - 1042 Pine Street]

Motion approving Final Map 5736, a 5 Unit Residential Condominium Project, located at 1038 - 1042 Pine Street being a subdivision of Lot 009 in Assessors Block No. 0253 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Alioto-Pier

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Maxwell requested that File No. 100825 be severed so that it may be considered separately.

**100825 [Opposing the Reduction in Minimum Standards for Basic Telephone Service]
Sponsor: Maxwell**

Resolution opposing a proposal of the California Public Utilities Commission to reduce the minimum standards for basic telephone service in California.

ADOPTED by the following vote:

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

Excused: 1 - Alioto-Pier

Supervisor Elsbernd requested that File No. 100827 be severed so that it may be considered separately.

100827 [Political Campaign Spending by Pacific Gas and Electric Co.]

Sponsors: Mirkarimi; Campos

Resolution demanding refund of shareholder and ratepayer money used to finance Prop 16, urging the San Francisco Employees' Retirement System Board to reform its proxy investment policies with regard to its holdings with Pacific Gas and Electric Co. (PG&E), requesting the California Public Utilities Commission to closely scrutinize PG&E's current rate request, and requesting PG&E CEO Peter Darbee to discuss San Francisco's renewable energy needs.

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED to June 29, 2010. The motion carried 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 a Supervisor or the Mayor

Ordinances

100865 [Establishing an Alcohol Mitigation Fee]

Sponsors: Avalos; Mirkarimi, Maxwell and Mar

Ordinance amending the San Francisco Administrative Code, Chapter 106, by adding Sections 106 through 106.28, to impose a fee on alcoholic beverage wholesalers and certain other persons who distribute or sell alcoholic beverages in San Francisco to: 1) recover a portion of San Francisco's alcohol-attributable unreimbursed health costs, and; 2) fund administration costs.

06/22/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100866 [Memorandum of Understanding, Amendment No. 2 - Freight Checkers, Clerical Employees and Helpers, Teamsters Local 856 (Supervising Registered Nurses, Unit 11.B)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers, Teamsters Local 856 (Supervising Registered Nurses, Unit 11.B.), by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

06/22/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100867 [Memorandum of Understanding, Amendment No. 2 - Municipal Executives' Association Fire]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

06/22/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100868 [Memorandum of Understanding - Service Employees International Union, Local 1021 Staff and Per Diem Nurses]**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 Staff and Per Diem Nurses, to be effective July 1, 2010, through June 30, 2012.

06/22/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100873 [Animal Care and Control Welfare Fund - Not to Exceed \$50,000]**Sponsor: Chu**

Ordinance amending the San Francisco Administrative Code, Chapter 10, by amending Section 10.100-23, to change the gift fund category for the Animal Care and Control Welfare Fund, and to authorize the Department of Animal Care and Control to accept gifts of cash, equipment, property and services not to exceed \$50,000.

06/22/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100661 [Subdivision Code - Candlestick Point and Hunters Point Shipyard]**Sponsors: Mayor; Maxwell**

Ordinance amending the Hunters Point Shipyard Subdivision Code to rename the Code's Division 3 title and make various amendments pertaining to the subdivision process in Phase 2 of the Hunters Point Shipyard Redevelopment Plan and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/17/2010.

05/25/10; REFERRED TO DEPARTMENT.

06/22/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

100869 [Accept and Expend Grant - Airport K-9 Explosives Detection Team Program - \$700,500]

Sponsor: Elsbernd

Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$700,500 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

06/22/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100870 [Establishing Area Plan Infrastructure Finance Committee]

Sponsor: Maxwell

Resolution establishing an Area Plan Infrastructure Finance Committee to supervise a consultant study to develop policy criteria and recommendations on the use of Infrastructure Finance Districts (IFDs) in newly adopted area plans, including within the Eastern Neighborhoods Area Plans, to determine the appropriate steps to form IFDs, and to supervise the formation of a pilot Infrastructure Finance District in Rincon Hill.

06/22/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100871 [Formation of a Community Facilities District and Approving Related Agreements]

Sponsors: Mayor; Dufty

Resolution approving the formation of a community facilities district and the issuance of special tax bonds by the Association of Bay Area Governments Finance Authority for nonprofit corporations related to City fees and charges applicable to new development projects; making certain findings; approving the form of Joint Community Facilities Agreement; and granting general authority to City officials to take actions necessary or desirable to implement the purposes of this resolution.

06/22/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/22/2010.

100874 [Reform of California State Law Regarding Franchise Perpetuities]

Sponsors: Mirkarimi; Campos

Resolution requesting the California State Legislature reform current law to permit local jurisdictions to re-negotiate franchise agreements previously executed in perpetuity by declaring such contracts as contrary to the public interest, setting an expiration date for such contracts, and statutorily limiting the duration of future agreements.

06/22/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100875 [Declaration of Election Results of June 8, 2010, Consolidated Statewide Direct Primary Election]

Sponsors: Chiu; Campos

Resolution declaring the results of the June 8, 2010, Consolidated Statewide Direct Primary Election.

06/22/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

100872 [Committee of the Whole - Hearing on Proposed Amendments to the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans]

Sponsor: Maxwell

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 13, 2010, at 3:00 p.m., to hold a public hearing on the proposed amendments to the Redevelopment Plans for the Bayview Hunters Point and Hunters Point Shipyard Project Areas.

06/22/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100756 [Establishing a Progressive Payroll Expense Tax Rate Structure and Reducing Selected Payroll Expense Tax Rates; Imposing a Gross Receipts Tax on the Rental of Commercial Real Property]

Sponsor: Chiu

Motion ordering submitted to the voters an ordinance revising the payroll expense tax to establish a progressive tax rate structure and reducing selected payroll expense tax rates and imposing a gross receipts tax on the rental of commercial real property, at an election to be held on November 2, 2010.

(Economic Impact.)

06/08/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/8/2010.

06/22/10; TRANSFERRED 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 removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irvine and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Garbage Cans

Northeast corner of Clayton and Fulton

Northeast corner of Scott and Waller

Mailbox

Northwest corner of McAllister and Steiner

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

*459 Broderick
901 Oak
798 Haight
208 Scott
238 Scott
978 Page
316 Divisadero
907 Fell
401 Duboce
685 Haight
630 Haight
591 Haight
585 Haight
553 Fillmore
350 Laguna
355 Laguna*

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

*Wood Pole
Southwest corner of Oak and Scott*

*Metal Poles
Northwest corner of Fillmore and Grove
Southeast corner of McAllister and Fillmore*

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

*Utility Boxes
Northeast corner of Linden and Buchanan*

*Bus Shelters
Southwest corner of Fillmore and Oak
Southwest corner of Pierce and Haight
Northeast corner of McAllister and Divisadero
Southwest corners of Pierce, Hayes, and Fillmore
Fillmore and Haight (all four bus stops-graffiti and grime)*

*Emergency Boxes
Southeast corner of McAllister and Pierce
Northwest corner of Waller and Pierce*

In Memoriams

*Angelina Genaro Alioto - Supervisor Dufty
Elva Roberts Smith - Supervisor Dufty
William "Nicky" Huertas - Supervisor Mirkarimi
Norma Satten - Supervisor Chu & Supervisor Mirkarimi
Mary Rita Greene - Supervisor Chu*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:38 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 July 27, 2010.

Angela Calvillo, Clerk of the Board