

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 13, 2010 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Wednesday
11:00 AM

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday
11:00 AM

City and School District Select Committee

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

2nd and 4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Dufty

2nd and 4th Monday
10:30 AM

Government Audit and Oversight Committee

Supervisors Mar, Chu, Daly

2nd and 4th Thursday
10:30 AM

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Monday
1:00 PM

Public Safety Committee

Supervisors Chiu, Mirkarimi, Elsbernd

1st and 3rd Monday
10:00 AM

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

1st and 3rd Thursday
10:00 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 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 June 8, 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 30, 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 Committee

100095 [Citywide Coordination of Information and Communications Technology]

Sponsor: Chiu

Ordinance amending Department of Technology and Committee on Information Technology responsibilities, establishing the position and duties of the Chief Information Officer, eliminating the Telecommunications Commission, adding San Francisco Administrative Code Chapter 22A, Sections 22A.1, 22A.2, 22A.3, 22A.4, 22A.5, 22A.6 and 22A.7, and deleting San Francisco Administrative Code Sections 3.24, 3.25, 11.85, 11.86, 11.87, 11.88 and 11.89 to implement these changes.

Ordinance No. 169-10

FINALLY PASSED

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.

Ordinance No. 185-10

FINALLY PASSED

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

Ordinance amending the San Francisco Administrative Code, Chapter 8, by adding Section 8.43 to establish fees for applications to and subordination requests from the Mayor's Office of Housing.

Ordinance No. 186-10

FINALLY PASSED

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.

Ordinance No. 187-10

FINALLY PASSED

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.

Ordinance No. 188-10

FINALLY PASSED

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.

Ordinance No. 171-10

FINALLY PASSED

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.

Ordinance No. 172-10

FINALLY PASSED

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.

Ordinance No. 173-10

FINALLY PASSED

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.

Ordinance No. 174-10

FINALLY PASSED

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.

Ordinance No. 175-10

FINALLY PASSED

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.

Ordinance No. 176-10

FINALLY PASSED

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.

Ordinance No. 177-10

FINALLY PASSED

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.

Ordinance No. 178-10

FINALLY PASSED

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.

Ordinance No. 179-10

FINALLY PASSED

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.

Ordinance No. 180-10

FINALLY PASSED

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 \$101,703,566 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; placing \$101,703,566 on Controller's reserve.

Ordinance No. 181-10

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee**100323 [Liquor License Transfer - 161 Erie Street]**

Resolution determining that the transfer of a Type 48 On-Sale General Public Premises Liquor License from 517 Clement Street to 161 Erie Street (District 8) to Peter Gilkshtern and Jeff Whitmore for 1six1, Inc., dba The Public Works, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 314-10

ADOPTED

100684 [Liquor License - 1957 Union Street]

Resolution determining that the issuance of a Type 20 On-Sale Beer and Wine Public Premises Liquor License to Melissa Gisler Modanlou, for Spuntino di Ottimista, located at 1957 Union Street (District 2), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 310-10

ADOPTED

100686 [Liquor License - 1455 Van Ness Avenue]

Resolution determining that the issuance of a Type 20 Off-Sale Beer and Wine Liquor License to Parisima and Amanzio Tamanti for Tosco Wines, Inc., dba Vino Nostro, located at 1455 Van Ness Avenue (District 2), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 315-10

ADOPTED

100806 [Accept and Expend Grant - California Colon Cancer Control Health Program - \$320,367]

Sponsors: Dufty; Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Public Health in the amount of \$320,367 to fund the California Colon Cancer Control Health Program for the period May 1, 2010, through June 30, 2013.

Resolution No. 316-10

ADOPTED

100807 [Accept and Expend Grant - President's Emergency Plan for Aid - \$200,331]**Sponsors: Duffy; Campos**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$200,331 from the University of California San Francisco to assist with a project entitled "President's Emergency Plan for Aid" for the period April 1, 2010, through March 31, 2011.

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

Resolution No. 317-10

ADOPTED

Recommendations of the Rules Committee**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)

Ordinance No. 182-10

FINALLY PASSED

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)

Ordinance No. 183-10

FINALLY PASSED

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)

Ordinance No. 184-10

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

100581 [General Obligation Bonds - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds 2010 - Estimated Cost \$46,150,000]

Sponsor: Mayor

Resolution determining and declaring that the public interest and necessity demand the construction, improvement and seismic retrofitting of multi-story wood framed affordable housing soft-story buildings for earthquake safety funded by the City or other qualified governmental housing finance agency, or owned by private third-parties and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$39,140,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

Privilege of the floor was granted to Jason Elliott (Office of the Mayor) who responded to questions raised throughout the discussion regarding File Nos. 100581 and 100580.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Resolution determining and declaring that the public interest and necessity demand the construction, improvement and seismic retrofitting of multi-story wood framed affordable housing soft-story buildings for earthquake safety funded by the City or other qualified governmental housing finance agency, or owned by private third-parties and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$46,150,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED AS AMENDED to July 20, 2010, as a Committee of the Whole. The motion carried by the following vote:

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

100557 [Assessment Appeals Board - Increasing Administrative Processing Fees, Adding Certain Waivers, and Changing to an Hourly Rate for Findings of Fact Fees]**Sponsor: Avalos**

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards," by amending Section 2B.9 to increase the administrative processing fee per application from \$30 to \$60 by adding a fee waiver for any property assessed on the roll at a value of \$7,500 or less, and by adding a fee waiver for any property where there is a difference of \$7,500 or less between the taxpayer's opinion of value on the application and the subject property's assessed value on the roll; and by amending Section 2B.11 to change the findings of fact fees from a sliding scale of \$100 to \$1,000 to an hourly rate of \$215 with a maximum of 30 hours billed.

Ordinance No. 170-10

FINALLY PASSED by the following vote:

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

Recommendation of the 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.

Privilege of the floor was granted to Ben Rosenfield (Controller) who responded to questions raised throughout the discussion regarding File No. 100710.

FINALLY PASSED by the following vote:

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

Noes: 1 - Daly

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to rescind the previous vote. The motion carried by the following vote:

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

Ordinance No. 189-10

FINALLY PASSED by the following vote:

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

Noes: 2 - Alioto-Pier, Daly

NEW BUSINESS

Recommendations of the 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.

(Supervisor Elsbernd dissented in Committee.)

Supervisor Avalos, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED ON FIRST READING to July 20, 2010. The motion carried by the following vote:

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

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.

Supervisor Avalos, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED ON FIRST READING to July 20, 2010. The motion carried by the following vote:

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

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.

PASSED, ON FIRST READING by the following vote:

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

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.

PASSED, ON FIRST READING by the following vote:

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

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.

Resolution No. 320-10**ADOPTED by the following vote:**

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

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.

Resolution No. 318-10**ADOPTED by the following vote:**

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

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.

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

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi
Resolution supporting the Democratic leadership in the California Senate and Assembly in their efforts to negotiate a budget solution based on a unified set of Democratic values.

Resolution No. 321-10**ADOPTED AS AMENDED by the following vote:**

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

100813 [Agreement with the San Francisco County Transportation Authority Relating to Yerba Buena Island Ramps - Not to Exceed \$18,830,000]**Sponsor: Mayor**

Resolution approving a Third Amendment to the Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority for project management services and consultant services for the preparation of a project report and environmental document for the Yerba Buena Island Ramps to amend the scope of work and increase the not to exceed budget to \$18,830,000.

Resolution No. 319-10**ADOPTED by the following vote:**

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

Recommendations of the City Operations and Neighborhood Services Committee**100671 [Smoking Prohibition Signage Requirement]****Sponsor: Mar**

Ordinance amending San Francisco Health Code Section 1009.22 to clarify signage language requirement.

PASSED, ON FIRST READING by the following vote:

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

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.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Government Audit and Oversight Committee**100808 [Memorandum of Understanding, Amendment No. 2 - Municipal Executives' Association Police]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police 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.

PASSED, ON FIRST READING by the following vote:

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

100810 [Memorandum of Understanding, Amendment No. 3 - San Francisco Firefighters, Local 798, (Unit 2)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by extending the term of the parties' Agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

(Supervisor Daly dissented in committee.)

Privilege of the floor was granted to Ben Rosenfield (Controller) and Martin Gran (Department of Human Resources) who responded to questions raised throughout the discussion regarding File No. 100810.

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Campos, Daly

100811 [Memorandum of Understanding, Amendment No. 2 - San Francisco Police Officers' Association (Units P-1 & P-2A)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A), 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.

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Campos, Daly

100812 [Memorandum of Understanding, Amendment No. 2 - San Francisco Police Officers' Association (Unit P-2B)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), 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.

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Campos, Daly

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

Sponsor: Mayor

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

PASSED, ON FIRST READING by the following vote:

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

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

Sponsor: Mayor

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

(Supervisor Daly dissented in committee.)

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Daly, Mirkarimi

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

Sponsor: Mayor

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

PASSED, ON FIRST READING by the following vote:

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

From the Government Audit and Oversight Committee Without Recommendation**Supervisor Chu Excused from Voting**

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that Supervisor Chu be excused from voting on File No. 100809. The motion carried by the following vote:

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

100809 [Memorandum of Understanding, Amendment No. 3 - San Francisco Firefighters, Local 798, (Unit 1)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 3 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, 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.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Avalos, Chiu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 2 - Campos, Daly
Excused: 1 - Chu

Recommendations of the Rules Committee**100629 [San Francisco Affordable Housing Fund]**

Sponsor: Daly

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.127 to: (1) establish baseline appropriation and make an annual appropriation of the equivalent of 33% of any available general fund budget surplus for the next fifteen (15) years to support affordable housing programs; (2) require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; (3) affirm City policy urging the Redevelopment Agency to use at least 50% of its tax increment funds for low and moderate income housing; and (4) set an expiration date of July 1, 2026.
(Supervisor Alioto-Pier dissented in committee.)

Supervisor Daly, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED to July 20, 2010. The motion carried by the following vote:

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

100630 [Requiring the Mayor to Appear Personally at One Regularly-Scheduled Meeting of the Board of Supervisors Each Month to Engage in Formal Policy Discussions with Members of the Board]**Sponsor: Daly**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.103 and 3.100, to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

Supervisor Daly, seconded by Supervisor Campos, moved that this Charter Amendment be CONTINUED to July 20, 2010. The motion carried by the following vote:

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

100636 [Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members]**Sponsors: Campos; Avalos, Daly, Mar, Maxwell, Mirkarimi and Chiu**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 4.136, and amending Section 15.105. Section 4.136 would be added to: establish the Residential Rent Stabilization and Arbitration Board (Rent Board) in the Charter; authorize the Board of Supervisors to appoint three members and three alternate members, authorize the Mayor to appoint three members and three alternate members, and authorize the Board of Supervisors President and the Mayor to jointly appoint one member and one alternate member; and provide that the Rent Board will consist of three tenants, two landlords, and two neutral members, with an alternate for each member. Charter Section 15.105, which enumerates commissions whose members are subject to removal only for official misconduct, would be amended to include Rent Board members and alternate members.

Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Section 4.136, and amending Section 15.105. Section 4.136 would be added to: establish the Residential Rent Stabilization and Arbitration Board (Rent Board) in the Charter; authorize the Board of Supervisors to appoint three members and three alternate members, authorize the Mayor to appoint three members and three alternate members, and authorize the Board of Supervisors President and the Mayor to jointly appoint one member and one alternate member; and provide that the Rent Board will consist of two tenants, two landlords, and three neutral members, with an alternate for each member. Charter Section 15.105, which enumerates commissions whose members are subject to removal only for official misconduct, would be amended to include Rent Board members and alternate members.

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED AS AMENDED to July 20, 2010, as a Committee of the Whole. The motion carried by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

100895 [Committee of the Whole - Hearing on Proposed Amendments to the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans]

Hearing of persons interested in or objecting to proposed Ordinances approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Project Areas; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans as referenced in File Nos. 100658 and 100659. Michael Cohen, Director, Mayor's Office of Economic and Workforce Development, provided an overview of the project areas. Eric Brooks; Reverend Townsend; Connie Ford; spoke expressing support for the plans. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

See File Nos. 100658 and 100659 below.

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

There were none.

SPECIAL ORDER 4:00 P.M.**100861 [Public Hearing - Appeal of Certification of Final Environmental Impact Report - Candlestick Point - Hunters Point Shipyard Phase II Development Plan]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's June 3, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0946E, through its Motion No. 18096, for a proposed Candlestick Point - Hunters Point Shipyard Phase II Development Plan located at Candlestick Point and Hunters Point Shipyard (District 10) (Appellants: Jaron Browne on behalf of POWER, Filed June 21, 2010; Arthur Feinstein on behalf of Sierra Club-SF Bay Chapter, Jennifer Clary on behalf of SF Tomorrow, Michael Lynes on behalf of Golden Gate Audubon Society and Linda J. Shaffer on behalf of Yerba Buena Chapter, Filed June 21, 2010; James M. Birkelund of Law Offices of James Birkelund, Filed June 22, 2010; and Stephan C. Volker of Law Offices of Stephan C. Volker, Filed June 23, 2010). (Filed June 21-23, 2010, Companion to File Nos. 100862, 100863, 100864)

The President inquired as to whether any member of the public wished to address the Board. Jaron Browne, Michael Lyon, Stephan Volker, Wilma Subra, Monique Carden, and Arthur Feinstein (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Bernie Shorn; Female Speaker; Female Speaker; Linda Shaffer; Male Speaker; Dr. Ahimsa Sumahai; Chester; Abdallah Megahed; Kate Kelley; Holli Bert; Esselene Stancil; Carolyn Blair; Mary Williams; Pam Talvi; Jennifer Clary; Noreen Weeden; Marie Harrison; Cory Hawkins; Ron Stutz; Carmen Brightman; Isaac Bowers; William Ratcliff; Female Speaker; Christina Jackson; Male Speaker; Male Speaker; David Tse; Shashana; Fey; Gayan; Stephanie Chan; Pamela Clark; Trinity Schwabacher; Kristen; Lauren; Bradley; Lynn Montoya; Oscar James; Male Speaker; Roger Stud; Female Speaker; Eric Brooks; Male Speaker; Shariq Tae Diggs; Luis Esparza; Ryan Black; Lauren; Alicia Garza; Angela Mandriaga; Female Speaker; Eric Butler; Ricco; Male Speaker; David; Female Speaker; Regina Davis; Tony Kelly; Sergio Navarro; Male Speaker; Jerio Lee; Drew Christopher Joy; Patricia Rella; Louis Chavez; Jose Pavon; Male Speaker; spoke in support of the appeal. Joy Navarrete and Bill Wycko (Planning Department), Stanley Muraoka and Kate Hartley (Redevelopment Agency), Michael Cohen (Mayor's Office of Economic Development), Amy Brownell (Department of Public Health), Mark Rippha (U.S. EPA), and Peter Albert (MTA), provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Koffi Bonner (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Willie B. Kennedy; Joan Pierson; Joe Ma; Simon Chan; Ollie Burgess; Wanda Green; Frederick Rhinehill; Nicholas Rivera; Stormy Hayden; Minister Carl Alexander; Eileen Hines; Matt Regan; Linda Richardson; Fran; Ru Pa Bing; Chuck; Marcia Dale-LeWinter; Dave Figueroa; Tony Rodriguez; David De La Torre; Andrea Berry; Angelo King; Sylvia Larsen; Pastor Josiah Bell; Steven Hines; Tim Colen; Cathy Davis; Laneisha Johnson; Kenya; Geneva; Shameka Knight; Katina Taylor; Martin Espinosa; Adrian Simi; Ian Marquez; Ricardo Contreras; Christine Anea; Male Speaker; Male Speaker; Mindy Kener; Terry Ander; John Mataka; Charlie Lavery; Debi Muise; Glenda Holmes; Female Speaker; Karen Winger; Rolanda King; Bradley; Ken Trey; Conny Ford; Mike Torio; Diedre Smith; Oscar James; Carlton McAllister; Tim Paulson; Eric Smith; Grace Martinez; Female Speaker; Giselle Quezada; Jaqueline Phillips; Richard Hopson; Ben Shore; Male Speaker; Gary Banks; Steven Leiber; Male Speaker; Male Speaker; Arnold Townsend; spoke in support of the project and in opposition to the appeal. Michael Lyon, Monique Carden, and Wilma Subra (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

100862 [Affirming Certification of Candlestick Point - Hunters Point Shipyard Phase II Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Candlestick Point - Hunters Point Shipyard Phase II Project.

Supervisor Daly, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to July 27, 2010. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Daly, Mar, Mirkarimi

Noes: 7 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Maxwell

Motion No. M10-110

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi

Noes: 3 - Avalos, Daly, Mar

100863 [Reversing Certification of Candlestick Point - Hunters Point Shipyard Phase II Final Environmental Impact Report]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for Candlestick Point - Hunters Point Shipyard Phase II Project.

Supervisor Daly, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to July 27, 2010. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Daly, Mar, Mirkarimi

Noes: 7 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Maxwell

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi

Noes: 3 - Avalos, Daly, Mar

100864 [Preparation of Findings to Reverse Certification of Candlestick Point - Hunters Point Shipyard Phase II Final Environmental Impact Report]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Candlestick Point - Hunters Point Shipyard Phase II Project.

Supervisor Daly, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to July 27, 2010. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Daly, Mar, Mirkarimi

Noes: 7 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Maxwell

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi

Noes: 3 - Avalos, Daly, Mar

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 indicated receipt of a letter, dated July 12, 2010, from the Planning Department rescinding their determination of exemption from environmental review.

TABLED BY OPERATION OF LAW

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)

TABLED BY OPERATION OF LAW

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)

TABLED BY OPERATION OF LAW

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)

TABLED BY OPERATION OF LAW

SPECIAL ORDER 4:00 P.M.**100786 [Public Hearing - Appeal of Certification of Final Environmental Impact Report - 900 Folsom Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's May 20, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0689E, through its Motion No. 18086, for a proposed mixed-use project at 900 Folsom Street, to construct a 9-story, 85-foot tall building with ground and basement level parking, with up to 269 dwelling units, approximately 4,146 square feet of ground floor commercial space along 5th Street, and up to 221 off-street parking spaces (including stackers). The subject property is within the Mixed Use - Residential (MUR) District with a 45-X and 85-X Height and Bulk District, Lot Nos. 009, 018, 048, and 147 in Assessor's Block No. 3732. (District 6) (Appellants: Angelica Cabande on behalf of South of Market Community Action Network (SOMCAN) and Roy Recio on behalf of Manilatown Heritage Foundation).

(Filed June 9, 2010, Companion to File Nos. 100787, 100788, 100789)

The President indicated receipt of a letter, dated July 12, 2010, from the Appellants withdrawing their appeal and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President closed the public hearing.

HEARD AT PUBLIC HEARING

100787 [Affirming the Certification of the 900 Folsom Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

Motion No. M10-107

Supervisor Daly, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

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

100788 [Reversing the Certification of the 900 Folsom Street Project Final Environmental Impact Report]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

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

100789 [Preparation of Findings to Reverse Certification of the 900 Folsom Street Project Final Environmental Impact Report]

Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

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

SPECIAL ORDER 4:00 P.M.**100790 [Public Hearing - Appeal of Certification of Final Environmental Impact Report - 260 - 5th Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's May 20, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0690E, through its Motion No. 18087, for a proposed mixed-use project at 260 - 5th Street, to demolish an existing light industrial building on the site and construct a 9-story, 85-foot tall building with a basement level parking garage, creating up to 179 dwelling units, approximately 5,281 square feet of ground floor commercial space along 5th Street, and up to 102 off-street parking spaces (including stackers). The subject property is within the Mixed Use - Residential (MUR) District with an 85-X Height and Bulk District, Lot No. 008 in Assessor's Block No. 3732. (District 6) (Appellants: Angelica Cabande on behalf of South of Market Community Action Network (SOMCAN) and Roy Recio on behalf of Manilatown Heritage Foundation). (Filed June 9, 2010, Companion to File Nos. 100791, 100792, 100793)

The President indicated receipt of a letter, dated July 12, 2010, from the Appellants withdrawing their appeal and inquired as to whether any member of the public wished to address the Board. There were no speakers. The President closed the public hearing.

HEARD AT PUBLIC HEARING

100791 [Affirming the Certification of the 260 - 5th Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 260 - 5th Street Project. (Clerk of the Board)

Motion No. M10-108

Supervisor Daly, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

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

100792 [Reversing the Certification of the 260 - 5th Street Project Final Environmental Impact Report]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 260 - 5th Street Project. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

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

100793 [Preparation of Findings to Reverse Certification of the 260 - 5th Street Project Final Environmental Impact Report]

Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 260 - 5th Street Project. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendations of the Rules Committee

100634 [Health Service Board Terms and Elections]

Sponsor: Elsbernd

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 12.00, to shorten, on a one-time basis, the term of one Health Service Board member from five years to three years, and the term of another Health Service Board member from five years to two years, so that Board terms will expire in pairs in the future and can be filled during the same Board election.

Supervisor Campos, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED to July 20, 2010. The motion carried by the following vote:

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

100635 [Non-Citizen Voting in School Board Elections]

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

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100 and adding Section 13.111 to authorize San Francisco residents 18 years of age or older who are the parents, legal guardians or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens.

Supervisor Chu, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED to July 20, 2010. The motion carried by the following vote:

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

100267 [Election Day Voter Registration]

Sponsor: Mirkarimi

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Article XVII to change the definition of "voters."

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 13.112 and amending Article XVII to establish Election Day Voter Registration for exclusively municipal elections.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED AS AMENDED to July 20, 2010, as a Committee of the Whole. The motion carried by the following vote:

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

100632 [Public Education Enrichment Fund]**Sponsor: Alioto-Pier**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 16.23-10, to extend the automatic expiration of the Public Education Enrichment Fund from June 30, 2015, to June 30, 2016; amending Sections 16.123-2 and 16.123-8, to make conforming changes; amending Section 16.123-3, to use any surplus returned from the Library Preservation Fund Baseline to fund part of the City's required disbursements under the Public Education Enrichment Fund for, among other things, library programs; amending Section 16.123-5, to allow the City to use monies in the Fund to pay college tuition and fees for students attending City College or San Francisco State; amending Section 16.123-6, to authorize the Youth Commission to review expenditure plans submitted by the School District and the First Five Commission, amending Section 16.123-8, to require the City to recommend a Rainy Day Reserve policy for the San Francisco Unified School District covering local revenues and authorize the City to suspend disbursements from the Fund to the School District unless the District certifies that it has adopted and followed the policy; and, repealing Section 16.123-7 as obsolete.

This item was not sent as a Committee Report.

100633 [Split Appointments to the Recreation and Park Commission]**Sponsors: Mirkarimi; Campos, Mar, Daly and Avalos**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 4.113 to split the power to make appointments to the Recreation and Park Commission between the Mayor and the Board of Supervisors, and amending Section 15.105 to provide that the appropriate appointing authority may initiate removal of Recreation and Park Commissioners.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED to July 20, 2010. The motion carried by the following vote:

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

100637 [San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]**Sponsors: Campos; Mirkarimi, Chiu and Mar**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section(s) 8A. 101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, A8.409-1, A8.409-4 and A8.428, and deleting Section and A8.404, to provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors, allocate a share of property tax revenues to the Transportation Fund, require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors, establish an Office of the MTA Inspector General, and eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining.

This item was not sent as a Committee Report.

From the Budget and Finance Committee Without Recommendation**100580 [General Obligation Bond - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bond - November 2, 2010, Election]****Sponsor: Mayor**

Ordinance calling and providing for a consolidated general election to be held in the City and County of San Francisco on Tuesday, November 2, 2010, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to authorize general obligation bonded indebtedness of the City and County in the Amount of Thirty Nine Million One Hundred and Forty Thousand Dollars (\$39,140,000) to provide loans to pay the costs of seismic retrofits to multi-story wood structures that are at significant risk of substantial damage and collapse during an earthquake, finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

See File No. 100581 above.

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

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

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Ordinance calling and providing for a consolidated general election to be held in the City and County of San Francisco on Tuesday, November 2, 2010, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to authorize general obligation bonded indebtedness of the City and County in the Amount of Forty Six Million One Hundred and Fifty Thousand Dollars (\$46,150,000) to provide deferred loans and/or grants to pay the costs of seismic retrofits to multi-story wood structures that are at significant risk of substantial damage and collapse during an earthquake; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be PASSED ON FIRST READING AS AMENDED to July 20, 2010, as a Committee of the Whole. The motion carried by the following vote:

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

From the Land Use and Economic Development Committee Without Recommendation

100658 [Bayview Hunters Point Redevelopment Project Area]

Sponsors: Mayor; Maxwell

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED ON FIRST READING to July 27, 2010. The motion carried by the following vote:

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

100659 [Hunters Point Shipyard Redevelopment Project Area]**Sponsors: Mayor; Maxwell**

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED ON FIRST READING to July 27, 2010. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

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

Shirley Hansen; expressed concerns regarding the Civil Grand Jury Report on pension costs.

Male Speaker; expressed various concerns.

Female Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Alioto-Pier was noted absent at 3:54 p.m., and noted present at 4:29 p.m.

Supervisor Maxwell was noted absent at 5:33 p.m., and noted present at 5:51 p.m.

100887 [Support Assembly Bill 1652 Regarding the Ski Resort Safety Act]**Sponsor: Alioto-Pier**

Resolution supporting Assembly Bill 1652 regarding the Ski Resort Safety Act.

Resolution No. 322-10**ADOPTED**

100888 [Approving Associate Membership in the California Enterprise Development Authority]

Sponsor: Daly

Resolution approving associate membership by the City and County of San Francisco in the California Enterprise Development Authority, a joint exercise of powers authority, and authorizing and directing the execution of an Associate Membership Agreement relating to associate membership of the City in the Authority.

Resolution No. 313-10

ADOPTED

100890 [San Francisco County Exhibit in the 2010 State Fair]

Sponsors: Chiu; Alioto-Pier

Motion appointing the City Administrator as the official representative of the City and County of San Francisco for the purpose of entering a county exhibit in the 2010 California State Fair and authorizing a county exhibit on San Francisco's behalf.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Motion No. M10-109

APPROVED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Alioto-Pier

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor****Ordinances****100909 [Appropriating \$6,816,953 of General Fund Balance and Additional Revenues for Various Programs in Children, Youth, and Their Families and Human Services Agency for FY2010-2011]****Sponsor: Avalos**

Ordinance appropriating \$6,816,953, including \$6,353,453 of General Fund balance, \$320,000 of property tax revenues, \$40,000 of administrative processing fees, and \$103,500 of Federal Medi-Cal Title XIX revenues, and appropriating \$5,470,339 for various programs in the Department of Children, Youth, and Their Families and \$1,346,614 for various programs in Human Services Agency - Department of Aging and Adult Services for FY2010-2011, and urging the First Five Commission to program at least \$693,000 of existing appropriation authority for Early Childcare and Education programs, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113.

(Fiscal Impact.)

07/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100921 [San Francisco Public Housing Tenant Protection Ordinance]**Sponsors: Mirkarimi; Campos**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 39 to establish the San Francisco Public Housing Tenant Protection Ordinance and set City policy regarding Financial Assistance to development projects that involve the demolition, disposition, rehabilitation, and/or conversion of Public Housing Units and/or the relocation of tenants from Public Housing Units.

07/13/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/12/2010.

100922 [Authorizing the Department of Public Health to Enter Into Contracts for Out-of-County Behavioral Health Services in the Foster Care System]**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 21.42 to authorize the Department of Public Health to contract for behavioral health services to children in the foster care system under the jurisdiction of the City and County of San Francisco and located outside of San Francisco, utilizing contracting language and forms mandated by the State of California under California Welfare and Institutions Code Section 5777.7.

07/13/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 8/12/2010.

Resolutions**100923 [Accept and Expend Grant - Department of Public Library - \$80,000]****Sponsor: Chu**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$80,000 from the California State Library as part of the Federal Library Services and Technology Act for the Out-of-School-Time Online Homework Help Program.

07/13/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100924 [Loan from the Metropolitan Transportation Commission to Expand the Scope of the SFpark Pilot Projects - \$22,000,000]**Sponsor: Mirkarimi**

Resolution approving a loan agreement between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and the Metropolitan Transportation Commission for \$22,000,000 of Congestion Mitigation and Air Quality Improvement funding to be repaid by the San Francisco Municipal Transportation Agency over a five year period with parking-related revenues.

(Fiscal Impact.)

07/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100925 [Contract with the San Francisco Community Health Authority to Provide Provider Payment Services for the Healthy San Francisco Program]**Sponsor: Mayor**

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract with the San Francisco Community Health Authority to provide Provider Payment services for the Healthy San Francisco program for the term of July 1, 2010, through June 30, 2011.

07/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100926 [Authorizing Expenditures from SOMA Community Stabilization Fund - \$2,762,000]**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization Fund dollars under certain conditions in the amount of \$2,762,000 to subsidize the development of onsite affordable rental housing units at 333 Harrison Street.

07/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100927 [Approving Retroactive Contracts with 20 Non-Profit Organizations and the University of California at San Francisco to Provide Behavioral Health Services]**Sponsor: Mayor**

Resolution approving retroactive contracts with non-profit organizations and the University of California at San Francisco to provide behavioral health services for the period of July 1, 2010, through December 31, 2015.

(Fiscal Impact.)

07/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100928 [Accept and Expend Grant - Department of Public Works - \$417,339]**Sponsors: Mayor; Duffy**

Resolution authorizing the Department of Public Works to apply for, accept and expend \$417,339 in Federal American Recovery and Reinvestment Act of 2009 Transportation Enhancement funds for the Corbin Place Stair Replacement Project.

07/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100929 [Approval of Amendment Agreement with the Tides Center - \$10,570,840]**Sponsor: Mayor**

Resolution retroactively approving amendment to agreement with the Tides Center to provide property management services at the Direct Access to Housing sites to extend the contract term by three years and increase the contract amount by \$10,570,840.

(Fiscal Impact.)

07/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100930 [Expend Grant - Adopting California Environmental Quality Act Findings and Authorizing Grant Expenditure for Cesar Chavez Sewer System Improvement Project - \$477,900]**Sponsor: Mayor**

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CENMSCIC11, Cesar Chavez Sewer System Improvement, directing the Clerk of the Board of Supervisors to notify the Controller of this action, and authorizing the San Francisco Public Utilities Commission to expend a grant in the amount of \$477,900 from the U.S. Environmental Protection Agency through the Department of the Interior, Environment, and Related Agencies Appropriation Act of 2006.

07/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100931 [Local Support for Proposition 1B Local Streets and Road Projects]**Sponsor: Mayor**

Resolution authorizing local support for street resurfacing projects to be funded by FY2009-2010 Proposition 1B State Infrastructure Bond funds from the Local Street and Road, Congestion Relief, and Traffic Safety Account of 2006.

100932 [Apply for State Used Oil Payment Program]**Sponsor: Mayor**

Resolution authorizing the Department of the Environment to apply for annual grants from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

07/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100933 [Homeland Security Grants]**Sponsor: Mayor**

Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under various grant programs, including: the FY2010 Homeland Security Grant Program for the FY2010 Urban Areas Security Initiative (UASI) grant, the FY2010 Regional Catastrophic Preparedness Grant Program (RCPGP), the FY2010 Interoperable Emergency Communications Grant Program (IECGP), Public Law 111-83, FY2010 State Homeland Security Grant Program, FY2010 Metropolitan Medical Response System, FY2010 Citizen Corps Program, FY2010 Emergency Management Performance Grant, and FY2010 Buffer Zone Protection Program.

07/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100934 [Issuance and Sale of Tax-Exempt Revenue Bonds - Drew School - Not to Exceed \$8,000,000]**Sponsor: Alioto-Pier**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$8,000,000 to finance and/or refinance various capital facilities owned by Drew School.

100935 [Supporting Eddy Zheng's Application to Remain Lawfully in the United States]**Sponsors: Chiu; Mar, Avalos, Mirkarimi, Campos, Chu and Maxwell**

Resolution urging the Honorable Arnold Schwarzenegger, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon and allow him to remain in the United States and to continue to serving youth in the San Francisco Bay Area community.

07/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100936 [Accept and Expend Grant - Early Childhood Mental Health Consultation Initiative - \$20,000]**Sponsor: Chu**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$20,000 from the San Francisco Foundation, to assist with a project entitled "Early Childhood Mental Health Consultation Initiative" for the period of June 1, 2010, through May 31, 2011.

07/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100937 [Honoring Duane Kuiper and Mike Krukow in Recognition of their 20th Anniversary as San Francisco Giants Broadcasters]**Sponsors: Duffy; Elsbernd and Alioto-Pier**

Resolution Honoring Duane Kuiper and Mike Krukow in recognition of their 20th Anniversary as San Francisco Giants broadcasters and wishing them the best over their next twenty years and beyond.

07/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100938 [Support Assembly Bill 32 Regarding the CLEAR Act]**Sponsor: Mirkarimi**

Resolution in support of Assembly Bill 32 regarding the CLEAR Act pending in the United States Senate.

07/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**100835 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 266-286 - 4th Street]**

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of the fee simple interest in real property commonly known as 266-286 - 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100838 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 790 Market Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100841 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 801 Market Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100844 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 933-949 Stockton Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of the fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100847 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain - 1455 Stockton Street]

Motion that the Board of Supervisors hold a public hearing on July 27, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

06/21/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100939 [Budget and Legislative Analyst Review of Aging in Place Practices and Resources]**Sponsor: Mar**

Motion directing the Budget and Legislative Analyst to conduct a review of practices and resources that might enable aging adults in the City and County of San Francisco to live in their homes and communities independently. Specific areas of review may include: (1) determining the approximate number of seniors on affordable housing and public housing waitlists in San Francisco; (2) collecting and summarizing demographic information about seniors in San Francisco; (3) reviewing independent living programs and models including shared housing programs, cross-generational aging in place programs, volunteer health advocacy programs, and the non-profit retirement villages model; and (4) providing legislative recommendations for incentives that encourage property owners to make residential upgrades that increase accessibility and safety.

07/13/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Hearings

100940 [News Rack Program Updates]

Sponsor: Alioto-Pier

Hearing to discuss installation of news racks in San Francisco. Specifically, the hearing will focus on neighborhood newspapers' placement in neighborhood commercial districts, the method of dealing with publications that cease publication, and the schedule for future installation of news racks.

07/13/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100941 [City Services Auditor Report - San Francisco Police Department]

Sponsor: Mar

Hearing on the City Services Auditor Report entitled "San Francisco Police Department: Cost Estimates for Achieving Operational Effectiveness in Crime Lab Operations."

07/13/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100942 [Gender Responsive Budgeting Report]

Sponsor: Mar

Hearing on the report "Gender Responsive Budgeting: A Path to Accountability and Data-Based Policy-Making" by the Department on the Status of Women.

07/13/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100944 [Committee of the Whole - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds]

Hearing of persons interested in or objecting to the amendments to the proposed Resolution and Ordinance relating to the Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds. (Clerk of the Board)

07/13/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

100945 [Committee of the Whole - Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members Charter Amendment]

Hearing of persons interested in or objecting to the amendments to the proposed Charter Amendment to amend the Charter of the City and County of San Francisco by adding Section 4.136, and amending Section 15.105. Section 4.136 would be added to: establish the Residential Rent Stabilization and Arbitration Board (Rent Board) in the Charter; authorize the Board of Supervisors to appoint three members and three alternate members, authorize the Mayor to appoint three members and three alternate members, and authorize the Board of Supervisors President and the Mayor to jointly appoint one member and one alternate member; and provide that the Rent Board will consist of two tenants, two landlords, and three neutral members, with an alternate for each member. Charter Section 15.105, which enumerates commissions whose members are subject to removal only for official misconduct, would be amended to include Rent Board members and alternate members. (Clerk of the Board)

07/13/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

100949 [Committee of the Whole - Election Day Voter Registration Charter Amendment]

Hearing of persons interested in or objecting to the amendments to the proposed Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 13.112 and amending Article XVII to establish Election Day Voter Registration for exclusively municipal elections. (Clerk of the Board)

07/13/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced by the President at the Request of the Department**PROPOSED RESOLUTIONS****100832 [Contract with Institute on Aging for the Provision of Case Management, Community Living Fund and Linkages Program Services - Not to Exceed \$13,191,544]**

Resolution approving the grant agreement between the City and County of San Francisco and the non-profit Institute on Aging to provide Case Management, Community Living Fund and Linkages Program services to seniors and adults with disabilities during the period of July 1, 2010, to June 30, 2014, for a total not to exceed amount of \$13,191,544. (Human Services Department) (Fiscal Impact.)

06/24/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100833 [Approving Street Encroachment at Lake Merced Boulevard and Higuera Avenue]

Resolution granting revocable permission to Park Merced Investors Properties, LLC, to occupy a portion of the public right-of-way for the installation and maintenance of a neighborhood sign (4' high x 36' wide x 32" deep) at the corner of Lake Merced Boulevard and Higuera Avenue in the median island (Block No. 0807, Lot No. 012), conditioned upon the payment of an annual assessment fee. (Public Works Department)

06/25/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100900 [Approval of Amendment No. 1 of Lease, Use, and Operating Agreement for BART Station and Related Facilities and Grant Easement at San Francisco International Airport, Lease No. L97-0081]

Resolution approving and authorizing the execution of Amendment No. 1 to Lease, Use, and Operating Agreement for BART Station and Related Facilities and Grant of Easement at San Francisco International Airport, Lease No. L97-0081 to: (1) limit BART Premium Fare (surcharge) for non-airline airport employees for \$1.50 each way for the remainder of the Lease; (2) remove BART Faithful Performance Deposit requirement; (3) permit monthly payment by BART of the annual rent in lieu of advance annual payment; (4) allow advertising by BART in the Airport-BART Station; and (5) include administrative updates to the Lease. (Airport Commission) (Fiscal Impact.)

06/30/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100901 [California Environmental Quality Act Findings for Water System Improvement Program Habitat Mitigation Actions]

Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation and monitoring reporting program and a statement of overriding considerations, related to full implementation of Habitat Mitigation Actions at two sites in Alameda County for the San Francisco Public Utilities Commission Sunol Valley Water Treatment Plant Expansion and Treated Water Reservoir project [CUW38101] and other Water System Improvement Program projects, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

07/02/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100904 [Special Assessment of Liens for Assessment of Cost]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for services rendered by said Department of costs thereof having accrued pursuant to Code Violations referenced above.

06/30/10; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests Granted

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

Potholes and Sidewalk Issues

*On Hayes, between Lyon & Baker, North side
On Fillmore & Waller, South of Waller near 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 locations:*

*Garbage Can
Northwest corner of Fulton & Clayton
Northwest corner of Haight & Fillmore*

*Malibox
Southwest corner of Turk & Baker
Southwest corner of McAllister & Broderick*

*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
Irving 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 at the following private locations:

901 Divisadero
500 Page, on Fell side
1779 Fulton
593 Haight
798 Haight
751 Fulton
1859 Fulton
546 Haight
528 Haight
507 Haight

In Memoriams

John "Jack" Webb, Jr. - Supervisors Dufty, Alioto-Pier, Elsbernd & Chu
Isabella "Bella" Farrow - Supervisors Alioto-Pier & Dufty
Kevin Pimentel - Supervisor Chiu
Margaret Casey - Supervisor Chu
Bo-Shu Zhu - Supervisor Chu
Hung Chun Chu - Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:10 a.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 September 14, 2010.

Angela Calvillo, Clerk of the Board