

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, August 3, 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

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, Maxwell

2nd and 4th Thursday
10:30 AM

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

Monday
1:00 PM

Public Safety Committee
Supervisors Chiu, Mirkarimi, 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 2:11 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 29, 2010. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

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.

Resolution No. 375-10

ADOPTED

Recommendations of the Land Use and Economic Development Committee**100693 [Mission Bay North-Block N1 Public Infrastructure Improvements]**

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

Ordinance No. 221-10

FINALLY PASSED

100852 [Mission Bay South - Park P17 Improvements]

Ordinance dedicating a portion of State Trust Parcel 5, known as Park P17, lying along Mission Bay Boulevard North, Mission Bay Boulevard South and Terry A. Francois Boulevard for public use and naming the new park "Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,716 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 223-10

FINALLY PASSED

100853 [Mission Bay South - Park P18 Improvements]

Ordinance dedicating a portion of State Trust Parcel 5, known as Park P18, lying along Terry A. Francois Boulevard between Mission Bay Boulevard North and China Basin Street for public use and naming the new park "Bayfront Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,715 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 222-10

FINALLY PASSED

100883 [Agreement Regarding the Exchange of Fire Station No. 1 Located at 676 Howard Street and Portions of Hunt Street for 935 Folsom Street and a Replacement Fire Station]**Sponsor: Mayor**

Ordinance authorizing the Director of Property to execute a conditional land disposition and acquisition agreement with the San Francisco Museum of Modern Art and its affiliate (collectively, Museum) for the proposed future conveyance by the City and County of San Francisco (City) to Museum of real property located at 676 Howard Street, San Francisco (Fire Station No. 1) and all of that portion of Hunt Street within Block No. 3722, collectively, in exchange for conveyance by Museum to City of a parcel of real property located at 935 Folsom Street, a new fire station to be constructed by or on behalf of Museum on such parcel, and an easement for parking purposes adjacent to such parcel; exempting from the competitive bidding and contract requirements of Chapter 6 of City's Administrative Code all contracts to be entered into by Museum for the design and construction of the new fire station and the improvement of such parcel and parking easement; and making findings, including findings of consistency with the General Plan and Planning Code Section 101.1(b).

Ordinance No. 218-10

FINALLY PASSED

100639 [Permits for Commercial Parking Garages and Lots]**Sponsor: Alioto-Pier**

Ordinance amending sections of the San Francisco Police Code, Business and Tax Regulations Code and Fire Code to: (1) transfer responsibility for parking garage and parking lot permits from the Fire Department to the Police Department; (2) require a commercial parking permit to operate a garage or lot where members of the public can park for a charge; set fees; establish permit issuance, suspension and revocation procedures; establish requirements for permit holders and individuals working at parking garages and lots; and (3) limit the term of a commercial parking permit to one year and require annual application for a commercial parking permit.

Ordinance No. 219-10

FINALLY PASSED

100467 [Zoning Map Amendment for One Capitol Avenue]**Sponsor: Avalos**

Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of San Francisco for the real property at One Capitol Avenue (Assessor's Block No. 7148/Lot No. 040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential, House, One-Family) Zoning District; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

Ordinance No. 220-10

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

Supervisor Mirkarimi requested that File Nos. 100669 and 100670 be severed so that they may be considered separately.

100669 [Lease of Real Property – Parcel L (Portion of Assessor’s Block No. 0817, Lot No. 33)]

Sponsors: Mayor; Mirkarimi

Resolution approving the lease of City property located at the northeast corner of Octavia Boulevard and Fell Street and commonly known as Parcel L (portion of Assessor’s Block No. 0817, Lot No. 33) to PROXYDevelopment, LLC, for four years at a monthly base rent of \$2,000 per month.

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

Resolution No. 385-10

ADOPTED by the following vote:

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

100670 [Sublease of Real Property - Parcel K (Portion of Assessor’s Block No. 0817, Lot No. 30)]

Sponsors: Mayor; Mirkarimi

Resolution approving the sublease of property located at the southeast corner of Octavia Boulevard and Hayes Street and commonly known as Parcel K (portion of Assessor’s Block No. 0817, Lot No. 30) to PROXY Development, LLC, for three years at a monthly base rent of \$5,000 per month.

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

Resolution No. 386-10

ADOPTED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

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.

Ordinance No. 210-10

FINALLY PASSED 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.

Ordinance No. 211-10

FINALLY PASSED by the following vote:

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

100574 [General Plan Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**Sponsors: Mayor; Maxwell**

Ordinance amending the San Francisco General Plan by amending the Bayview Hunters Point Area Plan, the Transportation Element, the Recreation and Open Space Element, the Commerce and Industry Element, maps and figures in various Elements, and the Land Use Index, and by adopting and adding the Candlestick Point Subarea Plan and the Hunters Point Area Plan, in order to facilitate the development of the Hunters Point Shipyard and Candlestick Point, as envisioned in the Hunters Point Shipyard Redevelopment Plan, the Bayview Hunters Point Redevelopment Plan, and the Conceptual Framework for integrated development of the Hunters Point Shipyard and Candlestick Point endorsed by the Board of Supervisors and the Mayor in May 2007 and approved by the voters in 2008 through passage of Proposition G, the Jobs, Parks and Housing Initiative; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Ordinance No. 203-10**FINALLY PASSED by the following vote:**

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

Noes: 1 - Daly

100575 [Hunters Point Shipyard - Health Code Amendment]**Sponsors: Mayor; Maxwell**

Ordinance amending Article 31 of the Health Code to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply to Hunters Point Shipyard Parcel A to address potential residual contamination, and imposing fees to administer this Article; amending Sections 804 and 1227 of the Health Code to make conforming amendments; and making environmental findings.

Ordinance No. 204-10**FINALLY PASSED by the following vote:**

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

Noes: 1 - Daly

100576 [Hunters Point Shipyard - Public Works Code Amendment]**Sponsors: Mayor; Maxwell**

Ordinance amending the Public Works Code to amend Section 2.3.1 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

Ordinance No. 205-10**FINALLY PASSED by the following vote:**

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

Noes: 1 - Daly

100577 [Hunters Point Shipyard - Building Code Amendment]**Sponsors: Mayor; Maxwell**

Ordinance amending the Building Code to amend Section 106A.3.2.5 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

Ordinance No. 206-10**FINALLY PASSED by the following vote:**

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

100578 [Zoning Map Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**Sponsors: Mayor; Maxwell**

Ordinance amending the San Francisco Planning Code by amending Sectional Maps SU09 and SU010 of the Zoning Map of the City and County of San Francisco to establish the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District; amending Sectional Maps HT09 and HT010 to establish the CP Height and Bulk District and the HP Height and Bulk District; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; providing for an operative date.

Ordinance No. 207-10**FINALLY PASSED by the following vote:**

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

100579 [Zoning - Establishment of the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, and Special Height and Bulk Provisions for the Special Use Districts]**Sponsors: Mayor; Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.50 to establish the Candlestick Point Activity Node Special Use District; adding Section 249.51 to establish the Hunters Point Shipyard Phase 2 Special Use District; adding Section 263.24 to establish Special Height Provisions for the Candlestick Point Activity Node Special Use District and the CP Height and Bulk District; adding Section 263.25 to establish Special Height Provisions for the Hunters Point Shipyard Phase 2 Special Use District and the HP Height and Bulk District; and amending Table 270, to provide that the Table is not applicable to the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; providing for an operative date.

Ordinance No. 208-10**FINALLY PASSED by the following vote:**

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

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

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

Ordinance No. 209-10

FINALLY PASSED by the following vote:

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

Noes: 1 - Daly

Recommendation of the City Operations and Neighborhood Services Committee**100751 [Implementation of Assembly Bill 1421 - Assisted Outpatient Treatment, "Laura's Law"]****Sponsor: Alioto-Pier**

Resolution authorizing the implementation of assisted outpatient treatment in the City and County of San Francisco, requesting the Controller conduct an analysis of mental health funding levels. (Supervisor Avalos dissented in committee.)

Privilege of the floor was granted to Dr. Mitch Katz, Director, Department of Public Health, who responded to questions raised throughout the discussion regarding File No. 100751.

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Resolution be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

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

Recommendations of the Public Safety Committee**100054 [Workforce Development - Public Service Academies]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Sections 30.30 through 30.35, to establish public safety and public health training programs for San Francisco Unified School District high school students.

Ordinance No. 224-10

FINALLY PASSED by the following vote:

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

100674 [Expanding the Entertainment Commission's Power to Revoke Permits]**Sponsor: Chiu**

Ordinance amending Sections 1060.20.4 and 1070.20 of the San Francisco Police Code to expand the grounds for revocation of place of entertainment permits, extended-hours premises permits, and one time event permits to include: (1) public safety considerations, where operation of the permit poses a substantial risk of physical harm or injury to individuals, and (2) where the permittee's persistent action or inaction causes serious and continuing problems that amount to a public nuisance.

Ordinance No. 217-10

FINALLY PASSED by the following vote:

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

NEW BUSINESS**Recommendations of the Budget and Finance Committee****100694 [Contract Amendment to the Fuel Contract - Not to Exceed \$50,000,000]**

Resolution approving the Third Amendment to the Agreement between the City and Western States Oil (Contractor) increasing the total not to exceed amount of the contract from \$25,000,000 to \$50,000,000 and extending the term for one year, pursuant to Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)

Resolution No. 368-10

ADOPTED by the following vote:

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

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.

Resolution No. 369-10

ADOPTED by the following vote:

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

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.

Resolution No. 381-10**ADOPTED by the following vote:**

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

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

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.

Resolution No. 387-10**ADOPTED by the following vote:**

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

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.)

ADOPTED by the following vote:

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

Supervisor Avalos, seconded by Supervisor Mirkarimi, 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

Supervisor Avalos, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED by reducing the not to exceed amount by \$300,743. The motion carried by the following vote:

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

Resolution No. 388-10**ADOPTED AS AMENDED by the following vote:**

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

100967 [Intention to Renew the 2500 Block of Mission Street Business Improvement District - Mission Miracle Mile Business Improvement District]**Sponsor: Campos**

Resolution declaring the intention of the Board of Supervisors to renew the property-based 2500 Block of Mission Street business improvement district, to be known as the "Mission Miracle Mile Business Improvement District" and to levy a multi-year assessment on identified parcels in the district; approving the management district plan and engineer's report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballots; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Resolution No. 350-10

ADOPTED by the following vote:

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

Recommendation of the City Operations and Neighborhood Services Committee**100641 [Expend Grant - California Department of Toxic Substances Control and Amendment to the Annual Salary Ordinance, FY2010-2011 - \$74,500]****Sponsor: Chu**

Ordinance authorizing the Department of the Environment to expend a grant in the amount of \$74,500 from the California Department of Toxic Substances Control to coordinate the Green Business tracking and measurement tool and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

Supervisor Chu, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 1, Line 7, by replacing '183-09' with '191-10'; and on Page 3, Line 3, by replacing '183-09' with '191-10.'

The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee**100943 [Board of Supervisors Response to the 2009-2010 Civil Grand Jury Report Entitled "Americans With Disabilities Act: Is San Francisco In Compliance?"]****Sponsors: Alioto-Pier; Mar**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2009-2010 Civil Grand Jury Report entitled "Americans With Disabilities Act: Is San Francisco In Compliance?"

Resolution No. 384-10

ADOPTED by the following vote:

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

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.

Motion No. M10-124**APPROVED 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**100508 [Directing the Budget and Legislative Analyst to Audit the Department of Children, Youth and Their Families]****Sponsor: Alioto-Pier**

Motion directing the Budget and Legislative Analyst to audit the Department of Children, Youth and Their Families in their oversight of early childhood care and education programs.

Motion No. M10-125**APPROVED by the following vote:**

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

Recommendations of the Land Use and Economic Development 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)

Resolution No. 373-10**ADOPTED by the following vote:**

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

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)

Resolution No. 370-10

ADOPTED 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****100903 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]**

Hearing of persons interested in or objecting to proposed 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. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the report of delinquent charges for code enforcement cases referenced in File No. 100904. Alan Davison and Rosemary Bosque (Department of Building Inspection) provided an overview and responded to questions raised throughout the discussion. Rose Tsaz; Phillip Dale; Female Speaker; spoke in opposition to the processing of notifications. Steve Curry spoke in support of assessments. 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

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.

Alan Davison (Department of Building Inspection) provided an amendment to the Assessment Report.

Resolution No. 367-10

ADOPTED, after accepting the amendment to the accompanying report. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendation from the Public Safety Committee

100879 [Increasing Penalties for Certain Crimes Committed on Municipal Transportation Agency Vehicles, Platforms or in Bus Zones]

Sponsors: Chu; Chiu, Mar, Maxwell, Dufty and Mirkarimi

Ordinance amending the San Francisco Police Code by amending Article 2, Section 123, and Article 17, Section 1291, to increase from \$500 to \$1,000 the maximum allowable fine for the crimes of aggressive pursuit and of loitering while carrying a concealed weapon, where the violation occurs on vehicles, platforms, or bus zones of the Municipal Transportation Agency.

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Avalos, Daly

Recommendation from the Land Use and Economic Development Committee

101010 [Accept and Expend Grant - American Recovery and Re-Investment Act and Amendment to the Annual Salary Ordinance, FY2010-2011 - \$1,670,000]

Sponsor: Mayor

Ordinance to retroactively accept and expect a grant in the amount of \$1,670,000 from the U.S. Department of Energy through the County of Los Angeles and the Association of Bay Area Governments, and amending the Annual Salary Ordinance FY2010-2011 to reflect the addition of three positions in the Department of the Environment.

PASSED, ON FIRST READING by the following vote:

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

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

Privilege of the Floor

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

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

Supervisor Maxwell introduced, welcomed, and presented a Certificate of Honor to Katie King in recognition of her 100th birthday and for her accomplishments, continued community support, and designating August 6, 2010, as Katie King Day.

Supervisor Daly introduced, welcomed, and presented a Certificate of Honor to Jazzie Collins of the SoMa Stabilization Fund Citizen Advisory Committee in recognition of her five years of dedicated service as the first Chair of Fund and for her continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Matt Reno and Paula Egan of the Aim High Program in recognition of the program's accomplishments and continued community support.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Privilege of the floor was granted to Chris Punongbayan and Donna Levitt who shared in the loss of Joannie Chang.

PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Marcello Muniz; expressed concerns relating to immigration reform.
Ray Hartz; expressed concerns relating to open government.
Walter Paulson; shared in song certain concerns with the Board.
John DiDonna; shared in poem certain concerns with the Board.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**101018 [Accept and Expend Grant - Ghana MARPS Size Estimation - \$28,465]****Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$28,465 from the University of California San Francisco (UCSF), to participate in a program entitled "Ghana MARPS Size Estimation" for the period of April 1, 2010, through March 31, 2011.

Resolution No. 389-10

ADOPTED

101019 [Accept and Expend Grant - OCTAVE Capacity Building Workshop Series - \$47,022]**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$47,022 from the Public Health Foundation Enterprises, Inc. (PHFE), to participate in a program entitled "OCTAVE-Capacity Building Workshop Series" for the period of July 1, 2010, through December 31, 2011.

Resolution No. 380-10

ADOPTED

101020 [Accept and Expend Grant - Viral Load Study - \$25,318]**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$25,318 from the Public Health Foundation Enterprises, Inc. (PHFE), to participate in a program entitled "Viral Load Study" for the period of April 1, 2010, through March 31, 2011.

Resolution No. 379-10

ADOPTED

101021 [Accept and Expend Grant - Special Work Assignment UNICEF - \$30,965]**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$30,965 from the United Nations Childrens Fund to support a project that will further understanding of the prevention of mother-to-child transmission of HIV for the period of June 18, 2010, through October 1, 2010.

Resolution No. 378-10

ADOPTED

101022 [Accept and Expend Grant - Recycling and Lunchroom Composting Programs - \$18,000]**Sponsor: Mar**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$18,000 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

Resolution No. 377-10**ADOPTED****101023 [Accept and Expend Grant - GreenStacks Environmental Outreach Collaboration - \$12,000]****Sponsor: Mar**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$12,000 from Altamont Education Advisory Board to support GreenStacks an environmental outreach collaboration between the Department of the Environment and the San Francisco Public Libraries.

Resolution No. 376-10**ADOPTED****101024 [Property Assessed Clean Energy Programs]****Sponsors: Mayor; Mar and Dufty**

Resolution supporting Property Assessed Clean Energy programs and requesting San Francisco's Congressional representatives to work with the Federal Housing Finance agency to establish standardized underwriting criteria and safeguards to allow for the continuation of Property Assessed Clean Energy programs.

Resolution No. 382-10**ADOPTED**

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File Nos. 100961 and 101012 be severed so that they may be considered separately.

100961 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 2, 2010, Election]

Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2010, Election. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Mar, moved that this Motion 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 Daly, seconded by Supervisor Mar, moved that this Motion be AMENDED on Page 5, Line 9, deleting 'Mar.' The motion carried by the following vote:

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

Motion No. M10-126**APPROVED AS AMENDED by the following vote:**

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

101012 [Approving the Fare Schedule for Golden Gate Pedicab]**Sponsor: Chiu**

Resolution approving the fare schedule for Golden Gate Pedicab.

Supervisor Chiu, seconded by Supervisor Daly, moved that this Resolution 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

Resolution No. 372-10**ADOPTED AS AMENDED by the following vote:**

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

Supervisor Alioto-Pier requested that File No. 101017 be severed so that it may be considered separately.

101017 [Supporting the Golden State Warriors Return to San Francisco]**Sponsors: Alioto-Pier; Elsbernd, Dufty, Maxwell, Mirkarimi, Chiu, Chu and Mar**

Resolution supporting the Golden Gate Warriors return to San Francisco.

*Supervisors Chu and Mar requested to be added as co-sponsors.***Supervisor Alioto-Pier, seconded by Supervisor Campos, AMENDED on Page 1, Line 1, replacing 'Gate' with 'State'; and on Line 3, replacing 'Gate' with 'State.' The motion carried by the following vote:**Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Resolution supporting the Golden State Warriors return to San Francisco.**Resolution No. 383-10****ADOPTED AS AMENDED**

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

IMPERATIVE AGENDA

[Purely Commendatory Finding]

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

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

101050 [Commendation - American Bar Association]

Sponsors: Alioto-Pier; Dufty, Chiu, Mirkarimi and Maxwell

Resolution commending the American Bar Association on the occasion of its 2010 Annual Meeting in San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to commending the Bar Association as referenced in File No. 101050. There were no speakers. The President declared public comment closed.

Supervisors Dufty, Chiu, Mirkarimi, and Maxwell requested to be added as co-sponsors.

Resolution No. 374-10

ADOPTED by the following vote:

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

101049 [Commending Katie King]

Sponsor: Maxwell

Resolution commending Katie King on her 100th Birthday and declaring August 6, 2010, "Katie King Day" in San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to commending Katie King as referenced in File No. 101049. There were no speakers. The President declared public comment closed.

Resolution No. 371-10

ADOPTED by the following vote:

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

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

101053 [Zoning - Consistent Street Frontages Controls]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 209.8, 210.3, 212, 231, 243, 253, and 253.2, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, and 249.26, to create comprehensive and consistent street frontage controls for residential districts, to create consistent ground floor controls for industrial districts, to permit certain small corner commercial uses in RM-3 and RM-4 districts, to modify floor area ratio controls in the Van Ness Special Use District, to modify conditional use requirements for buildings over 40 feet in RM and RC districts, to amend the procedure for certain exceptions from off-street parking and loading requirements, and permit parking and loading exceptions to preserve historic buildings and landmark trees, and to make certain Planning Code controls consistent across C-3 Districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

08/03/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

101054 [Green Bag Charge]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by amending Section 1702, to clarify the definition of "checkout bag" and other terms; adding Section 1703.5, to require stores to add a Green Bag Charge of 5 cents if they provide a customer with a disposable, single-use checkout bag, and making environmental findings.

08/03/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/2/2010.

101055 [Plastic Bag Reduction]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by amending Section 1702, to extend the mandatory use of recyclable and compostable checkout bags from supermarkets and chain pharmacies, currently covered by Chapter 17, to all retail establishments in the City, and clarify the definitions of "checkout bag," "recyclable paper bag," and "reusable bag," setting an operative date of March 1, 2011, and making environmental findings.

08/03/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

101056 [Banning the Sale of Tobacco Products in Pharmacies]**Sponsors: Mar; Duffy and Maxwell**

Ordinance amending the San Francisco Health Code by amending Sections 1009.91 and 1009.92, by repealing Section 1009.93, and by re-numbering Sections 1009.94, 1009.95, 1009.96, 1009.97, 1009.98, and 1009.99, as Sections 1009.93, 1009.94, 1009.95, 1009.96, 1009.97, and 1009.98, respectively, all to eliminate the exemptions for general grocery stores and big box stores from the general ban on the sale of tobacco products in pharmacies.

08/03/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

101057 [Health Care Services Master Plan]**Sponsors: Campos; Mar, Maxwell, Mirkarimi, Avalos, Chiu and Daly**

Ordinance amending the San Francisco Planning Code by adding Sections 342 to 342.10 requiring the preparation of a Health Care Services Master Plan identifying the current and projected needs for, and locations of, health care services within San Francisco and recommending how to achieve and maintain appropriate distribution of, and equitable access to, such services; requiring that medical institutions applying for land use approvals obtain a consistency determination from the Planning Commission determining that the proposed use promotes the goals recommended in the Master Plan; providing fees for the consistency determination, and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1 and environmental findings.

08/03/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/2/2010.

101058 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2010-2011]**Sponsor: Avalos**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the FY ending June 30, 2011.

(Fiscal Impact)

08/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101059 [Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**Sponsor: Avalos**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the FY ending June 30, 2011.

08/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101060 [Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**Sponsor: Avalos**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the FY ending June 30, 2011.

08/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101061 [Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**Sponsor: Avalos**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the FY ending June 30, 2011.

08/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101062 [Updating Enforcement and Compliance Procedures for Nuisance]**Sponsor: Avalos**

Ordinance amending the San Francisco Health Code Articles 6 and 11 by amending Sections 580, 581, 596, 599, and 600, and adding Sections 292.5, 596.5, 602.3, and 610 to: 1) add requirements for refuse collection and storage in multi-story residential facilities; 2) update nuisance definitions; 3) add potential attorneys' fees recovery for the prevailing party in those cases which the City elects to recover attorneys' fees; 4) require owners of rental property to provide contact information to the Department; 5) add civil penalties; and 6) expand administrative penalties and procedures.

08/03/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 9/2/2010.

101071 [Zoning - Temporary Uses and Mobile Food Facilities]**Sponsor: Dufty**

Ordinance amending the San Francisco Planning Code by adding Section 102.31 to define a Mobile Food Facility, amending Section 205 and adding Section 205.4 to establish a new category of temporary uses, and amending Sections 212, 790.91, 790.93, and 890.90 to clarify that Mobile Food Facilities need not be conducted within enclosed buildings; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

08/03/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/2/2010.

101072 [Pushcart Peddlers and Operators Regulations]**Sponsor: Dufty**

Ordinance amending the San Francisco Police Code and San Francisco Public Works Code by repealing Article 17.3 (Permit Regulations for Pushcart Peddlers) from the Police Code, transferring the regulations to a new Article 5.8 of the Public Works Code, commencing with Section 184.80, making nonsubstantive amendments to implement the transfer, and streamlining the notice and hearing procedures, adopting environmental findings.

08/03/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/2/2010.

101073 [Mobile Caterers Regulations]**Sponsor: Dufty**

Ordinance amending the San Francisco Police Code and San Francisco Public Works Code by repealing Police Code Article 17.2, Sections 1320 through 1326 (Regulations for Mobile Caterers; Permit and License Provisions), transferring the regulations to a new Article 5.9 of the Public Works Code, commencing with Section 184.100, making other amendments to implement the transfer, including new fee and penalty provisions; streamlining the notice and hearing procedures; and adopting environmental findings.

08/03/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/2/2010.

101075 [Building Code - Development Fee Collection Procedure and Administrative Fee]**Sponsor: Mayor**

Ordinance amending the San Francisco Building Code by amending Section 107A.13 to modify the method of calculating the development fee deferral surcharge rate and to clarify when a project sponsor may elect to defer the payment of development impact and in-lieu fees, adopting environmental finding.

08/03/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 9/2/2010.

101079 [Water Efficient Irrigation]**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code by repealing Chapter 63 in its entirety and adding Chapter 63, requiring the development and maintenance of landscape irrigation controls for specified new construction landscapes and landscape rehabilitation projects.

08/03/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/2/2010.

100041 [Personal Wireless Service Facility Site Permits and Associated Fees]**Sponsors: Avalos; Campos**

Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1528, to establish new requirements for Personal Wireless Service Facility Site Permits and to increase certain fees for obtaining such permits, amending the San Francisco Administrative Code by amending Chapter 11, Article 1, Section 11.9, to eliminate obsolete provisions related to such permits, making the provisions of the ordinance retroactive, and making environmental findings.

01/12/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/12/2010.

01/19/10; REFERRED TO DEPARTMENT.

01/20/10; RESPONSE RECEIVED.

08/03/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions**101063 [California Constitution Appropriations Limit FY2010-2011]****Sponsor: Avalos**

Resolution establishing the appropriations limit for FY2010-2011 pursuant to California Constitution Article XIII B.

(Fiscal Impact.)

08/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101064 [Accept and Expend Gift - Recreation and Park Department Buena Vista Park - \$164,760]**Sponsor: Dufy**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift-in-place valued at \$164,760 from the San Francisco Conservation Corps to rehabilitate trails and retaining walls at Buena Vista Park.

08/03/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101065 [Yosemite Creek Watershed Restoration Study]**Sponsor: Mirkarimi**

Resolution urging the San Francisco Public Utilities Commission to study opportunities to restore the Yosemite Creek watershed.

08/03/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101066 [Eastern San Francisco Air Quality Study]**Sponsor: Mirkarimi**

Resolution urging the San Francisco Department of Public Health, in conjunction with other local, state and federal agencies, to develop recommended actions the City could take to address air quality concerns in the eastern area of San Francisco.

08/03/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101067 [Supporting Assembly Bill 2324 Regarding Public Transit Facilities]**Sponsors: Chu; Chiu and Mar**

Resolution supporting Assembly Bill 2324 regarding Public Transit Facilities, making it a misdemeanor for any person to knowingly possess specified weapons at a public transit vehicle facility.

08/03/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101068 [Declaring August 18, 2010, as San Francisco HIV Health Services Planning Council Day]**Sponsors: Duffy; Campos**

Resolution declaring August 18, 2010, as San Francisco HIV Health Services Planning Council Day in San Francisco.

08/03/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101070 [Gift Acceptance - Building Bocce Courts in Justin Herman Plaza - \$61,000]**Sponsor: Chiu**

Resolution authorizing the Recreation and Park Department to accept a gift of labor and construction materials with a value of \$61,000 from the Laborers Local 261 Community and Training Foundation to build two bocce courts on the lawn in Justin Herman Plaza.

08/03/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101074 [Accept and Expend Grant - Palace of Fine Arts Historical Landscape and Park Improvements - \$500,000]**Sponsor: Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant administered by the California State Library California Cultural and Historical Endowment in the amount of \$500,000 for the Palace of Fine Arts historical landscape and park improvement.

08/03/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101076 [Apply For State Used Oil Payment Program]**Sponsor: Mayor**

Resolution authorizing the Department of the Environment to apply for the annual Used Oil Payment Program from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling.

08/03/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101077 [Federal Emergency Operations Center Grant Administered by California Emergency Management Agency]**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 the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance through the federal Emergency Operations Center grant administered by the California Emergency Management Agency.

08/03/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101081 [Candlestick Point - Hunters Point Shipyard Phase II Development Project - Involvement of Ohlone and other Native American Peoples]**Sponsors: Maxwell; Mar and Campos**

Resolution urging the City Planning Department and Redevelopment Agency to establish specific protocols for ongoing collaboration with representatives of the Ohlone Peoples and other Native American groups for the redevelopment of Candlestick Point and the Hunters Point Shipyard.

08/03/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion**101069 [Waiving Board Rule 4.29 of the Rules of Order to Schedule Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. at the September 7, 2010, Board Meeting]**

Motion waiving Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m. at the September 7, 2010, Board meeting. (Clerk of the Board)

08/03/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

101002 [Airport Concession Lease with Host International, Inc.]

Resolution approving the Terminal 2 Newsstands, Coffee, and Specialty Stores Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

07/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101003 [Settlement of Grievance - Bruce Dunlap - \$57,500]

Resolution authorizing the settlement of the grievances (ERD No. 45-09-1973 and ERD No. 45-09-1964) filed by International Federation of Professional and Technical Engineers, Local 21 (Union) on behalf of Grievant, Bruce Dunlap, against the City and County of San Francisco for \$57,500. (City Attorney)

07/26/10; RECEIVED AND ASSIGNED to Rules Committee.

101004 [Lease and License of Real Property at 1 Dr. Carlton B. Goodlett Place, Ground Floor Café and North Light Court]

Resolution authorizing the lease of 1,426 square feet of space, a license of 2,400 square feet and the shared use space of 1,360 square feet to the Elias M. Nasra and Family Partnership, a California general partnership, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department)

07/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

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 property locations:

747 Webster

749 Webster

743 Grove

438 Buchanan, on Oak side

421 Laguna

201 Buchanan

1550 Steiner

Western Addition Library, on Geary side

501 Fillmore

1701 Waller

1312 Haight

1146 Oak

160 Pierce, on Haight side
591 Haight

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

Wood Pole
Southeast corner of Fell and Fillmore
Near 430 Fillmore

Metal Pole
Northwest corner of Laguna and Fell
Southwest corner of Hayes and Fillmore

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

Utility Boxes
Southwest corner of Eddy and Webster
Southeast corner of Divisadero and McAllister
Southwest corner of Page and Steiner
Northeast corner of Geary and Scott
Southeast corner of Masonic and Fulton
West of 1130 Oak
Southwest corner of Steiner and Haight

Bus Shelters
Southwest corner of Haight and Buchanan
Southwest corner of Divisadero and McAllister
Southwest corner of Fillmore and Oak
Southwest corner of Fillmore and Hayes
Southeast corner of Masonic and Fulton
Southwest corner of Hayes and Broderick
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Fire Hydrant
Northwest corner of Oak and Fillmore

Emergency Boxes
Southwest corner of Grove 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 locations:

Garbage Cans
Northeast corner of Fillmore and Oak
Northeast corner of Geary and Scott
On Haight between Central and Masonic, south side of street

Mailbox
Northwest corner of McAllister and Steiner

From: Supervisor Mirkarimi

To: Chief George Gascon, San Francisco Police Department

Requesting/Inquiring: Requesting the San Francisco Police Department to provide crime and arrest statistics for Part 2 crimes and other Quality of Life crimes, including the following breakdowns:

By month

By year

By district station

Citywide

In Memoriams

Kayo Hamada Tong - Supervisor Mar

Shui S. Louie - Supervisors Chiu and Chu

Joannie Chang - Entire Board

John Coleman Mulkern - Supervisors Dufty and Chu

Milivoy Mikovich - Supervisors Dufty and Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:10 p.m.

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

Approved by the Board of Supervisors on September 14, 2010.

Angela Calvillo, Clerk of the Board