

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, June 8, 2010 - 2:00 PM

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

### Regular Meeting

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DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,  
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

##### **Budget and Finance Committee**

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Wednesday  
1:30 PM

##### **Budget and Finance Sub-Committee**

Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday  
11:00 AM

##### **City and School District Select Committee**

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

1st and 3rd Thursday  
3:30 PM

##### **City Operations and Neighborhood Services Committee**

Supervisors Chu, Avalos, Elsbernd

2nd and 4th Monday  
10:30 AM

##### **Government Audit and Oversight Committee**

Supervisors Mar, Chu, Maxwell

2nd and 4th Thursday  
10:30 AM

##### **Land Use and Economic Development Committee**

Supervisors Maxwell, Mar, Chiu

Monday  
1:00 PM

##### **Public Safety Committee**

Supervisors Chiu, Mirkarimi, Dufty

1st and 3rd Monday  
10:00 AM

##### **Rules Committee**

Supervisors Campos, Alioto-Pier, Mar

1st and 3rd Thursday  
10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of May 4, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

## COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor on June 1, 2010, communicating the Mayor's notice to the Board of Supervisors, under Charter Section 4.132, of a transfer of function between departments within the executive branch. That such reorganization shall become effective 30 days after its issuance, unless disapproved by the Board of Supervisors.*

## CONSENT AGENDA

### Recommendations of the Budget and Finance Sub-Committee

#### **100488 [Recreation and Park Department - Coit Tower Non-Resident Fees]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.06, to establish non-San Francisco resident fees for the elevator at Coit Tower, and making environmental findings.

**Ordinance No. 118-10**

**FINALLY PASSED**

**100456 [Agreement to Purchase Easements in Connection with the New Irvington Tunnel Project in Alameda County]**

Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to acquire for \$57,500 a permanent well easement and a temporary construction easement in Alameda County for the public purpose of constructing the San Francisco Public Utilities Commission New Irvington Tunnel Project; adopting findings under the California Environmental Quality Act; adopting findings that the purchase is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

**Resolution No. 268-10**

**ADOPTED**

**100516 [Lease Agreement with the California State Lands Commission]**

Resolution approving and authorizing a 25 year lease with the California State Lands Commission for a portion of the San Francisco Bay in Alameda and San Mateo Counties, at no rent, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - 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)

**Resolution No. 267-10**

**ADOPTED**

**Recommendations of the City Operations and Neighborhood Services Committee****100532 [Accept and Expend Grant - National Endowment for the Arts Learning in the Arts Program for the San Francisco Arts Commission's WritersCorps Program - \$60,000]**

**Sponsor: Mayor**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$60,000 from the National Endowment for the Arts Learning in the Arts Program for general operating support for WritersCorps.

**Resolution No. 259-10**

**ADOPTED**

**100536 [Accept and Expend Grant - Public Health Emergency Response Phase IV - \$849,417]****Sponsor: Chu**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$849,417 from the California Department of Public Health, to assist with a project entitled "Public Health Emergency Response Phase IV" for the period of March 1, 2010 through July 30, 2010.

**Resolution No. 257-10****ADOPTED****Recommendations of the Land Use and Economic Development Committee****100298 [Freeway Maintenance Agreement for the Interchange at Highways 101 and 280]**

Resolution approving a Freeway Maintenance Agreement with the State of California apportioning maintenance responsibilities for the interchange at Highways 101 and 280 and authorizing the Director of Public Works to execute said Agreement on behalf of the City. (Public Works Department)

**Resolution No. 265-10****ADOPTED****100299 [Freeway Maintenance Agreement for the Bay Bridge Anchorage Security Measures]**

Resolution approving a Freeway Maintenance Agreement with the State of California apportioning maintenance responsibilities for the San Francisco-Oakland Bay Bridge Beale Street anchorage security measures and authorizing the Director of Public Works to execute said Agreement on behalf of the City. (Public Works Department)

**Resolution No. 266-10****ADOPTED****Recommendations of the Rules Committee****100517 [Settlement of Lawsuit - Susan Garduno - \$47,500]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$47,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING****100518 [Settlement of Lawsuit - Linda Ho - \$88,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Linda Ho against the City and County of San Francisco for \$88,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**100519 [Settlement of Lawsuit - Victoria Sanchez - \$66,500]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$66,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**100520 [Settlement of Lawsuit - Sally Seid - \$48,500]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$48,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**100521 [Settlement of Lawsuit - Mary Anne Short and Robert Short - \$160,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Mary Anne Short/Robert Short against the City and County of San Francisco for \$160,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**100559 [Settlement of Lawsuit - SN Sands Corp. dba S&S Trucking - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by SN Sands Corp. dba S&S Trucking against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 10, 2009, in San Francisco Superior Court, Case No. CGC-09-487156; entitled SN Sands Corporation dba S&S Trucking v. City and County of San Francisco; other material terms of said settlement are term of five-year contract to run from December 20, 2008, to December 19, 2013. (City Attorney)

**PASSED, ON FIRST READING**

**100560 [Settlement of Lawsuit - James A. Shotwell - \$167,500]**

Ordinance authorizing settlement of the lawsuit filed by James A. Shotwell against the City and County of San Francisco for \$167,500; the lawsuit was filed on September 26, 2008, in San Francisco Superior Court, Case No. CGC-08-480280; entitled James A. Shotwell v. City and County of San Francisco. (City Attorney)

**PASSED, ON FIRST READING**

**100561 [Settlement of Lawsuit - 609-611 Burnett Apartments, LLC - \$128,700]**

Ordinance authorizing settlement of the lawsuit filed by 609-611 Burnett Apartments, LLC, against the City and County of San Francisco for \$128,700; the lawsuit was filed on December 9, 2008, in San Francisco Superior Court, Case No. CGC-08-482803; entitled Burnett Apartments, LLC, v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**100562 [Settlement of Lawsuit - Melanie Wood and Timothy Wood - \$151,000]**

Ordinance authorizing settlement of the lawsuit filed by Melanie Wood and Timothy Wood against the City and County of San Francisco for \$151,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. CGC-07-463943; entitled Melanie Wood, et al. v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**100563 [Appointments, Mental Health Board - Lara Arguelles, Ellis Joseph and Mary Ann Jones]**

Motion appointing Lara Arguelles, Ellis Joseph and Mary Ann Jones, terms ending January 31, 2013, to the Mental Health Board. (Clerk of the Board)

Lara Arguelles, seat 13, succeeding herself, term expired, must be a family member, for a three-year term ending January 31, 2013.

Ellis Joseph, seat 14, succeeding Thomas Purvis, term expired, must be a family member, for a three-year term ending January 31, 2013.

Mary Ann Jones, seat 15, succeeding herself, term expired, must be a health professional, for a three-year term ending January 31, 2013.

**Motion No. M10-90**

**APPROVED**

**100565 [Appointments, Sunshine Ordinance Task Force - James Knoebber and Nicholas Goldman]**

Motion appointing James Knoebber and Nicholas Goldman, terms ending April 27, 2012, to the Sunshine Ordinance Task Force. (Clerk of the Board)

James Knoebber, seat 6, succeeding himself, term expired, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2012.

Nicholas Goldman, seat 7, succeeding Doyle Johnson, term expired, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2012.

**Motion No. M10-91**

**APPROVED**

**100566 [Appointments, Children and Families First Commission - Veronica Chavez and Betty Robinson-Harris]**

Motion appointing Veronica Chavez and Betty Robinson-Harris, terms ending April 29, 2014, to the Children and Families First Commission, residency requirement waived. (Clerk of the Board)

Veronica Chavez, seat 5, succeeding Kara Dukakis, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a four-year term ending April 29, 2014.

Betty Robinson-Harris (residency requirement waived), seat 8, succeeding herself, term expired, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies, for a four-year term ending April 29, 2014.

**Motion No. M10-92**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

#### **100663 [Adopting Findings Disapproving Conditional Use for Property Located at 725 Taraval Street]**

Motion adopting findings disapproving the Planning Commission's approval of Conditional Use Authorization No. 2009.0531C which approved the installation of a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within an NC-2 Zoning District and a 40-X Height and Bulk District, located at 725 Taraval Street (Lot Nos. 052-058 in Assessor's Block No. 2408). (Clerk of the Board)

**Motion No.** M10-93

**APPROVED** by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

### From the Budget and Finance Sub-Committee Without Recommendation

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

**Sponsor:** Mayor

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

**Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, on Page 5, Line 12, by replacing 'its' with 'the'; on Page 5, Line 17, by adding 'incurred by the Department and the Botanical Garden Society' after 'costs'; on Page 5, Line 17, replacing 'the non-resident fee' with 'all fees'; on Page 5, Line 18, by adding '4. Revenue from the new non-resident fee, separated into (a) point of sale gate tickets and (b) actual attendance from packaged sales with other Park sites, and revenue from all other fees;'; on Page 5, Line 18, changing '4' to '5'; on Page 5, Line 18, changing '5' to '6'; on Page 5, Line 19, by deleting 'and' between 'Gifts and donations'; on Page 5, Line 19, by adding 'and services-in-kind' after 'donations'; and on Page 5, Line 19, by adding 'and the Botanical Garden Society' after 'Department.' The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

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

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Maxwell

Noes: 2 - Mar, Mirkarimi



## NEW BUSINESS

### Recommendations of the Budget and Finance Sub-Committee

**100582 [Appropriating \$811,734 of Fund Balance for the Code Enforcement Rehabilitation Fund in Department of Building Inspection and Mayor's Office of Housing in FY2009-2010]**

**Sponsor: Mayor**

Ordinance appropriating \$738,240 of Code Enforcement Rehabilitation Fund unappropriated fund balance and deappropriating \$73,494 of prior year appropriations to support code enforcement activities in the Department of Building Inspection and the Mayor's Office of Housing in FY2009-2010.

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

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

**100640 [Waiver of Temporary Street Space Occupancy Fee for the Mission Community Market]**

**Sponsor: Campos**

Ordinance waiving the permit fee in Public Works Code Section 724.1(b) for temporary street space occupancy on certain blocks of 22nd Street on Saturday, June 19, 2010, as part of a fundraiser to launch the Mission Community Market.

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

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

**100644 [Contract Amendment - Serco, Inc., for Parking Meter Collection and Management Services - Not to Exceed \$77,300,000]**

**Sponsor: Chiu**

Resolution approving the ninth amendment to an agreement with Serco, Inc., for parking meter collection and management services, to extend the term by two years and increase the contract amount by \$16,800,000 for a total contract amount not to exceed \$77,300,000. (Fiscal Impact.)

*Privilege of the floor was granted to Lorraine Fuqua (MTA) and Harvey Rose (Budget Analyst) who responded to questions raised throughout the discussion regarding File No. 100644.*

**Resolution No. 260-10**

**ADOPTED by the following vote:**

Ayes: 7 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Maxwell

Noes: 4 - Campos, Daly, Mar, Mirkarimi

**100646 [Issuance and Sale of Tax-Exempt Bonds - Children's Day School, Inc. - Not to Exceed \$10,000,000]****Sponsor: Duffy**

Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$10,000,000 to finance various capital facilities owned or leased by Children's Day School.

**Resolution No. 256-10**

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

**Recommendation of the City Operations and Neighborhood Services Committee****100104 [Retailers Duty to Disclose Specific Absorption Rate Values for Cell Phones]****Sponsors: Mayor; Maxwell**

Ordinance amending the San Francisco Environment Code by adding Chapter 11, Sections 1100 through 1105, to require retailers to disclose specific absorption rate values for cell phones, and making environmental findings.

(Supervisor Elsbernd dissented in Committee)

*Privilege of the floor was granted to Starr Terrell (Office of the Mayor) and Mark Westlund (Department of Environment) who responded to questions raised throughout the discussion regarding File No. 100104.*

**Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED ON FIRST READING to June 15, 2010. The motion carried by the following vote:**

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Daly, Elsbernd, Mar, Maxwell, Mirkarimi

Noes: 2 - Avalos, Duffy

**Recommendations of the Land Use and Economic Development Committee****090906 [Planning - Uses Permitted in R Districts - Double Density for Senior Housing]****Sponsor: Chiu**

Ordinance amending the Planning Code by adding Section 102.6.1 to create a definition related to housing for seniors; amending Planning Code Section 209.1(m) related to the Uses Permitted in R Districts - Dwelling Zoning Control Table to update the requirements for obtaining double density for providing senior housing and, adding Section 209.1(o) to require, in certain circumstances, a conditional use authorization; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

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

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

**100364 [Major Encroachment for San Francisco State University to Place Utilities Under Font Boulevard]****Sponsor: Elsbernd**

Resolution granting a revocable major encroachment permit to San Francisco State University to occupy a portion of the public right-of-way to install and maintain private underground utilities crossing Font Boulevard to serve properties within Assessor Block No. 7304; making findings, including environmental findings and findings of consistency with the General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Public Works Department)

*Supervisor Elsbernd requested to be added as sponsor.*

**Resolution No. 264-10****ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

**Recommendation of the Public Safety Committee****100529 [Creation of Neighborhood Community Justice Task Force]****Sponsors: Chiu; Maxwell, Alioto-Pier, Mar, Daly and Campos**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.70 through 5.75, to create a Neighborhood Community Justice Task Force to make recommendations to the Board of Supervisors regarding the creation of restorative and community justice programs; provide for the Task Force's membership, organization, and duties; and set a sunset date for the Task Force.

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

**Supervisor Chiu, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, on Page 5, Lines 19-21, by adding 'No later than three months after the date that all seven voting members of the Task Force have been appointed, the Task Force shall submit a progress report on its work to the Board of Supervisors' after '(d)'. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

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

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

## **From the Public Safety Committee Without Recommendation**

### **100233 [Prohibition on Sitting or Lying on Public Sidewalks]**

**Sponsors: Mayor; Alioto-Pier**

Ordinance amending San Francisco Police Code by adding Section 168 to prohibit sitting or lying down upon a public sidewalk during specified hours, and with exceptions for the disabled and others.

(Supervisor Dufty dissented in Committee)

**PASSED ON FIRST READING. The motion FAILED by the following vote:**

Ayes: 3 - Alioto-Pier, Chu, Elsbernd

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

## **Recommendation of the Rules Committee**

### **100437 [Standards of Care for City Shelters and Powers and Duties of the Shelter Monitoring Committee]**

**Sponsors: Mar; Campos, Alioto-Pier, Avalos and Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Chapter 20, Sections 20.304, 20.401, 20.403, 20.404, and 20.405, to: 1) amend City requirements in the delivery of shelter services to, among other things, expand reservation capability at shelters; 2) provide additional training to shelter staff; and ensure case management services for shelter clients in need; and 3) require the Shelter Monitoring Committee to track refusals of shelter beds and authorize the Committee to initiate investigations into alleged violations of contractual obligations imposed by Chapter 20.

*Supervisors Avalos and Mirkarimi requested to be added as co-sponsors.*

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

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

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

### **Privilege of the Floor**

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

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

*Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Qin Wang, a rose gardener from Golden Gate Park in recognition of his accomplishments.*

*Supervisor Chiu introduced, welcomed, and presented Certificates of Honor to the leadership of both the North Beach Merchants Association and the Chinatown Community Center in recognition of their accomplishments and continued community support.*

**SPECIAL ORDER 4:00 P.M.****100252 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 100 - 32nd Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 19, 2009, Case No. 2007.0129E, that a project located at 100 - 32nd Avenue is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposal would add a three-story side horizontal addition and would enlarge the existing partial fourth floor at the existing four-story, single-family residence located in an RH-1(D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District, in Assessor's Block No. 1312, Lot No. 008. (District 2) (Appellant: Stephen M. Williams on behalf of Sanford Garfinkel, other neighbors, and the Lincoln Park Neighborhood Association) (Clerk of the Board)

(Filed March 1, 2010; Companion Measure to File Nos. 100253, 100254, 100255.)

*The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to July 13, 2010. There were no speakers. The President continued the public hearing open to July 13, 2010.*

**Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED to July 13, 2010. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

**100253 [Affirming the Exemption Determination for 100 - 32nd Avenue]**

Motion affirming the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

**Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED to July 13, 2010. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

**100254 [Reversing the Exemption Determination Issued for 100 - 32nd Avenue]**

Motion reversing the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

**Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED to July 13, 2010. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

**100255 [Preparation of Findings Related to the Exemption Determination for the 100 - 32nd Avenue]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

**Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED to July 13, 2010. The motion carried by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

## COMMITTEE REPORTS

### Recommendations of the Rules Committee

#### **100525 [Reappointment, Police Commission - Joseph E. Marshall]**

Motion confirming the Mayor's nomination of, and reappointing, Joseph E. Marshall to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014. (Mayor)

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - April 28, 2010.)

**Motion No. M10-94**

**APPROVED by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

#### **100681 [Appointment, Juvenile Probation Commission - Joseph Arellano]**

Motion rejecting the Mayor's appointment of Joseph Arellano to the Juvenile Probation Commission, for the term ending January 15, 2014.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2010.)

**APPROVED. The motion FAILED by the following vote:**

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell

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

#### **100648 [Accept and Expend Grant - Caltrans Community Design Process for Cesar Chavez Street - \$250,000]**

**Sponsors: Mayor; Maxwell, Campos and Dufty**

Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of \$250,000 from Caltrans for the period February 16, 2010, through February 28, 2012, in order to conduct a community design process for Cesar Chavez Street.

**Resolution No. 258-10**

**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

*Supervisor Elsbernd was noted absent at 4:24 p.m. and was noted present at 4:29 p.m.  
Supervisor Daly was noted absent at 4:25 p.m. and was noted present at 4:44 p.m.  
Supervisor Maxwell was noted absent at 4:26 p.m. and was noted present at 5:10 p.m.  
Supervisor Alioto-Pier was noted absent at 4:33 p.m. and was noted present at 5:37 p.m.  
Supervisor Duffy was noted absent at 4:38 p.m. and was noted present at 4:43 p.m.  
Supervisor Avalos was noted absent at 4:38 p.m. and was noted present at 4:42 p.m.*

## PUBLIC COMMENT

*Abdallah Megaheed; expressed various concerns.  
James Chaffee; expressed concerns relating to the SF Public Library.  
Kate Bernier; expressed concerns relating to cell phone interference.  
Walter Paulson; shared in song certain concerns with the Board.  
Peter Warfield; expressed concerns relating to the SF Public Library.  
Janet Kobren; expressed concerns relating to Palenstine movement.  
Stephen Spector; expressed concerns relating to Palenstine movement.  
George Bisharat; expressed concerns relating to Palenstine movement.  
Loubna Gutami; expressed concerns relating to Palenstine movement.  
Alan Benjamin; expressed concerns relating to Palenstine movement.  
Eyad Kishawi; expressed concerns relating to Palenstine movement.  
Barbara Lubin; expressed concerns relating to Palenstine movement.  
Cathy Graham; expressed various concerns.  
Jobe Cowen; expressed support for Glass-Steagall proposed initiative.  
Joseph Elkins; expressed support for Glass-Steagall proposed initiative.  
Emiliano Huet-Vaughn; expressed concerns relating to Palenstine movement.  
Laura; expressed concerns relating to Palenstine movement.  
Lubna Morrar; expressed concerns relating to Palenstine movement.  
Sam Ayeshi Je Neen Naser; expressed concerns relating to Palenstine movement.  
Rachel West; expressed concerns relating to Palenstine movement.  
Sam and Jane; expressed concerns relating to Palenstine movement.  
Bruce Ballard; expressed concerns relating to Palenstine movement.  
Leslie Angeline; expressed concerns relating to Palenstine movement.  
Jack Fertig; expressed concerns relating to Palenstine movement.  
Richard McRee; expressed concerns relating to Gulf oil spill.  
Victoria; expressed concerns relating to Palenstine movement.  
Lily; expressed concerns relating to Palenstine movement.  
Gus Shamiel; expressed concerns relating to Palenstine movement.  
Sami Kitmitto; expressed concerns relating to Palenstine movement.  
Abdel Basset Hubaishi; expressed concerns relating to Palenstine movement.  
Jason; expressed concerns relating to Palenstine movement.  
Jessica Truewich; expressed concerns relating to Palenstine movement.  
Linnette; expressed concerns relating to Palenstine movement.  
Lela Bulber; expressed concerns relating to Palenstine movement.  
Mooktar; expressed concerns relating to Palenstine movement.  
Neha Mash; expressed concerns relating to Palenstine movement.  
Lydia; expressed concerns relating to International matters.  
Shoaib; expressed concerns relating to Palenstine movement.  
Jimmy; expressed concerns relating to Palenstine movement.  
Dina Omar; expressed concerns relating to Palenstine movement.*

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**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****100666 [Accept and Expend Grant - State Food and Agricultural Projects - \$11,188.77]****Sponsor: Maxwell**

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$11,188.77 from the California Department of Food and Agriculture for the period of July 1, 2010, through June 30, 2011.

**Resolution No. 263-10****ADOPTED****100667 [Proclaiming Elizabeth Rojas-Colville Day - June 24, 2010]****Sponsor: Daly**

Resolution proclaiming June 24, 2010, as Elizabeth Rojas-Colville Day in the City and County of San Francisco.

**Resolution No. 261-10****ADOPTED****100668 [Enterprise Zone Targeted Employment Area]****Sponsor: Chiu**

Resolution approving the boundaries of the City and County of San Francisco Enterprise Zone Targeted Employment Area.

**Resolution No. 262-10****ADOPTED****100682 [Committee of the Whole - Elimination and/or Reduction of Health Care Services (Beilenson Hearing) - June 15, 2010, at 3:00 p.m.]****Sponsor: Avalos**

Motion scheduling the Board to sit as a Committee of the Whole to consider the elimination and/or reduction of health care services (Beilenson Act), to be held on June 15, 2010, at 3:00 p.m.

**Motion No. M10-95****APPROVED****100698 [Final Map 4025 - 301 King Street]**

Motion approving Final Map 4025, a four lot airspace subdivision with one lot being approved for a maximum of 313 residential condominium units, being a merger and re-subdivision of Lot Nos. 7 and 10 of Assessors Block No. 8705, located at 301 King Street, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

**Motion No. M10-96****APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi



**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Mar requested that File No. 100650 be severed so that it may be considered separately.*

**100650 [Urging to Opt-Out of “Secure Communities”]**

**Sponsors: Mar; Campos, Avalos, Maxwell, Daly, Mirkarimi, Chiu and Dufty**

Resolution urging the San Francisco Sheriff's Department, the Juvenile Probation Department and the San Francisco Police Department to opt-out of participating in the Police Immigration and Customs Enforcement collaboration program known as "Secure Communities."

**Resolution No. 269-10**

**ADOPTED by the following vote:**

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

Noes: 2 - Chu, Elsbernd

*Supervisor Elsbernd requested that File No. 100652 be severed so that it may be considered separately.*

**100652 [Opposing Assembly Bill 2650 - Regarding Unnecessary Regulations and Intrusion into the City and County's Authority]**

**Sponsor: Daly**

Resolution opposing Assembly Bill 2650, opposing unnecessary State intrusions on the City and County's land use and regulatory authority, and urging San Francisco's State Representatives to oppose this bill and any similar legislation to unnecessarily regulate the location of medical cannabis facilities in contravention of existing or future local ordinances.

**Resolution No. 270-10**

**ADOPTED by the following vote:**

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd

**IMPERATIVE AGENDA**

*There were none.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or Mayor

#### Ordinances

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

**Sponsor: Mayor**

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100701 [Proposed Consolidated Budget and Annual Appropriation Ordinance, FYs Ending June 30, 2011, and June 30, 2012]**

**Sponsor: Mayor**

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

**Sponsor: Mayor**

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100703 [Planning Code Amendments to Update Fees for Cost Recovery]****Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code, Article 3.5, by amending Sections 350, 351, 352, 353, 354, 355, and 358, to increase fees 2.61%, and an additional 2.04% for all fees except those associated with small projects for cost recovery; add a new fee for Conditional Use Applications for Wireless Telecommunication Services Facilities; increase the Discretionary Review filing fee; and make other adjustments for cost recovery.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100704 [Emergency Medical Technician Certificate Fee Increase]****Sponsor: Mayor**

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 2, by amending Section 249.8 to increase fees for Emergency Medical Technician certificates, and making environmental findings.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100705 [Mayor's Office of Housing Administrative Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 8, by adding Section 8.43 and Chapter 10, Article XIII, by amending Section 10.100-117 to establish fees for applications to and subordination requests from the Mayor's Office of Housing, and to provide for the use of the proceeds of those fees.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100706 [Subdivision Code – Condominium Conversion Impact Fee]****Sponsor: Mayor**

Ordinance amending the Subdivision Code, Division 1, Article 9, by adding Section 1396.4 to adopt a condominium conversion impact fee applicable to buildings qualifying for but not being selected in the 2010 condominium conversion lottery only, subject to specified requirements; adopting environmental findings.  
(Economic Impact.)

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100707 [Refuse Collection Service Liens and Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Health Code, Article 6, by amending Sections 291.7, 291.13, 291.14, and 293.3, to allow the Department of Public Health to recover its full costs of processing residential and commercial liens for refuse collection services, provide a process for the Controller to adjust fees annually based on program costs, eliminate the monetary cap on the continuing appropriation account, clarify lien hearing procedures, and add an employee class to enforce Sections 293 through 293.2.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100708 [Golden Gate Park Concourse Underground Parking Facility Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.35 to increase the fees at the Golden Gate Park Concourse Underground Parking Facility, and making environmental findings.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100709 [Police Department Permit Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Police Code, Article 1, by amending Section 2.1 to include a definition of "service fee" and amending Sections 2.26 and 2.27 to increase or establish certain Police Department permit filing, service and license fees and to delete duplicative or obsolete language, and making environmental findings.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100710 [Increasing Street Artist Certificate Fee]****Sponsor: Mayor**

Ordinance amending the San Francisco Police code, Article 24, by amending Section 2404.1 to increase the fee for a Street Artist Certificate and making environmental findings.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100711 [Establishing a Fee to Regulate Revenue Control Equipment at Parking Stations]****Sponsor: Mayor**

Ordinance amending the Business and Tax Regulation Code, Article 22, by adding Sections 2219, 2219.5, 2219.6, 2219.7, 2219.8, 2219.9, 2219.10 and 2219.11, to impose a fee on all parking stations that are subject to the requirements in Article 22 to recover administrative and enforcement costs.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100712 [Increasing Animal Care and Control Fees]****Sponsor: Mayor**

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100713 [Fire Department Services Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Fire Code, Appendix Chapter 1, Section 112, by amending Sections 112.8, 112.15, and Table 112-B to increase fees for certain Fire Department services, and making environmental findings.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100714 [Fire Department Emergency Medical Services Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Health Code, Article 3, by amending Section 128.1 to increase fees for Fire Department emergency medical services and to update the language regarding fee changes in subsequent fiscal years, and making environmental findings.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100715 [Fire Department Cost Recovery for Vehicle Incidents]****Sponsor: Mayor**

Ordinance amending the San Francisco Fire Code, Appendix Chapter 1, by adding Section 112.22 to authorize the Fire Department to recover costs incurred removing vehicle contents from City streets and highways after vehicle incidents.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100717 [Registration Fees for Inspecting and Testing Commercial Weighing and Measuring Devices]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 1, by amending Section 1.13-5 to update registration fees for inspecting and testing commercial devices as authorized by California Business and Professions Code Sec. 12210.5 and set by the California Department of Food and Agriculture, and deleting obsolete language.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100718 [Structural Pest Control Registration and Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 1, by amending Section 1.13-1 to establish reasonable registration fees for structural pest control businesses as authorized by the California Food and Agricultural Code Sections 15204 and 15204.5 and set by the California Department of Food and Agriculture, and deleting obsolete language.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100719 [Patient Rates]****Sponsor: Mayor**

Ordinance amending the San Francisco Health Code, Article 3, by amending Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2010.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100720 [Food Permit Requirements and Fees for Caterers]****Sponsor: Mayor**

Ordinance amending San Francisco Health Code, Article 8, by amending Section 451, and amending San Francisco Business and Tax Regulations Code, Article 2, by amending Section 249.1, and adding Section 249.22 to update definitions and add fees and permitting requirements for caterers, and provide a mechanism for the Controller's Office annually to adjust fees to track program costs.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100721 [Above-ground Storage Tank Fees]****Sponsor: Mayor**

Ordinance amending San Francisco Health Code, Article 21, by amending Sections 1102 and 1176, by adding above-ground storage tank definitions and fees.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100722 [San Francisco Enterprise Zone Tax Credit Forms and Fee]****Sponsor: Mayor**

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100723 [Building Code – Unsafe Building, Printing, and Reproduction Fees]****Sponsor: Mayor**

Ordinance amending the Building Code, Chapter 1A, to amend Section 102A.3 to assess a monthly monitoring fee for specified unsafe buildings; Table 1A-D concerning inspector fees; Table 1A-K concerning violation monitoring fees; and Table 1A-L concerning printing and document reproduction fees; and adopting environmental findings.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100724 [Update to Environmental Review Fees to Increase Fees for Cost Recovery, Establish a New Fee for Mitigation and Conditions of Approval Monitoring, and Make Other Clarifying Changes]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 31, Articles IV and V, by amending Sections 31.22, 31.23, and 31.24, to increase all fees 2.61% which is the cost of living adjustment, and an additional 2.04% for cost recovery, further increase Categorical Exemption Class 32, Negative Declaration and Environmental Impact Report addendum fees for cost recovery, change the timing of Environmental Impact Report payments, add a new fee for mitigation and condition of approval monitoring, and for the Municipal Transportation Agency and Public Utilities Commission for Categorical Exemption Certificates, clarify phase collection payments and refund policy, and establish a processing fee for phased payments.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100725 [Establishing Automated Point-of-Sale Systems Registration, Inspection and Reinspection Requirements and Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code by adding Chapter 115, Sections 115 through 115.8, to establish registration, inspection and reinspection requirements and fees for automated point-of-sale (scanner) systems to ensure compliance with California Business and Professions Code Sections 120242, 12024.6, and 12103.5, and making environmental findings.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100739 [Mental Health Services for the Indigent and Uninsured]****Sponsor: Mayor**

Ordinance amending San Francisco Administrative Code, Chapter 15, Section 15.23 to maintain a single standard of care for the indigent and uninsured population who suffer from serious mental illness.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100741 [Accept and Expend Grant - Human Service Agency's Temporary Assistance to Needy Families Emergency Contingency Fund - Not to Exceed \$153,741,681]****Sponsor: Mayor**

Ordinance amending the FY2010-2011 Annual Salary Ordinance to reflect the addition of temporary salaries of \$22,698,000 and authorizing the Human Services Agency to retroactively accept and expend a grant not to exceed the amount of \$52,038,115 from the United States Department of Health and Human Services, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program, and authorizing the Human Services Agency to accept and expend an additional grant not to exceed \$101,793,566 pending final approval by the U.S. Congress to extend federal funding beyond September 30, 2010, for a total amount not to exceed \$153,741,681.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100747 [Proposed Annual Salary Ordinance, FY Ending June 30, 2011, for all Departments, and for FY Ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission]****Sponsor: Mayor**

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100757 [Public Works Code - Minor Encroachment Fee Waiver for Affordable Housing Projects]****Sponsor: Daly**

Ordinance amending Public Works Code, Article 15, Section 723.2 to provide for a waiver of the annual public right-of-way occupancy fee for minor sidewalk encroachment permits necessary for the development of 100% affordable housing projects and adopting environmental findings.

06/08/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/8/2010.

**100758 [Public Works Code - Banners in the North of Market/Tenderloin Community Benefit District]****Sponsor: Daly**

Ordinance amending Public Works Code, Article 5.7, Section 184.78 to allow the posting of banners in the North of Market/Tenderloin Community Benefit District as defined herein and adopting environmental findings.

06/08/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/8/2010.  
6/18/10 - The President of the Board of Supervisors waived the 30-day rule.

**100761 [Restrictions on Pesticide Use]****Sponsor: Mayor**

Ordinance amending the San Francisco Environment Code, Chapter 3, by amending Sections 300, 301, 302, 303, 304, 305, 306, and 308, and repealing Section 307, all to strengthen restrictions on the use of pesticides on City property, and making environmental findings.

06/08/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 7/8/2010.

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

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

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

05/19/10; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

05/20/10; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

05/27/10; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.



**Resolutions****100716 [County Agricultural Commissioner's Schedule of Fees for Weighing and Measuring Devices]****Sponsor: Mayor**

Resolution approving a schedule of fees to be charged by the County Agriculture Commissioner for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances of specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a).

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100726 [Redevelopment Agency Interim Budget FY2010-2011]****Sponsor: Mayor**

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100727 [Redevelopment Agency Budget and Bonds FY2010-2011 - Not to Exceed \$64,000,000]****Sponsor: Mayor**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011 and approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed \$64,000,000 to finance a portion of redevelopment activities described in such approved Budget for FY2010-2011.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100728 [Treasure Island Development Authority Interim Budget FY2010-2011]****Sponsor: Mayor**

Resolution approving the Interim Budget of the Treasure Island Development Authority for FY2010-2011.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100729 [Treasure Island Development Authority Budget FY2010-2011]****Sponsor: Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for FY2010-2011.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100730 [Proposition J Contract/Certification of Specified Contracted-Out Services for City Museums]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for security services for the Asian Art Museum and the Fine Arts Museum.

(Supervisor Elsbernd dissented in Committee.)

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100731 [Proposition J Contract/Certification of Controlled Substance Forensic Testing Services for Police Department]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for controlled substance forensic testing services.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100732 [Proposition J Contract/Certification of Specified Contracted-Out Services Under City Administrator]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for citywide janitorial services under the City Administrator.

(Supervisor Elsbernd dissented in Committee.)

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100733 [Proposition J Contract/Certification of Specified Contracted-Out Services for Department of Juvenile Probation]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for food service in Juvenile Hall for the Department of Juvenile Probation.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100735 [Public Education Enrichment Fund - San Francisco Unified School District FY2010-2011]****Sponsor: Mayor**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for FY2010-2011.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100736 [Public Education Enrichment Fund - Children and Families Commission FY2010-2011]****Sponsor: Mayor**

Resolution approving the San Francisco Children and Families Commission expenditure plan for the Public Education Enrichment Fund for FY2010-2011.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100737 [Proposition J Contract/Certification of Body Removal Services Under City Administrator]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for body removal services under the City Administrator.

(Supervisor Elsbernd dissented in Committee.)

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100738 [Proposition J Contract/Certification of Specified Contracted-Out Services for San Francisco County Jail]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for health services at San Francisco Jail.

(Supervisor Elsbernd dissented in Committee.)

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100740 [Adjusting the Access Line Tax with the Consumer Price Index of 2010]****Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2010, and adjusting the Access Line Tax by the same rate.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

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

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

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100744 [Lease Financing Refunding of Combined Emergency Communication System Bonds and Citywide Emergency Radio System Bonds]****Sponsor: Mayor**

Resolution approving the issuance and sale of lease revenue refunding bonds to refinance the Combined Emergency Communication System and Citywide Emergency Radio System of the City and County of San Francisco (City); approving the form of a Facilities Lease by and between the City and County of San Francisco Finance Corporation (Corporation) and the City relating to certain real property described herein; approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee (Trustee); approving the form of an Assignment Agreement by and between the Corporation and the Trustee; approving the form of Escrow Agreements by and between the Corporation and an escrow agent; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the lease revenue refunding bonds; directing the publication of the Notice of Intention to Sell the lease revenue refunding bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the lease revenue refunding bonds; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing the payment of cost of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the lease revenue refunding bonds; approving modifications to documents; and ratifying previous actions taken in connection therewith.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100746 [Proposition J Contract/Certification of Specified Contracted-Out Services for Department of Public Health]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for security services at Department of Public Health hospitals and clinics.

06/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100751 [Implementation of Assembly Bill 1421 - Assisted Outpatient Treatment, "Laura's Law"]****Sponsor: Alioto-Pier**

Resolution authorizing the implementation of assisted outpatient treatment in the City and County of San Francisco, requesting the Controller conduct an analysis of mental health funding levels, and establishing a "Laura's Law Task Force" to oversee implementation of the measure.

06/08/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**100752 [Approval of Contract with Siemens Medical Solutions USA, Inc. - \$33,820,487]****Sponsor: Chiu**

Resolution authorizing the San Francisco Department of Public Health, to enter into a contract with Siemens Medical Solutions USA, Inc., for the continued licensing and maintenance of proprietary Siemens Applications for the initial term of July 1, 2010, through June 30, 2017, with one option to extend the initial term for an additional twenty four months ending June 30, 2019.

06/08/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**100753 [Lease for Property Located at 150 Otis Street]****Sponsor: Chiu**

Resolution approving and authorizing a long term ground lease of 150 Otis Street to 150 Otis Associates, L.P., a California limited partnership, for a term of 70 years with a 29 year extension option, under San Francisco Charter Section 9.118, for the development and operation of affordable housing; and making findings that the lease is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1.

06/08/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**100754 [Issuance and Sale of Tax Exempt Revenue Bonds - Young Men's Christian Association of San Francisco - Not to Exceed \$8,500,000]****Sponsor: Chiu**

Resolution approving the issuance and sale of tax-exempt revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$8,500,000 to finance and refinance community center facilities owned and operated by the Young Men's Christian Association of San Francisco.

06/08/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**100755 [Supporting Existing Area Plan Housing Requirements]****Sponsors: Chiu; Mirkarimi, Avalos and Campos**

Resolution supporting existing area plan housing requirements.

06/08/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100762 [Proclaiming Mitzi Perino Day - June 25, 2010]****Sponsor: Chu**

Resolution honoring Mitzi Perino for the many years of work with the San Francisco Department of Building Inspection and proclaiming June 25, 2010, as Mitzi Perino day in San Francisco.

06/08/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100763 [Supporting the Budget Efforts of the Democratic Leadership in the California Senate and Assembly]****Sponsors: Chiu; Mar**

Resolution supporting the Assembly's Democratic budget proposal, also known as the California Jobs Budget.

06/08/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100764 [Adopting Recommended Approach for Trees Infected by Pine Pitch Canker]****Sponsor: Mar**

Resolution adopting the Pitch Canker Task Force management recommendations for trees infected by pine pitch canker as the City and County of San Francisco's recommended approach to management of trees impacted by the disease.

06/08/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100765 [Urging Support for the Enforcement of the Preservation and Restoration of Sacred Heart Church]****Sponsor: Mirkarimi**

Resolution urging the Department of Building Inspection to diligently monitor the status and the condition of the Historic Sacred Heart Church, documenting the understanding between the Megan Furth Academy and its neighbors, seeking re-installation of the exterior stained glass windows and requesting the City Attorney to open an investigation for the purpose of enforcing possible violation of the Building and Planning Codes.

06/08/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100766 [Authorizing Submittal of an Application for Funding Under the CalHome Program]****Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing to submit an application for funding to the California State Department of Housing and Community Development under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

06/08/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100767 [Freedom Flotilla and Gaza Blockade]****Sponsors: Avalos; Maxwell**

Resolution joining the global community, including international human rights organizations, The Elders, over 50 nations, and thousands of Bay Area residents in condemning the Israeli Defense Forces' military attack on the Freedom Flotilla on May 31, 2010, that resulted in the death of at least nine people, including a United States citizen; and urging President Barack Obama and Congress to continue their work addressing the humanitarian crisis in Gaza, actively seek an end to the blockade, and work towards genuine peace and security for all peoples in the region.

06/08/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100768 [Identifying Next Steps for CleanPowerSF]****Sponsor: Mirkarimi**

Resolution identifying next steps for obtaining services related to CleanPowerSF, consistent with the City's previously approved Community Choice Aggregation plans.

06/08/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**Motions****100750 [Increase the Real Property Transfer Tax]****Sponsor: Avalos**

Motion ordering submitted to the voters an ordinance authorizing an amendment to the Real Property Transfer Tax at an election to be held on November 2, 2010.  
(Economic Impact.)

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

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

**Sponsor: Chiu**

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

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

**100759 [Parking Tax Increase and Tax on Valet Services]**

**Sponsor: Mirkarimi**

Motion ordering submitted to the voters an ordinance authorizing the "Ordinance amending San Francisco Business and Tax Regulations Code, Article 9, Sections 602 and 602.5 (Tax on Occupancy of Parking Space in Parking Station) to increase the tax rate from 15% to 25%, making the total tax rate, including the existing surcharge, 35%; amending Section 601 to clarify the definition of "Operator" and "Occupant" and to add a new definition of "Valet Parking Service Provider;" and adding Section 602B to impose an additional tax of 35% on gross receipts from valet parking services" at an election to be held on November 2, 2010.

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

**100760 [Community Policing and Foot Beat Patrols]**

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

Motion ordering submitted to the voters an ordinance establishing the Community Policing Policy and Foot Beat Patrol Program at an election to be held on November 2, 2010.

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

## **Requests for Hearing**

**100745 [Clarifying Who is Responsible for Collecting and Remitting Third-Party Taxes; Consolidating Definitions and Amending the Definition of "Permanent Resident"]**

**Sponsor: Mayor**

Hearing to consider the proposed initiative ordinance to be submitted by the Mayor to the voters at the November 2, 2010, election entitled "Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 6.2-13 of Article 6 - Common Administrative Provisions, Section 501 of Article 7 - Tax on Transient Occupancy of Hotel Rooms, and Section 601 of Article 9 - Tax on Occupancy of Parking Space in Parking Stations, to amend and consolidate the definition of "Operator" and to clarify who is responsible for collecting and remitting third-party taxes, and amending Section 501 of Article 7 - Tax on Transient Occupancy of Hotel Rooms, to specify that a "Permanent Resident" is an individual."

06/01/10; RECEIVED AND ASSIGNED to Rules Committee.

**100749 [Controller's Revenue Letter for FY2010-2011]**

**Sponsor: Avalos**

Hearing to consider the Controller's Revenue Letter for FY2010-2011.

06/08/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100769 [Senior Housing and Independence]****Sponsor: Mar**

Hearing on the Budget and Legislative Analyst report "Housing Assistance and other Services to Enable Seniors to Remain in their Communities and Homes" Project No. 100158.1.

06/08/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Introduced by the President at Request of Department****PROPOSED ORDINANCES****100689 [Settlement of Lawsuit - Nelson A. Estival - \$57,500]**

Ordinance authorizing settlement of the lawsuit filed by Nelson A. Estival against the City and County of San Francisco for \$57,500; the lawsuit was filed on July 24, 2008, in San Francisco Superior Court, Case No. CGC 09-477871, entitled Estival v. City and County of San Francisco, et al. (City Attorney)

05/20/10; RECEIVED AND ASSIGNED to Rules Committee.

**100690 [Settlement of Lawsuit - Anthony Landry - \$70,000]**

Ordinance authorizing settlement of the lawsuit filed by Anthony Landry against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 17, 2008, in the San Francisco Superior Court, Case No. CGC 08-744565, entitled Anthony Landry v. City and County of San Francisco. (City Attorney)

05/28/10; RECEIVED AND ASSIGNED to Rules Committee.

**100691 [Settlement of Lawsuit - Bayshore Sanitary District - \$407,000]**

Ordinance authorizing settlement of the lawsuit entitled Bayshore Sanitary District v. City and County of San Francisco, et al., filed on November 21, 2007, in San Francisco Superior Court, Case No. 07-469434. Pursuant to the proposed settlement, the City will execute a revenue refund adjustment for the Bayshore Sanitary District's sewer services billings in the amount of \$407,000. In return, the Bayshore Sanitary District will implement measures to ensure that future errors in measuring wastewater flow are promptly detected and corrected and limit its recovery of any overcharges due to equipment error in the future. (City Attorney)

05/28/10; RECEIVED AND ASSIGNED to Rules Committee.



**100693 [Mission Bay North-Block N1 Public Infrastructure Improvements]**

Ordinance accepting of the irrevocable offer of additional property along Townsend Street, King Street, and Fourth Street and the irrevocable offer of public infrastructure improvements associated with Mission Bay North Block N1, including acquisition facilities on Third Street, Townsend Street, King Street, and Fourth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; designating street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,676; and authorizing official acts in connection with this Ordinance. (Public Works Department)

05/28/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**PROPOSED RESOLUTIONS****100687 [Agreement to Purchase Permanent Subsurface Easements and Temporary License Agreements to Enter and Use Property for the Sunnydale Sewer System Improvement Project totaling \$2,459,664]**

Resolution approving and authorizing agreements for the acquisition of the following real property rights required for the Sunnydale Sewer Improvement Project No. CENMSCIC2362 (Project) totaling \$2,459,664: (1) permanent subsurface sewer easements over portions of San Francisco APN 4991/24 and 4991/65 comprising 11,677.7 square feet, (2) permanent subsurface sewer easements over portions of San Francisco APN 5100/3, 5101/7, and 5102/9 comprising 24,468 square feet, (3) a temporary 18-month License with a 6-month option term over San Francisco APN 4991/24, 4991/61, 4991/65 comprising 47,568 square feet, and 22,215 square feet over the contiguous Brisbane APN 005-153-030, and (4) a temporary 18-month License with a 6-month option term over portions of San Francisco APN 5100/3 and 5107/1 comprising 24,613.7 square feet; 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)

05/24/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**100688 [Agreement to Purchase Permanent Subsurface Easements for the Sunnydale Sewer Improvement Project totaling \$174,001]**

Resolution approving and authorizing agreements for the acquisition of permanent subsurface sewer easements required for the Sunnydale Sewer Improvement Project No. CENMSCIC2362 (the "Project") over portions of San Francisco APN 5104/4, 4991/7/8, 4991/9 and 4991/68 from Recology Properties, Inc. (fka Macor, Inc.) and Recology San Francisco (fka SF Recycling & disposal, Inc./fka Sanitary Fill Co.) totaling \$174,001, comprising 31,826.19 square feet; 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)

05/24/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**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)

05/28/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**Requests Granted**

*From: Supervisor Dufty*

*To: Controller*

*Requesting/Inquiring: Requesting the Controller to review the efficiency of, and recommend improvements to, the processing of infractions through the City's traffic court and other adjudication methods, with a focus on alternate means to improve the outcomes for lower-level offenses involving alcohol and other violations of the Municipal Police Code.*

*This review should also consider improvements that are needed to the Department of Public Health initiative for High Users of Multiple Systems to ensure that chronic public inebriates are not cycling in and out of services and then back onto the streets, including the possible need for a Conservator within the Public Guardian's Office specifically focused on clients who are chronically homeless with serious alcohol and substance abuse disorders.*

*Further, the review should consider the effectiveness of the City's previous 11550/HIDA (High Intensity Drug Arrests) program that provided police officers with specialized training and coordinated with other law enforcement agencies to address individuals under severe influence from narcotics use and offer treatment alternatives.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*San Francisco Bay Guardian*

*Southeast corner of Fillmore and Post*

*Southwest corner of Divisadero and Sutter*

*9th Avenue and Judah (near bus stops)*

*7th Avenue and Irving (near bus stops)*

*Northwest corner of Hayes and Fillmore*

*Southeast corner of Fillmore and Haight*

*San Francisco Chronicle*

*Northwest corner of Fillmore and Hayes*

*Southeast corner of Haight and Fillmore*

*Irving and 9th Avenue*

*Irvine and 7th Avenue*

*Southwest corner of Haight and Clayton*

*Southeast corner of Haight and Masonic*

*Examiner*

*Northwest corner of Fillmore and Hayes*

*Southeast corner of Haight and Fillmore*

*SF Daily*

*Northwest corner of Hayes and Gough*

*City Star*

*Northwest corner of Hayes and Gough*

*Southeast corner of Fillmore and Haight*

*SF Weekly*

*Southeast corner of Masonic and Haight*

*Southeast corner of Haight and Fillmore*

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

*Garbage Cans  
Southwest corner of Parnassas and Cole  
In front of 579 Hayes  
Northeast corner of Fillmore and Waller*

*Mailboxes  
Southwest corner of 7th and Lincoln  
Southwest corner of Buchanan and Hermann  
Northeast corner of Hayes and Fell  
Southeast corner of Fillmore and Oak  
Southeast corner of Oak and Fillmore*

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

*Fillmore and Waller  
South of Waller before crosswalk, sink hole/asphalt cracking*

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

*55 Laguna, on the Haight and Buchanan side  
585 Hayes  
632 Fell  
612 Fell  
1108 Fell  
909 Page  
428 Haight  
546 Haight  
500 Fillmore  
920 Haight  
900 Haight  
208 Scott*

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

*Wood Pole  
In front of 427 Oak*

*Metal Poles  
In front of 232 Fillmore  
In front of 312 Fillmore  
In front of 222 Fillmore  
In front of 112 Fillmore*

Northwest corner of Fillmore and Hermann  
Southwest corner of Oak and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

*Utility Boxes*

Northwest corner of Grove and Webster

Southeast corner of Fell and Webster

Southwest corner of Fulton and Clayton

*Bus Shelters*

Southwest corner of Fillmore and Oak

Southwest corner of Pierce and Haight

Southeast corner of Buena Vista East and Haight

Southwest corner of Buena Vista East and Haight

Fillmore and Haight, all 4 bus stops, graffiti and grime

## **In Memoriams**

*Carmen S. Aguilar – Supervisor Avalos*

*Jamie Anne Grodsky – Supervisor Chiu*

*Kenny Allison – Supervisor Dufty*

*Ron Rios – Supervisor Dufty*

*Charles Louis Donaldson – Supervisor Dufty*

*Pearla Ann Louis – Supervisor Dufty*

*Lacey Edwards – Supervisor Maxwell*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:20 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on July 13, 2010.*

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Angela Calvillo, Clerk of the Board