



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 26, 2010 - 2:00 PM

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

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

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**

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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.

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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
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

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

APPROVAL OF MEETING MINUTES

Approval of the September 14, 2010, and September 21, 2010, Board Meeting Minutes.

COMMUNICATIONS

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

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

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 15

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

- 1. 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.)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 2. 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.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 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.)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

4. 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.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100917 [Planning Code Amendments - Area Plan Impact Fee and Jobs-Housing Linkage Program]

Sponsor: Avalos

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)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 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.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 101258 [Functional Classification Change for Local Streets]

Resolution approving the Department of Public Works recommended changes to the Functional Classification of local streets and roads and directing the Department to submit this resolution to the State of California, Department of Transportation. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

8. **100963** **[Healthy Nail Salon Recognition Program]**
 Sponsors: Chiu; Maxwell, Alioto-Pier, Chu, Mirkarimi, Mar and Campos
 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.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

9. **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.

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Campos, Alioto-Pier, Mar

10. **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)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 11. 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)
- 10/19/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
- 12. 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)
- 10/19/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
- Present: Supervisors Alioto-Pier, Mar, Chiu*
- 13. 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.
- 10/19/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
- 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)
- 10/19/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

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)

10/19/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

16. 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.)

10/19/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 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.)
- 10/19/2010; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

18. 101197 **[Contract Approval - Municipal Transportation Agency - Capital Program Controls System Procurement and Related Support Services - Not to Exceed \$22,268,541]**
Sponsor: Chu
Resolution approving the San Francisco Municipal Transportation Agency Contract No. CS-156, Agency Capital Program Controls System Procurement, and Related Support Services, to Hill International, as negotiated, for an amount not to exceed \$22,268,541 for a term not to exceed eight years, with expenditures limited to \$13,481,000 pending receipt and certification of additional funding.
- (Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?**
19. 101199 **[Accept and Expend Grant - Department of Public Health - State Vocational Rehabilitation Services Program - \$7,685,055]**
Sponsor: Maxwell
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Rehabilitation in the total amount of \$7,685,055 to provide vocational rehabilitation services to clients for the period July 1, 2010, through June 30, 2013, waiving indirect costs.
- (Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?**

20. 101215 [Leases of Real Property at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street]

Resolution authorizing the amendment of four existing leases (at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street) to reduce the rent and extend the lease term for the Department of Public Health, Human Services Agency, and the Department of Child Support Services. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

**21. 101252 [Amendment to the Redevelopment Agency Budget - Not to Exceed \$520,743]
Sponsor: Mayor**

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011 by authorizing expenditures in an amount not to exceed \$520,743 for personnel positions associated with the implementation of the Candlestick Point - Hunters Point Shipyard Phase 2 Project.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Elsbernd

22. 101213 [Airline/Airport 2011 Lease and Use Agreement with Various Airlines]

Resolution approving six new Airline/Airport Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such Airlines to conduct domestic and international flight operations at San Francisco International Airport. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

23. 101214 [Airline/Airport Lease and Use Agreement and Lease and Operating Agreement Modifications with Alaska Airlines, Inc., and Continental Airlines, Inc.]

Resolution approving modifications to the terms of two Airline/Airport Lease and Use Agreements between the City and County of San Francisco and Alaska Airlines, Inc., and Continental Airlines, Inc., to allow such Airlines to modify the rental of Terminal Space. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu

24. 101156 [Memorandum of Understanding, Amendment No. 2 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]

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 Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 101157 [Amending the Employee Relations Ordinance to Update Provisions Consistent with State and Local Law and Related Clean-Up Provisions]

Sponsor: Mayor

Ordinance amending Section 16.200 through Section 16.222 of the San Francisco Administrative Code regarding Employee Relations to update provisions consistent with state and local law and related clean-up provisions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

26. 100878 [San Francisco Fire Code - Repealing and Replacing]

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2010 San Francisco Fire Code consisting of the 2010 California Fire Code and portions of the 2009 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 100946 [San Francisco Building Code - Repealing and Replacing]

Ordinance repealing the 2007 San Francisco Building Code in its entirety and replacing that Code with a new 2010 San Francisco Building Code that consists of the 2010 California Building Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 28. 100950 [San Francisco Building Code - Residential Building - Repealing and Replacing]**
Ordinance incorporating the provisions of the 2010 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 29. 101128 [San Francisco Building Code - Green Building - Repealing and Replacing]**
Ordinance repealing Chapter 13C of the San Francisco Building Code in its entirety and enacting a new Chapter 13C that consists of the 2010 California Green Building Standards Code with local amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and Public Resources Code Section 25402.1(h)(2), and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 30. 100952 [San Francisco Electrical Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and replacing that code with a new 2010 San Francisco Electrical Code that consists of the 2010 California Electrical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 31. 101126 [San Francisco Mechanical Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Mechanical Code in its entirety and replacing that code with a new 2010 San Francisco Mechanical Code that consists of the 2010 California Mechanical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 101127 **[San Francisco Plumbing Code - Repealing and Replacing]**
Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

33. 100455 **[San Francisco Safe Drug Disposal Ordinance]**
Sponsor: Mirkarimi
Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2209, to require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources and to provide for implementation, enforcement, fees, and penalties, and making environmental findings.

(Supervisor Elsbernd dissented in Committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
34. 101062 **[Updating Enforcement and Compliance Procedures for Nuisance]**
Sponsor: Avalos
Ordinance amending the San Francisco Health Code Articles 6 and 11 by amending Sections 580, 581, 596, 599, and 600, and adding Sections 292.5, 596.5, 602.3, and 610 to: 1) add requirements for Refuse collection and storage in multi-story residential facilities; 2) update nuisance definitions; 3) add potential attorneys' fees recovery for the prevailing party in those cases which the City elects to recover attorneys' fees; 4) require owners of rental property to provide contact information to the Department; 5) add civil penalties; and 6) expand administrative penalties and procedures.

(Supervisor Elsbernd dissented in Committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

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 35 through 40

- 35. 101319 [Encouraging of a Goal of 20% of Trips by Bicycle by 2020]**
Sponsors: Chiu; Dufty, Mirkarimi and Maxwell
Resolution encouraging departments and agencies of the City and County of San Francisco to adopt a goal of 20% of trips by bicycle by 2020.
- 10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 36. 101320 [Parkside Branch Library Reopening]**
Sponsor: Chu
Resolution recognizing the Grand Reopening of the Parkside Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.
- 10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

**37. 101321 [Issuance and Sale of Revenue Bonds - Crescent Manor - 467 Turk Street]
Sponsor: Daly**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principle amount not to exceed \$11,000,000 for financing the acquisition, construction, and rehabilitation of Crescent Manor - 467 Turk Street, subject to the policies for such approvals adopted by the Board of Supervisors.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**38. 101322 [Accept and Expend Grant - PSI/Myanmar Collaborative Impact Study Planning - \$7,993]
Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$7,993 from the University of California San Francisco (UCSF), to participate in a program entitled "PSI/Myanmar Collaborative Impact Study Planning" for the period of May 1, 2010, through June 29, 2010.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**39. 101323 [Accept and Expend Grant - Tanzania Support President's Emergency AIDS Plan - \$27,062]
Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$27,062 from the University of California San Francisco (UCSF), to participate in a program entitled "Tanzania UCSF Technical Assistance to Support the President's Emergency Plan for AIDS" for the period of April 1, 2010, through September 29, 2010.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**40. 101328 [Urging the Governor of California to Reinstate Stage 3 Child Care Funding]
Sponsors: Mar; Chiu**

Resolution urging the Governor of California to reinstate Stage 3 child care funding of \$256,000,000 to protect 1,214 children in San Francisco and 81,000 children in California and to save thousands of jobs and urge the First 5 Commission to provide bridge funding until December 2010.

10/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

41. 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 RESOLUTIONS

Proposed resolutions received from October 12, 2010, to October 18, 2010, for reference by President to appropriate committee on October 26, 2010.

101301 [Approval of Contract with AnsaldoBreda, Inc. - Repair of Damaged LRVs - Not to Exceed \$32,854,622]

Resolution approving Contract No. CPT 626.02, repair of damaged light rail vehicles, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda, Inc., to rebuild up to seven damaged light rail vehicles, in an amount not to exceed \$32,854,622, and for a term not to exceed six years, with expenditures limited to \$13,000,000 pending certification of additional funding. (Municipal Transportation Agency)

10/18/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101302 [Harry Tracy Water Treatment Plant Improvements Project Findings]

Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Harry Tracy Water Treatment Plant Long-Term Improvements Project No. CUW36701, part of the Water System Improvement Program, for the improvements to the regional water supply system and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 101304 [Crystal Springs Pipeline Number Two Replacement Project Findings]**
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Crystal Springs Pipeline Number 2 Replacement Project No. CUW37801, part of the Water System Improvement Program for the improvements to the regional water supply system and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

- 101305 [Lower Crystal Springs Dam Improvements Project Findings]**
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Lower Crystal Springs Dam Improvements Project No. CUW35401, including the Mitigation Habitat Actions at ten sites mostly in San Mateo County and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

- 101306 [Purchase Agreement - Permanent Access Road Easement - Stanislaus County - \$500]**
Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 751 square feet over a portion of Assessor's Parcel Numbers 016-002-011 and 016-002-012 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 (the Project) for a purchase price of \$500; adopting findings under the California Environmental Quality Act (CEQA); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

10/18/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 101307 [Purchase Agreement - Permanent Access Road Easement - Stanislaus County - \$2,500]**
Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 398 square feet over a portion of Assessor's Parcel Number 016-002-048 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 (the Project) for a purchase price of \$2,500; adopting findings under the California Environmental Quality Act (CEQA); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

10/18/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101300 [Petitions and Communications]

Petitions and Communications received from October 12, 2010, through October 18, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 26, 2010.

From Andrea O'Leary, submitting copy of letter sent to the Recreation and Park Commission regarding outreach issues. (1)

From Aaron Goodman, submitting his concerns with the Parkmerced Project. (2)

From concerned citizens, submitting support for the Parkmerced Project. File No. 100979, 5 letters (3)

From Edith McMillan, submitting opposition to alterations to the Board of Supervisors' Legislative Chamber. File No. 101182, Copy: Each Supervisor (4)

From Department of Public Health, submitting a letter from the Director, Environmental Health, requesting nomination of a restaurant in each district. Copy: Each Supervisor (5)

From Real Estate Division, submitting a letter of receipt regarding the Japantown City Agency Work Group. Copy: Supervisor Mirkarimi (6)

From Office of the Controller, submitting compliance audit of Hawaiian Airlines, Inc. Copy: Mayor, Each Supervisor, Budget Analyst, Civil Grand Jury and Public Library. (7)

From City Administrator and Chair, Capital Planning Committee, submitting recommendations of the Capital Planning Committee on the issuance and sale of the earthquake safety and emergency response general obligation bond. (8)

From Francisco Da Costa, submitting a link to an article regarding Lennar and Parcel A at Hunters Point Naval Shipyard. (9)

From Francisco Da Costa, submitting a link to an article regarding the America's Cup. (10)

From James Carrigan, submitting information on Fire Station No. 2 double-parking on Powell Street during morning rush hour. (11)

From Julie Eckardt, submitting a letter of support for the plan to allow Recology to transport materials from the City to Yuba County via rail hauling. File No. 101225 (12)

From Department of the Environment, submitting an annual report for calendar years 2008-2009. (13)

From Department of the Environment, submitting an annual report on the City's green purchasing program (14)

From Robert Geshliger, submitting opposition to California Pacific Medical Center's Master Plan for St. Luke's Hospital and the new Cathedral Hill facility. (15)

From Public Utilities Commission, requesting the calendaring of a release of reserve on the Public Utilities Commission Sustainable Energy Account Project CUH947. (16)

From concerned citizens, submitting opinions on setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096, 35 letters (17)

From Jim Toner, submitting opposition to setting nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. File No. 101096 (18)

From James Chaffee, submitting an article on the Ethics Commission and its recommendation of the President of the Library Commission's conduct. 2 letters (19)

From Bill Quan, submitting a letter recommending amending the enforcement and compliance procedures for nuisance. File No. 101062. (20)

From Real Estate Division, submitting a letter of receipt of Board of Supervisors inquiry regarding Japantown City Agency Work Group. (21)

From Fior d' Italia, submitting Cowboy Bob's Bum Report regarding Board of Supervisors' legislation verses the homeless issues in San Francisco. (22)

From Office of the Controller, submitting the September monthly overtime report. (23)

From Axis of Love, submitting a release regarding Axis of Love's protest of the issuance of a violation against a social service/non-profit. (24)

From Katherine Howard, Golden Gate Park Preservation Alliance, submitting a letter regarding Westside Recycled Water Treatment Plant. (25)

From the Airport Commission, submitting a report on concession audit of Host International, Inc. (26)

From Judith Berkowitz, Coalition for San Francisco Neighborhoods, submitting a letter regarding resolution to the proposed construction of the Westside Water Treatment Plant in Golden Gate Park. (27)

ADJOURNMENT