



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

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

Tuesday, October 19, 2010 - 2:00 PM

#### 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

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#### BOARD COMMITTEES

##### Committee Membership

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

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

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

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

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

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

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

##### Meeting Days

Wednesday  
11:00 AM

2nd and 4th Thursday  
3:30 PM

2nd and 4th Monday  
10:30 AM

2nd and 4th Thursday  
10:30 AM

Monday  
1:00 PM

1st and 3rd Monday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

## Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

**LAPTOP COMPUTER FOR PRESENTATIONS:** Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

**AGENDA PACKET:** Available for review in Clerk's Office, Room 244, City Hall, and on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

**AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求  
請電 (415) 554-7719**

## Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

## **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

## **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)

## **Agenda Item Information**

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

## ROLL CALL AND PLEDGE OF ALLEGIANCE

## AGENDA CHANGES

## COMMUNICATIONS

## CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

### Items 1 through 21

#### Recommendations of the Budget and Finance Committee

*Present: Supervisors Avalos, Elsbernd*

- 1. 101165 [Accept and Expend Grant - San Francisco Arts Commission - WritersCorps Program - \$50,000]**  
**Sponsor: Mayor**  
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$50,000 from the National Endowment for the Arts Learning in the Arts for Children and Youth for general operating support for WritersCorps.  
**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Chu, Avalos, Dufty*

- 2. 100528 [Exempting Certain Nonprofits from Guide Permit Requirement]**  
**Sponsor: Alioto-Pier**  
Ordinance amending the San Francisco Police Code by amending Section 1295 to exempt nonprofit organizations conducting educational tours from the requirement to obtain a guide permit.  
10/05/2010; PASSED, ON FIRST READING.  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Mar, Chu, Maxwell*

3.     **100873     [Animal Care and Control Welfare Fund – Not to Exceed \$50,000]**  
**Sponsors: Chu; Mar**  
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.  
  
10/05/2010; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Land Use and Economic Development Committee**

*Present: Supervisors Maxwell, Mar, Chiu*

4.     **100188     [Zoning - 1800 Market Street Community Center Project Special Use District]**  
**Sponsors: Dufty; Mirkarimi**  
Ordinance amending the San Francisco Planning Code by adding Section 787 to establish the 1800 Market Street Community Center Project Special Use District for property located at 1800 Market Street (Lot No. 014, Assessor's Block No. 871), located at the northwest corner of Market Street and Octavia Boulevard; amending Sheet No. SU07 of the Zoning Map of the City and County of San Francisco to reflect this new Special Use District; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.  
  
10/05/2010; PASSED ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Campos, Alioto-Pier, Mar*

5.     **100910     [Settlement of Lawsuit - California Department of Fair Employment and Housing (Zimmerman) - \$105,000]**  
Ordinance authorizing settlement of the lawsuit filed by the California Department of Fair Employment and Housing (Plaintiff), Linda Zimmerman (Real Party in Interest) against the City and County of San Francisco for \$105,000, the lawsuit was filed on March 4, 2009, in San Francisco Superior Court, Case No. CGC-09-485723; entitled Department of Fair Employment and Housing (Zimmerman) v. City and County of San Francisco. (City Attorney)  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**

6.     **100911**     **[Settlement of Lawsuit - Michael Lew - \$90,000]**  
Ordinance authorizing settlement of the lawsuit filed by Michael Lew against the City and County of San Francisco for \$90,000, including reemployment and restoration of vacation and sick leave; the lawsuit was filed on May 11, 2009, in San Francisco Superior Court, Case No. CGC-09-488262; entitled Michael Lew v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
7.     **100959**     **[Settlement of Lawsuit - Carlos Garcia - \$2,400,000]**  
Ordinance authorizing settlement of the lawsuit filed by Carlos Garcia against the City and County of San Francisco for \$2,400,000; the lawsuit was filed on December 5, 2005, in San Francisco Superior Court, Case No. CGC-05-447342; entitled Carlos Garcia, et al. v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8.     **100912**     **[Settlement of Lawsuit - Robin Leiter Cohen - \$31,000]**  
Resolution approving the settlement of the unlitigated claim filed by Robin Leiter Cohen against the City and County of San Francisco for \$31,000; claim was filed on September 4, 2009. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
9.     **100985**     **[Settlement of Anticipated Litigation - Bonneville Non-Exclusive Easement]**  
Resolution authorizing settlement of anticipated litigation to be filed by Bonneville International Corporation against the City and County of San Francisco for a non-exclusive easement on Bayview Hill for access to the radio tower owned by Bonneville. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
10.    **101003**     **[Settlement of Grievance - Bruce Dunlap - \$57,500]**  
Resolution authorizing the settlement of the grievances (ERD No. 45-09-1973 and ERD No. 45-09-1964) filed by International Federation of Professional and Technical Engineers, Local 21 (Union) on behalf of Grievant, Bruce Dunlap, against the City and County of San Francisco for \$57,500. (City Attorney)
- Question: Shall this Resolution be ADOPTED?**
11.    **101133**     **[Appointments, Assessment Appeals Board No. 1 - Jeffrey Morris and Gregory Blaine]**  
Motion appointing Jeffrey Morris and Gregory Blaine, terms ending September 2, 2013, to the Assessment Appeals Board No. 1. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
12.    **101134**     **[Appointments, Assessment Appeals Board No. 2 - Margaret Ruxton and Alfredo Perez]**  
Motion appointing Margaret Ruxton and Alfredo Perez, terms ending September 2, 2013, to the Assessment Appeals Board No. 2. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

13. 101146 **[Appointment, Commission on the Aging Advisory Council - Ken Prag]**  
Motion appointing Ken Prag, term ending March 31, 2012, to the Commission on the Aging Advisory Council. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

*Present: Supervisors Alioto-Pier, Mar, Chiu*

14. 101231 **[Settlement of Lawsuit - Galliera, Inc. dba Trico Construction - \$700,000]**  
Ordinance authorizing settlement of the lawsuit filed by Galliera, Inc. dba Trico Construction against the City and County of San Francisco for \$700,000; the lawsuit was filed on December 29, 2008, in San Francisco Superior Court, Case No. CGC-08-483555, entitled Galliera, Inc. dba Trico Construction v. City and County of San Francisco, et al.; other material terms of the settlement are: (1) the settlement includes the consolidated action Cal Centurian Construction, Inc. dba RWR Construction v. Galliera, Inc. dba Trico Construction, et al., San Francisco Superior Court, Case No. CGC-09-485849, (2) the settlement includes all cross-complaints, (3) mutual releases except for warranties, guarantees, latent defects, and personal injury, (4) dismissal of all complaints and cross-complaints with prejudice, and (5) each party to bear its own attorneys fees and costs. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

15. 101232 **[Settlement of Lawsuit - Jeri D. Sessler - \$75,000]**  
Ordinance authorizing settlement of the lawsuit filed by Jeri D. Sessler against the City and County of San Francisco for \$75,000; the lawsuit was filed on June 3, 2009, in San Francisco Superior Court, Case No. CGC-09-488998; entitled Jeri D. Sessler, et al. v. City and County of San Francisco, et al. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

16. 101222 **[Settlement of Unlitigated Claim - Lily Martene Baxter - \$45,000]**  
Resolution approving the settlement of the unlitigated claim filed by Lily Martene Baxter against the City and County of San Francisco for \$45,000; claim was filed on February 10, 2010. (City Attorney)

**Question: Shall this Resolution be ADOPTED?**

17. 101223 **[Settlement of Unlitigated Claim - Adam Feibelman - \$55,000]**  
Resolution approving the settlement of the unlitigated claim filed by Adam Feibelman against the City and County of San Francisco for \$55,000; claim was filed on February 10, 2010. (City Attorney)

**Question: Shall this Resolution be ADOPTED?**

18. 101224 **[Settlement of Unlitigated Claim - McLarens Young International - \$70,000]**  
Resolution approving the settlement of the unlitigated claim filed by McLarens Young International against the City and County of San Francisco for \$70,000; claim was filed on May 25, 2010. (City Attorney)

**Question: Shall this Resolution be ADOPTED?**

- 19. 101233 [Settlement of Unlitigated Claim - Danielle J. Rinsler - \$215,000]**  
Resolution approving the settlement of the unlitigated claim filed by Danielle J. Rinsler against the City and County of San Francisco for \$215,000; Government Code Claim was filed on November 24, 2009, (Govt. Claim No. 10-01422) and California Department of Fair Employment & Housing charge was filed on January 11, 2010, (Charge No. E200910A0351-rsc). (City Attorney)

**Question: Shall this Resolution be ADOPTED?**

- 20. 101243 [Appointments, Treasure Island Development Authority Citizen Advisory Board - James Heid and Scott Vedro]**  
Motion appointing James Heid and Scott Vedro, for indefinite terms, to the Treasure Island Development Authority Citizen Advisory Board. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

- 21. 101264 [Appointments, San Francisco Health Authority - Randall Low and Maria Luz Torre]**  
Motion appointing Randall Low, term ending January 15, 2012, and Maria Luz Torre, term ending January 15, 2013, to the San Francisco Health Authority. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

*Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: \_\_\_\_\_*



## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Recommendation of the Budget and Finance Committee

22. 101103 **[Appropriating \$2,188,777 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for FY2009-2010]**  
**Sponsor: Mayor**  
Ordinance appropriating \$2,188,777 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.  
  
(Fiscal Impact.)  
  
10/05/2010; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Chu, Avalos, Dufty*

23. 101178 **[Honoring Local Restaurants During Restaurant Appreciation Month]**  
**Sponsors: Alioto-Pier; Mar**  
Ordinance amending the San Francisco Health Code by adding Section 456.7 requiring the San Francisco Health Department to declare one month out of the year "Restaurant Appreciation Month" to honor certain local restaurants and to create an application and selection process to identify qualifying restaurants.  
  
10/05/2010; AMENDED.  
  
10/05/2010; PASSED ON FIRST READING AS AMENDED.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Rules Committee**

*Present: Supervisors Campos, Mar*

24. 100472 **[Access Appeals Commission - Notice to the Mayor's Office of Disability]**  
**Sponsor: Alioto-Pier**  
Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

09/14/2010; CONTINUED ON FIRST READING.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**NEW BUSINESS**

**Recommendations of the Budget and Finance Committee**

*Present: Supervisors Avalos, Elsbernd*

25. 101104 **[Public Employment - Department of the Environment]**  
**Sponsor: Mayor**  
Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of two positions: one (1) Class 5640 Environmental Specialist, one (1) Class 5644 Environmental Manager in the Department of the Environment.

(Fiscal Impact.)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

26. 101154 **[Accept and Expend Grant - Office of the Public Defender - Rosenberg Foundation and Amendment to the Annual Salary Ordinance FY2010-2011 - \$47,000]**

**Sponsor: Mirkarimi**

Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$47,000 from the Rosenberg Foundation, via Institute for Local Governance, to develop a California Reentry Council Network to assist in the development of statewide capacity to improve reentry policies and programs, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect addition of one (1) temporary Class 8173 Legal Assistant, grant-funded position (0.55 FTE), in the Office of the Public Defender.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**27. 101159 [Taxable and/or Tax Exempt Certificates of Participation for Various Capital Improvements - Not to Exceed \$48,000,000]**

**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed \$48,000,000 to finance the acquisition, construction, improvement and installation of certain street improvements and of various disability access improvement projects; approving the form of a Second Supplement to Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a Second Supplement to Property Lease between the City, as lessor, and the Trustee, as lessee; approving the form of a Second Supplement to Project Lease between the Trustee, as lessor, and the City, as lessee; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale; delegating to the Director of Public Finance the authority to sell the Certificates of Participation by either a competitive or negotiated sale; approving the form of a Purchase Contract between the City and the underwriter(s) selected in accordance herewith, if the Certificates of Participation are sold by negotiated sale; 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, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**28. 101158 [Taxable and/or Tax Exempt Certificates of Participation (HOPE SF) - Not to Exceed \$38,000,000]**

**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Taxable and/or Tax Exempt Certificates of Participation (HOPE SF) in an aggregate principal amount not to exceed \$38,000,000 to finance certain 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); granting authorization for the selection of a trustee; approving the form of a Property Lease between the City and the Trustee named therein relating to certain property generally known as the Mission Police Station, certain property generally known as the Bayview Station of the San Francisco Police Department and certain other City-owned property; approving the form of a Project Lease between the City and the Trustee (including certain indemnities contained therein); delegating to the Director of Public Finance the authority to sell the Certificates of Participation by either a competitive or negotiated sale; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF), if sold by competitive sale; authorizing certain actions relating to the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF), if sold by negotiated sale including approving the form of a Purchase Contract between the City and an underwriter named therein; approving the form of an Official Statement in preliminary 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 Taxable and/or Tax Exempt Certificates of Participation (HOPE SF); approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 29. 101192 [Appropriating \$38,000,000 of Certificate of Participation Proceeds for the HOPE SF Development Project in the Mayor's Office of Housing for FY2010-2011]**  
**Sponsors: Mayor; Maxwell**  
Ordinance appropriating \$38,000,000 of Certificate of Participation Series 2011B proceeds to fund the HOPE SF Development Project sponsored by Hunters View Associates in the Mayor's Office of Housing for FY2010-2011 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2010-2011.  
  
(Fiscal Impact.)  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 30. 100692 [Lease of Port Real Property - Pier 26 Annex]**  
Resolution approving Port Commission Lease No. L-14796 with IDEO, LLC for office space located at Pier 26 Annex within the Southern Waterfront with a sixty month term and a sixty month option. (Port)  
  
**Question: Shall this Resolution be ADOPTED?**
- 31. 100984 [Public Utilities Commission - Memorandum of Agreement with the National Park Service - Not to Exceed \$27,486,504]**  
Resolution approving the Memorandum of Agreement with the National Park Service for the Comprehensive Management of Yosemite National Park Watersheds that supply water to the San Francisco Regional Water System pursuant to Charter Section 9.118. (Public Utilities Commission)  
  
(Fiscal Impact.)  
  
**Question: Shall this Resolution be ADOPTED?**
- 32. 101150 [Real Estate Department - Agreement to Exchange Easements in Connection with the Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel]**  
Resolution approving and authorizing an Agreement to Exchange Interests in Real Property to obtain an exclusive, subsurface easement from the Midpeninsula Regional Open Space District in exchange for a non-exclusive open space easement over real property owned by the City and County of San Francisco, for the purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications, and take certain actions in furtherance of this resolution. (Real Estate Department)  
  
**Question: Shall this Resolution be ADOPTED?**

- 33. 101166 [Amendment to Fire Department Cooperative Agreement with the Navy]**  
**Sponsor: Mayor**  
Resolution authorizing the San Francisco Fire Department to amend the Cooperative Agreement with the United States Navy to set the reimbursement rate for fire and emergency medical services to portions of the Hunters Point Shipyard for the period October 1, 2010, through September 30, 2011, and to accept and expend funds from the Navy as reimbursement for services under that Agreement.
- (Fiscal Impact.)

**Question: Shall this Resolution be ADOPTED?**

- 34. 101167 [Accept and Expend Grant - Mayor's Office of Housing - Infill Infrastructure Program - \$30,000,000]**  
**Sponsor: Mayor**  
Resolution authorizing the Mayor's Office of Housing to enter into a standard agreement with the California State Department of Housing and Community Development to accept and expend \$30,000,000 of Infill Infrastructure Grant Program funds; the execution of a loan agreement with the Project Sponsor for disbursement of grant funds; and the execution of any related documents necessary to participate in the Infill Infrastructure Grant Program.

**Question: Shall this Resolution be ADOPTED?**

**From the Budget and Finance Committee Without Recommendation**

*Present: Supervisors Avalos, Elsbernd*

- 35. 101201 [Petitions for City Parcels to Form the Proposed Civic Center Community Benefit District]**  
**Sponsor: Mayor**  
Resolution authorizing the Mayor to cast petitions in the affirmative for formation of the proposed Civic Center Community Benefit District, to sign on behalf of the City and County of San Francisco as the owner of certain parcels of real property that would be subject to assessment in the proposed property and business improvement district to be named the Civic Center Community Benefit District.

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Maxwell, Mar, Chiu*

- 36. 100881 [Zoning Map Amendment - 1717-17th Street to Conform with Lot Line Adjustment]**  
**Sponsor: Maxwell**  
Ordinance amending the San Francisco Zoning Map by amending the lot reference applicable to 1717-17th Street, and an adjacent property, referred to as 495 DeHaro Street, so that the height district applicable to each lot in its entirety is 48-X and 45-X, respectively, in conformance with a lot line adjustment between the subject properties; and making various findings, including environmental findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 37. 100917 [Planning Code Amendments - Area Plan Impact Fee and Jobs-Housing Linkage Program]**  
Ordinance amending the San Francisco Planning Code sections related to Area Plan Impact Fees (Rincon Hill, Market and Octavia, Eastern Neighborhoods, and Balboa Park) and Jobs-Housing Linkage Fee to (1) improve Planning Code readability and ease of application with regard to impact fees; (2) create consistent definitions and application across the Area Plan Impact Fee and Jobs-Housing Linkage Fee provisions; (3) better recognize and account for the impact of existing conditions of development sites affected by the Area Plan Impact Fees and the Jobs-Housing Linkage Fee; (4) promote adaptive re-use of existing buildings in the Eastern Neighborhoods; and (5) clarify the impact fees associated with the Eastern Neighborhoods' on-going "legitimization" program; and adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 38. 101096 [Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]**  
**Sponsors: Mar; Campos, Chiu and Avalos**  
Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.8, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

**39. 101200 [Planning Code - Preservation, Rehabilitation and Maintenance of Preservation Lots; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**

**Sponsors: Chiu and Maxwell**

Ordinance amending Section 128 of the San Francisco Planning Code to require approval of a plan for preservation, rehabilitation, and maintenance of a Preservation Lot property prior to receipt of a Statement of Eligibility for Transferable Development Rights (TDR), to establish reporting procedures regarding the preservation, rehabilitation, and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/21/2010; DUPLICATED. See File No. 100851.

09/21/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/21/2010; RE-REFERRED to the Land Use and Economic Development Committee.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendation of the Public Safety Committee**

*Present: Supervisors Chiu, Mirkarimi, Elsbernd*

**40. 100963 [Healthy Nail Salon Recognition Program]**

**Sponsors: Chiu; Maxwell, Alioto-Pier, Chu and Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Chapter 27, Sections 27.1 through 27.6, to create a program to recognize nail salons that use nail polishes free of the toxic chemicals toluene, dibutyl phthalate, and formaldehyde.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendations of the Rules Committee**

*Present: Supervisors Alioto-Pier, Mar, Chiu*

**41. 101008 [Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]**

**Sponsors: Chiu; Chu, Alioto-Pier and Mar**

Ordinance amending the San Francisco Administrative Code by adding Sections 1.57-1 through 1.57-5, to provide for the establishment and maintenance of a centralized and publicly accessible online database of information concerning appointments made by Appointing Authorities to City and County of San Francisco advisory bodies.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**42. 100995 [Appointment, City Hall Preservation Advisory Commission - Maureen "Pat" Kelley]**

Resolution confirming the appointment of Maureen "Pat" Kelley to the City Hall Preservation Advisory Commission. (Mayor)

**Question: Shall this Resolution be ADOPTED?**

**43. 100778 [Reappointment, Public Utilities Commission - Anson Moran]**

Motion confirming the Mayor's reappointment of Anson Moran to the Public Utilities Commission, Seat 4, term ending August 1, 2014. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

**44. 100905 [Appointment, San Francisco Redevelopment Agency - Rosario Anaya]  
Sponsor: Mayor**

Motion confirming the Mayor's appointment of Rosario Anaya to the San Francisco Redevelopment Agency for the unexpired portion of a four-year term ending September 3, 2011.

**Question: Shall this Motion be APPROVED?**

*Present: Supervisors Alioto-Pier, Chiu*

**45. 101261 [Appointment, Association of Bay Area Governments Executive Board - Supervisor Eric Mar]**

Motion appointing Supervisor Eric Mar, term ending June 30, 2012, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

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



## SPECIAL ORDER 4:00 P.M.

### APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

#### 46. 101041 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 10 Bernal Heights Boulevard]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Determination of Exemption from Environmental Review identified as Planning Case No. 2010.0306C, by its Motion No. 18131, which included the exemption determination, that a project located at 10 Bernal Heights Boulevard is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15301 Class (1), 15303 (Class 3), and 15311 (Class 11), to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park within an RH-1(D) (Residential, House, Single-Family, Detached) Zoning District and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Appellant: Erick Arguello on behalf of the Lower 24th Street Merchant Association.)

(Filed August 2, 2010; Companion Measure to File Nos. 101042, 101043, 101044.)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

#### Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

**(Only one of the following two motions should be approved.)**

- 47. 101042 [Affirming the Exemption Determination for 10 Bernal Heights Boulevard]**  
Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)
- 09/14/2010; CONTINUED.  
09/28/2010; CONTINUED.
- Question: Shall this Motion be APPROVED?**
- 48. 101043 [Reversing the Exemption Determination Issued for 10 Bernal Heights Boulevard]**  
Motion reversing the determination by the Planning Commission that the 10 Bernal Heights Boulevard project is exempt from environmental review. (Clerk of the Board)
- 09/14/2010; CONTINUED.  
09/28/2010; CONTINUED.
- Question: Shall this Motion be APPROVED?**
- 49. 101044 [Preparation of Findings to Reverse the Exemption Determination for the 10 Bernal Heights Boulevard Project]**  
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)
- 09/14/2010; CONTINUED.  
09/28/2010; CONTINUED.
- Question: Shall this Motion be APPROVED?**

**SPECIAL ORDER 4:00 P.M.****50. 101045 [Public Hearing - Conditional Use Appeal for 10 Bernal Heights Boulevard]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Conditional Use Permit identified as Planning Case No. 2010.0306C, by its Motion No. 18131, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park and to modify the Conditional Use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within the RH-1(D) (Residential, House, Single-Family, Detached) Zoning District, and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Filed by Erick Arguello on behalf of the Lower 24th Street Merchant Association, and subscribed by Supervisors Campos, Mar, Chiu, Chu, Mirkarimi, and Avalos.)

(Filed August 2, 2010; Companion Measure to File Nos. 101046, 101047, 101048.)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

**Question: Shall this Hearing be HEARD AT PUBLIC HEARING?**

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

**(Only one of the following two motions should be approved.)****51. 101046 [Approving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]**

Motion approving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

09/14/2010; CONTINUED.

09/28/2010; CONTINUED.

**Question: Shall this Motion be APPROVED?**

- 52. 101047 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]**  
Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)
- 09/14/2010; CONTINUED.  
09/28/2010; CONTINUED.
- Question: Shall this Motion be APPROVED?**
- 53. 101048 [Preparation of Findings Related to the Conditional Use Appeal for 10 Bernal Heights Boulevard]**  
Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard. (Clerk of the Board)
- 09/14/2010; CONTINUED.  
09/28/2010; CONTINUED.
- Question: Shall this Motion be APPROVED?**

## COMMITTEE REPORTS

*Reports from committees, if any, recommending emergency or urgent measures.*

*The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, October 18, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 19, 2010.*

- 54. 101115 [Directing the Controller to Prepare an Infrastructure Financing Plan]**  
**Sponsor: Mayor**  
Resolution authorizing and directing the Controller and his designee to prepare a report for Infrastructure Financing District No. 1 (Rincon Hill Area) and determining other matters related thereto.
- Question: Shall this Resolution be ADOPTED?**
- 55. 101116 [Resolution of Intention to Establish an Infrastructure Financing District]**  
**Sponsor: Mayor**  
Resolution of Intention to establish an Infrastructure Financing District No. 1 (Rincon Hill Area) to finance the construction and/or acquisition of capital improvements in the Rincon Hill area; to call a public hearing on the formation of the district and to provide public notice thereof and other matters related thereto.
- Question: Shall this Resolution be ADOPTED?**

## ROLL CALL FOR INTRODUCTIONS

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

## PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.*

*Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.*

### Items 56 through 64

**56. 101257 [Condemning the September 24, 2010, FBI Raids]**

**Sponsors: Mar; Daly and Campos**

Resolution condemning the September 24, 2010, FBI raids on Trade Union, Anti-War, and Solidarity Activists.

09/28/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/05/2010; CONTINUED.

**Question: Shall this Resolution be ADOPTED?**

**57. 101273 [Accept and Expend Grant - Department of Public Library - Staff Education Program - \$10,512]**

**Sponsor: Chu**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$10,512 from the California State Library as part of the Federal Library Services and Technology Act for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**58. 101274 [Accept and Expend Grant - Arts Commission - Koret Foundation for ArtCare Program - \$15,000]**

**Sponsor: Dufty**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$15,000 from the Koret Foundation for general operating support of the ArtCare program.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**59. 101276 [Preventing Bullying and Suicide of Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) Youth]**

**Sponsors: Campos; Dufty and Alioto-Pier**

Resolution affirming the importance of maintaining a safety net for LGBTQ youth, and encouraging schools, colleges, and universities to prevent bullying and raise awareness about LGBTQ suicide prevention services.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**60. 101278 [Proclaiming November 5, 2010, as Angels in America Day]**

**Sponsors: Dufty; Campos**

Resolution proclaiming November 5, 2010, as Angels in America Day in San Francisco to recognize the tremendous worldwide impact Tony Kushner's play has had since it first premiered at San Francisco's Eureka Theater in 1991.

10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 61. 101279 [Accept and Expend Grant - Arts Commission - Tulsa Community Foundation for ArtCare Program - \$5,000]**  
**Sponsor: Dufty**  
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$5,000 from the Tulsa Community Foundation for general operating support of the ArtCare program.  
  
10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
- 62. 101280 [Supporting Greenhouse Gas Reduction Targets]**  
**Sponsor: Mar**  
Resolution supporting the California Air Resources Board's leadership in developing and implementing strategies for meeting California's greenhouse gas reduction targets, and in promoting emission reductions from motor vehicles.  
  
10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
- 63. 101281 [Issuance and Sale of Revenue Bonds - 2235-3rd Street Apartments - Not to Exceed \$60,000,000]**  
**Sponsor: Maxwell**  
Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments Finance Authority For Nonprofit Corporations in an aggregate principal amount not to exceed \$60,000,000 for financing the acquisition, construction and rehabilitation of 2235-3rd Street Apartments, subject to the policies for such approvals adopted by the Board of Supervisors.  
  
10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Resolution be ADOPTED?**
- 64. 101277 [Waiver Permitting City Employees to Assist the Department of Elections with the November 2, 2010, Consolidated General Election]**  
**Sponsor: Chiu**  
Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2010, Consolidated General Election.  
  
10/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
  
**Question: Shall this Motion be APPROVED?**

Questions on the For Adoption Without Committee Reference  
Agenda: \_\_\_\_\_

## 65. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

*[Serious Injury Finding]*

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

*[Purely Commendatory Finding]*

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

*[Brown Act Finding]*

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

## LEGISLATION INTRODUCED AT ROLL CALL

### PROPOSED ORDINANCES

*Proposed ordinances received from September 28, 2010, to October 8, 2010, for reference by President to appropriate committee on October 19, 2010.*

#### **101288 [Settlement of Lawsuit - Cheryl Austin - \$268,452]**

Ordinance authorizing settlement of the lawsuit filed by Cheryl Austin against the City and County of San Francisco for \$268,452, inclusive of attorneys' fees and costs; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498110; entitled Cheryl Austin v. City and County of San Francisco. (City Attorney)

10/06/2010; RECEIVED AND ASSIGNED to the Rules Committee.

#### **101289 [Settlement of Lawsuit - Nyree Monroe - Up to \$31,000]**

Ordinance authorizing settlement of the lawsuit filed by Nyree Monroe against the City and County of San Francisco for up to \$31,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC 10-498109; entitled Nyree Monroe v. City and County of San Francisco; other material terms of said settlement are reinstatement. (City Attorney)

10/06/2010; RECEIVED AND ASSIGNED to the Rules Committee.



- 101290 [Settlement of Lawsuit - Edward Kriete - \$575,000]**  
Ordinance authorizing settlement of the lawsuit filed by Edward Kriete against the City and County of San Francisco for \$575,000; the lawsuit was filed on April 17, 2009, in the San Francisco Superior Court, Case No. CGC 09-487483, entitled Edward Kriete v. City and County of San Francisco. (City Attorney)

10/06/2010; RECEIVED AND ASSIGNED to the Rules Committee.

## PROPOSED RESOLUTIONS

*Proposed resolutions received from September 28, 2010, to October 8, 2010, for reference by President to appropriate committee on October 19, 2010.*

- 101291 [Endorsement of Term Sheet - Port Commission - Seawall Lot 351/8 Washington Project at Washington/The Embarcadero]**  
Resolution endorsing the proposed Seawall Lot 351/8 Washington Project at Washington/The Embarcadero Term Sheet between San Francisco Waterfront Partners II, LLC and the San Francisco Port Commission. (Port)
- 101294 [Airport Professional Services Agreement - Curbside Management Program - Not to Exceed \$26,000,000]**  
Resolution approving the Professional Services Agreement, Airport Contract 8994 - to Manage and Staff the Curbside Management Program between FSP PPM Management, LLC and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$26,000,000, pursuant to San Francisco Charter Section 9.118(b). (Airport Commission)
- 101298 [Gift Acceptance - Police Department - Two Automobiles from KKI Productions - \$31,239.30]**  
Resolution authorizing the San Francisco Police Department to accept as gifts from KKI Productions a 2007 Honda Accord with mileage of 33,681 valued at \$15,571.44 and a 2008 Toyota Corolla S-Type with mileage of 32,518 valued at \$15,667.86. These automobiles will be placed into the general fleet of vehicles assigned to the San Francisco Police Department.

10/07/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

10/08/2010; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

**101295 [Petitions and Communications]**

Petitions and Communications received from September 28, 2010, through October 8, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 19, 2010.

From Southeast Community Facility Commission, submitting their Annual Statement of Purpose and Annual Report for FY2009-2010. (1)

From U.S. Senator Dianne Feinstein, submitting support for comprehensive immigration reform. Copy: Each Supervisor (2)

From concerned citizens, submitting opposition to the sheer number of chain stores spreading all over the small shopping neighborhoods of San Francisco. 2 letters (3)

From Abdalla Megahed, regarding his complaint against the building manager at 990 Polk Street. Copy: Each Supervisor (4)

From Human Rights Commission, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Golden Gateway. (5)

From Office of the Treasurer and Tax Collector, submitting their investment activity for fiscal year-to-date of the portfolios under the Treasurer's management. Copy: Each Supervisor (6)

From Aaron Goodman, regarding the Parkmerced Project. 2 letters (7)

From Department of Public Health, regarding the Ryan White HIV Emergency Relief Program. File No. 101253, Copy: Each Supervisor (8)

From Office of the Controller, submitting the concession audit report of Paradies Shops. Paradies Shops has three lease agreements with the Airport Commission. (9)

From Mordicai McGuire, regarding spending \$450,000 to build a wheelchair ramp in the Board of Supervisors Legislative Chamber. Copy: Each Supervisor (10)

From S.F. Environment, submitting the 2009 Annual Report for the Green Purchasing Program for City Staff. (11)

From Clerk of the Board, the Office of Economic and Workforce Development has submitted their 2010 Local Agency Biennial Notices. (12)

From Fire Department, submitting an update on the utility infrastructure safety review. (13)

From James Corrigan, regarding Fire Chief Hayes-White and Chief Gardner. (14)

From Bob Larive, regarding the homeless people in the Fisherman Wharf area. (15)

From Steve, submitting opposition to expanding parking meter hours and/or Sunday metering. (16)

From Susan Ruhne, submitting support for San Francisco's bid for the 34th America's Cup and endorsement of Host City. File No. 101254, 2 letters (17)

From Sunshine Ordinance Task Force, submitting their Annual Report for FY2009-2010. (18)

From Office of the Controller, submitting their August Monthly Overtime Report. (19)

From General Services Agency, Risk Management Division, submitting their Indemnification Quarterly Report for November 2008 through September 2010. Copy: Each Supervisor (20)

From Residential Rent Stabilization and Arbitration Board, submitting their Annual Statistical Report for FY2009-2010. (21)

From Department of Public Health, submitting their 2010 Annual Title XV Evaluation Report for San Francisco Detention Facilities. Copy: Each Supervisor (22)

From T-Mobile, submitting notification of eight cellular antennas to be installed at 482 Grand View Drive. (23)

From T-Mobile, submitting notification of six cellular antennas to be installed at 555 Market Street. (24)

From Office of the Controller, submitting the concession audit report of Smarte Carte. Smarte has a lease agreement with the Airport Commission. (25)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to the Mountain Yellow-Legged Frog. (26)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to the Pacific Fisher. (27)

From Fire Department, regarding a Matier and Ross article written on September 5, 2010. (28)

From Office of the Mayor, submitting the appointment of Michael Kim to the Port Commission. Copy: Each Supervisor, Rules Committee Clerk, City Attorney (29)

From U.S. Environmental Protection Agency, submitting an advance copy of the legal advertisement that the Environmental Protection Agency (EPA) will be publishing regarding the EPA's tentative decision to authorize California for revisions to its hazardous waste regulations. Copy: Each Supervisor (30)

From Police Department, thanking the Board of Supervisors for hearing the appeal objecting the Planning Commission's approval of a new Conditional Use for entertainment at 1268 Grant Avenue. File No. 101135, Copy: Each Supervisor (31)

From Cheryl Richard, submitting support for banning the use of pesticides and herbicides on all city-owned lands. (32)

From concerned citizens, submitting opposition to an alcohol cost recovery fee. File No. 10865, 2 letters (33)

From Greg Patterson, submitting opposition to some specifics of the 222 2nd Street project plan. File No. 101031, Copy: Each Supervisor (34)

From concerned citizens, submitting opposition to the 222 2nd Street plan. File No. 101031, 3 letters (35)

From Kimo Crossman, regarding the San Francisco Chronicle using the pejorative "illegals" on October 5, 2010, regarding undocumented immigrants. (36)

From Municipal Transportation Agency, regarding the required right- turn pilot project on eastbound Market Street. (37)

From Sanitary Truck Drivers and Helpers, Local 350, submitting opposition to resolution approving a ten-year landfill disposal facilitation agreement with Recology San Francisco. File No. 101225, Copy: Budget and Finance Committee Members and Committee Clerk (38)

From Department of Public Health, regarding resolution authorizing the Department of Public Health to apply for the HIV Emergency Relief Grant Program. File No. 101253, Copy: Each Supervisor (39)

From Department of Public Health, regarding October 2010 as Restaurant Appreciation Month. (40)

From James Corrigan, regarding parking control officers not issuing tickets to fire department personnel who double park their private vehicles in Chinatown. (41)

From Chris Barker, regarding World Statistics Day on October 20, 2010. (42)

From Tim Giangioffe, regarding the need for more single room occupancy (SRO) hotels in San Francisco. (43)

From Juliann Sum, regarding the economic recovery in San Francisco. (44)

From Lee Goodin, submitting Cowboy Bob's Bum Report. (45)

## **ADJOURNMENT**