

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 9, 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.

Volume 105 Number 37

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 2:18 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 Maxwell, moved to approve the Board Meeting Minutes of October 5, 2010. The motion carried by the following vote:

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

COMMUNICATIONS

President, David Chiu, recognized the students from the East Palo Alto Phoenix Academy in attendance.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

101248 [Appropriating \$85,000,000 of General Obligation Bonds for the Department of Public Works and the Public Utilities Commission for FY2010-2011]

Sponsors: Mayor; Chiu

Ordinance appropriating \$85,000,000 of the 2010 Series 1 Earthquake Safety and Emergency Response General Obligation Bond proceeds including \$76,603,071 to the Department of Public Works, and \$8,396,929 to the Public Utilities Commission for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster for FY2010-2011, and placing these funds on Controller's Reserve pending the sale of the bonds.

Ordinance No. 284-10

FINALLY PASSED

101268 [Waiver of Street Encroachment Inspection Fee for Golden Gate Transportation District]**Sponsor: Elsbernd**

Ordinance waiving the Street Encroachment Permit Inspection Fee established through Public Works Code Section 2.1.1 for signs related to bus service for the Golden Gate Bridge, Highway, and Transportation District.

Ordinance No. 283-10

FINALLY PASSED

101269 [Accept and Expend Grant - Probation Specialized Supervision Program and Amendment to the Annual Salary Ordinance for FY2010-2011 - \$300,000]**Sponsor: Maxwell**

Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of \$300,000 from the California Emergency Management Agency for Probation Specialized Supervision Program federally funded through the Violence Against Women Act and amend Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of three (3) grant-funded positions (.75 FTE) in Class 8444 Deputy Probation Officer, (.50 FTE) in Class 9920 Public Service Aide/Probation Aide, and (.50 FTE) in Class 9920 Public Service Aide/Probation Aide at the Department of Adult Probation.

Ordinance No. 285-10

FINALLY PASSED

101270 [Accept and Expend Grant - San Francisco Reentry Courts and Amendment to the Annual Salary Ordinance for FY2010-2011 - \$500,000]**Sponsor: Mirkarimi**

Ordinance authorizing the Adult Probation Department to retroactively accept and expend a grant in the amount of \$500,000 from the Office of Justice Programs for funding under the Second Chance Act State, Local and Tribal Reentry Courts, and amend Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of (4) four grant funded positions; (.20 FTE) in Class 8138 Court Reporter at the Adult Probation Department, (.20 FTE) in Class 8113 Court Clerk at the Adult Probation Department, (.40 FTE) in Class 8177 Attorney at the Office of the Public Defender (PDR) and (.75 FTE) in Class 2912 Sr. Social Worker at the Department of Public Health.

Ordinance No. 282-10

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee**100829 [Planning Code - Car-Share Controls]****Sponsors: Chiu; Mar and Maxwell**

Ordinance amending the San Francisco Planning Code, including Section 151.1 to enable the Planning Commission to require the provision of annual memberships to certified car-share organizations to residents of certain new development projects when certain findings are made; Section 163 to promote car-share services as a component of transportation management programs and transportation brokerage services; and Section 166 to permit car-share spaces in the same manner as residential accessory parking and require that car-sharing requirements for non-residential uses apply to all zoning districts; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Ordinance No. 286-10**FINALLY PASSED****101216 [Mission Bay South - Fourth Street, Channel Street, and Third Street Public Infrastructure Improvements]**

Ordinance accepting the irrevocable offers of property along portions of Channel Street and Third Street and the irrevocable offers of improvements of public infrastructure improvements, including acquisition facilities on Channel Street, Fourth Street, and Third Street; dedicating such improvements for public use; declaring such areas as shown on Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing 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 South Redevelopment Plan; accepting Department of Public Works Order No. 178,869; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 281-10**FINALLY PASSED****101217 [Mission Bay South - Blocks 10-10A Public Infrastructure Improvements]**

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 10-10A including acquisition facilities on China Basin Street, Terry A. Francois Boulevard and Mission Bay Boulevard North; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing 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 South Redevelopment Plan; accepting Department of Public Works Order No. 178,870; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 280-10**FINALLY PASSED**

101218 [Mission Bay South - Storm Water Pump Station No. 6 Public Infrastructure Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 6 including acquisition facilities located on and under Bayfront Park along Terry A. Francois Boulevard; accepting said facilities for City maintenance and liability purposes; 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 South Redevelopment Plan; accepting Department of Public Works Order No. 178,871; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 279-10

FINALLY PASSED

Recommendations of the Public Safety Committee**101317 [Accept and Expend Grant - San Francisco Re-entry Center Program - \$750,000]**

Sponsor: Chiu

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$750,000 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "San Francisco Re-entry Center" for the grant period of October 1, 2010, through March 31, 2012.

Resolution No. 532-10

ADOPTED

101363 [Accept and Expend Grant - No Violence Alliance One Family Reentry Initiative - \$300,000]

Sponsor: Mayor

Resolution authorizing the Sheriff's Department to retroactively apply for, accept, and expend \$300,000 in funds from the Bureau of Justice Assistance, through the Second Chance Act Prisoner Reentry Initiative; the No Violence Alliance One Family Reentry Initiative will provide a comprehensive, family-focused continuum from in-custody to post-release for sentenced probationers incarcerated in the San Francisco County Jail with a history of substance abuse and minor children.

Resolution No. 533-10

ADOPTED

101364 [Accept and Expend Grant - FY2010 Forensic DNA Backlog Reduction Program - \$320,274]

Sponsors: Mayor; Alioto-Pier

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a grant totaling \$320,274 from the U.S. Department of Justice/National Institute of Justice for the FY2010 Forensic DNA Backlog Reduction Program.

Resolution No. 534-10

ADOPTED

101365 [Accept and Expend Grant - The Keystone Project - \$599,298]**Sponsor: Mayor**

Resolution authorizing the Sheriff's Department to retroactively apply for, accept, and expend \$599,298 in funds from the Bureau of Justice Assistance, through the Second Chance Act Prisoner Reentry Initiative; the Keystone Project will strive to increase public safety and reduce recidivism among offenders with co-occurring disorders in the City and County of San Francisco, and waiving any indirect costs.

Resolution No. 535-10

ADOPTED

101366 [Accept and Expend Grant - FY2010 Technology Program Gunshot Location System - \$750,000]**Sponsor: Mayor**

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a \$750,000 grant from the U.S. Department of Justice/Office of Community Oriented Policing FY2010 Technology Program for a Gunshot Location System.

Resolution No. 536-10

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

101009 [Environment Code - Healthy Air and Clean Transportation Program]**Sponsors: Mayor; Dufty, Mar, Campos and Chiu**

Ordinance (1) amending the San Francisco Environment Code by repealing current Sections 400 through 409, and adopting new Sections 400 through 424; (2) amending the San Francisco Environment Code by amending current Sections 410, 411, and 421 and re-numbering them as Sections 425, 426, and 427 respectively; and (3) amending the San Francisco Administrative Code by amending Section 4.10-1, all to establish and implement a new Healthy Air and Clean Transportation Program, providing for the gradual conversion of the City's vehicle fleet to clean air vehicles and the gradual reduction of the overall number of passenger vehicles and light duty trucks in the City's vehicle fleet by 20 percent; and making environmental findings.

Ordinance No. 278-10

FINALLY PASSED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee

101157 [Administrative Code - Updating Provisions Consistent with State and Local Law and Related Clean-Up Provisions on Employee Relations]

Sponsor: Mayor

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

Martin Gran (Department of Human Resources) responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED ON FIRST READING to November 16, 2010. The motion carried by the following vote:

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

Recommendation of the Land Use and Economic Development Committee

101096 [Health Code - Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]

Sponsors: Mar; Campos, Chiu and Avalos

Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.9, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

Ordinance No. 290-10

FINALLY PASSED by the following vote:

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Recommendation of the Rules Committee

101246 [Administrative Code - Medical Cannabis Task Force Membership, Powers, and Duties]

Sponsor: Campos

Ordinance amending San Francisco Administrative Code by amending Sections 5.2-3 and 5.2-5 to: (1) increase the number of members of the San Francisco Medical Cannabis Task Force (Task Force) from 13 to 15; (2) establish qualifications for the two members added to the Task Force; and (3) expand powers and duties of the Task Force to include developing and making recommendations to the Board of Supervisors about local regulation of medical cannabis in the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.

Ordinance No. 287-10

FINALLY PASSED by the following vote:

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

Noes: 2 - Chu, Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

101099 [Business and Tax Regulations Code - Common Administrative Provisions; Parking Tax; Business Registration]

Sponsors: Mirkarimi; Dufty

Ordinance amending the San Francisco Business and Tax Regulations Code by: (1) amending Article 6 (Common Administrative Provisions) to revise provisions relating to: certificates of authority to collect third-party taxes; prepayment and remittance requirements for hotel and parking operators; enforcement procedures and penalties; and to otherwise clarify and update the provisions of Article 6; (2) amending Article 9 (Tax on Occupancy of Parking Space in Parking Stations), Article 10 (Utility Users Tax), and Article 12 (Business Registration), to lengthen the time period that service suppliers must preserve records from 4 years to 5 years and to extend the payment date of the registration certificate; (3) repealing Sections 608 through 608.8 of Article 9 (Tax on Occupancy of Parking Space in Parking Stations); and (4) amending the San Francisco Administrative Code by amending Article XIII (Funds), Chapter 10 (Finance, Taxation, and Other Fiscal Matters), to correct references to the California Government Code.

PASSED, ON FIRST READING by the following vote:

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

101100 [Business and Tax Regulations Code - Adding to the Definition of "Control," Revising the Enforcement Authority, and Making Other Nonsubstantive Changes]

Sponsors: Mirkarimi; Dufty

Ordinance amending Article 22 of the Business and Tax Regulations Code by amending Sections 2201 through 2210, 2215, 2216, 2218, 2220, 2225, 2226, 2229, 2230, 2232, and 2233 and repealing Sections 2217, 2223, 2224, and 2237, to establish a presumption that certain operators, signatories and owners control the business affairs of the parking station, revise the Enforcing Agency's authority to permit the use of all authority granted by law and by Article 6 of this Code, and make other nonsubstantive changes.

PASSED, ON FIRST READING by the following vote:

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

101356 [Assessment Ballots for City-Owned Parcels for Proposed Ocean Avenue Community Benefits District]

Sponsor: Avalos

Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of two parcels and part of a third parcel of real property over which the Board of Supervisors has jurisdiction, where those two parcels and the partial parcel would be subject to assessment in the proposed property and business improvement district to be named the Ocean Avenue Community Benefits District.

Resolution No. 528-10

ADOPTED by the following vote:

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

Noes: 1 - Daly

101302 [Harry Tracy Water Treatment Plant Improvements Project Findings]

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

Resolution No. 531-10

ADOPTED by the following vote:

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

101357 [Settlement of Unlitigated Claims - Skyline Stables Corporation - \$650,000]

Sponsor: Avalos

Resolution approving the settlement of the unlitigated claims by and between Skyline Stables Corporation (Skyline) and City and County of San Francisco, related to the lease between Skyline and the San Francisco Public Utilities Commission (SFPUC) of a portion of the SFPUC Harry Tracy Water Treatment Plant (HTWTP) site in San Mateo County, the SFPUC approval of the HTWTP Long Term Improvement Project to improve water service reliability and seismic stability of the HTWTP, the SFPUC termination of Skyline's lease and Skyline's vacation of the lease premises, and SFPUC's offer to acquire the leasehold interest, calling for SFPUC to pay \$650,000 to Skyline, and including other material terms and conditions in a settlement and release agreement.

Resolution No. 530-10

ADOPTED 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**101155 [Administrative Code - Open Data Policy]**

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code to add Section 22D to establish the City's Open Data Policy and require City departments to make appropriate data available to the public.

Privilege of the floor was granted to Jason Elliott (Mayor's Office) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

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

101025 [Directing the Budget and Legislative Analyst's to Conduct Three Audits in FY2010-2011 and Setting Priorities]**Sponsor: Mar**

Motion directing the Budget and Legislative Analyst to conduct three audits to evaluate (a) the City's policies and revenues for advertising on private property; (b) the financial impact to the City of the fiscal provisions of the City's Memoranda of Understanding with labor unions; and (c) the impact of hiring five new positions in the Assessor's Office on the property assessment backlog and property tax revenue.

Severin Campbell (Budget and Legislative Analyst's Office) and Ben Rosenfield (Controller) responded to questions raised throughout the discussion.

Motion No. M10-161**APPROVED by the following vote:**

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

Noes: 3 - Alioto-Pier, Daly, Elsbernd

Recommendations of the Land Use and Economic Development Committee**100992 [General Plan - Portion of 222-2nd Street]**

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the height and bulk classification of the west corner (within a rectangular area measuring 45 feet in length along the westernmost portion of the Howard Street frontage, to a depth of 82.5 feet) of the property located at 222-2nd Street (Assessor's Block No. 3735, Lot No. 063) from 150-S to 350-S and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

PASSED, ON FIRST READING by the following vote:

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

100993 [Zoning Map - Portion of 222-2nd Street]

Ordinance amending the Zoning Map of the City and County of San Francisco by amending Zoning Map 1HT to change the height and bulk district classification of the west corner (within a rectangular area measuring 45 feet in length along the westernmost portion of the Howard Street frontage, to a depth of 82.5 feet) of the property located at 222-2nd Street (Assessor's Block No. 3735, Lot No. 063) from 150-S to 350-S and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

PASSED, ON FIRST READING by the following vote:

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

101229 [Planning Code - Landmark Designation of 1890 Chestnut Street (Marina Branch Library)]**Sponsor: Alioto-Pier**

Ordinance designating 1890 Chestnut Street (Marina Branch Library), Lot No. 001 in Assessor's Block No. 0469, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

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

PASSED, ON FIRST READING by the following vote:

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

From the Land Use and Economic Development Committee With Recommendation "Do Not Pass"**101230 [Planning Code - Landmark Designation of 2000 Mason Street (North Beach Branch Library)]**

Ordinance designating 2000 Mason Street (North Beach Branch Library), Lot No. 001 in Assessor's Block No. 0074, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

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

Ayes: 1 - Daly

Noes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

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

There were none.

COMMITTEE REPORTS

From the Rules Committee Without Recommendation

101332 [Reappointment, Treasure Island Development Authority Board of Directors - Claudine Cheng]

Motion approving the Mayor's reappointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Andrew Shen (Deputy City Attorney) and Starr Terrell (Mayor's Office) responded to questions raised throughout the discussion.

Motion No. M10-162

APPROVED by the following vote:

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

Noes: 4 - Avalos, Campos, Daly, Mirkarimi

101334 [Reappointment, Treasure Island Development Authority Board of Directors - John Elberling]

Motion approving the Mayor's reappointment of John Elberling to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board)

(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Andrew Shen (Deputy City Attorney) and Starr Terrell (Mayor's Office) responded to questions raised throughout the discussion.

Motion No. M10-163

APPROVED by the following vote:

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

Noes: 4 - Avalos, Campos, Daly, Mirkarimi

101336 [Appointment, Treasure Island Development Authority Board of Directors - Linda Richardson]

Motion approving the Mayor's appointment of Linda Richardson to the Treasure Island Development Authority Board of Directors, for the term ending April 28, 2014. (Clerk of the Board) (Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Andrew Shen (Deputy City Attorney) and Starr Terrell (Mayor's Office) responded to questions raised throughout the discussion.

Motion No. M10-164

APPROVED by the following vote:

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

Noes: 4 - Avalos, Campos, Daly, Mirkarimi

101338 [Reappointment, Treasure Island Development Authority Board of Directors - Jean-Paul Samaha]

Motion approving the Mayor's reappointment of Jean-Paul Samaha to the Treasure Island Development Authority Board of Directors, for the term ending February 26, 2014. (Clerk of the Board) (Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17)). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date - October 12, 2010.)

Motion No. M10-165

APPROVED by the following vote:

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

Noes: 4 - Avalos, Campos, Daly, Mirkarimi

Recommendation of the Rules Committee**101379 [Appointment, Small Business Commission - Robert Paterson]**

Motion rejecting the Mayor's appointment of Robert Paterson to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board) (Charter Section 3.100 (17) provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - October 14, 2010.) (Supervisor Alioto-Pier dissented in Committee)

Andrew Shen (Deputy City Attorney) provided an overview of the matter and responded to questions raised throughout the discussion.

TABLED BY OPERATION OF LAW

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.
Ace Washington; shared in song certain concerns with the Board.
Brandon Reedmeir; expressed concerns regarding 701 Lombard Street.
Female Speaker; expressed concerns regarding language discrimination in San Francisco.
John Rowson; expressed concerns regarding medical
Sin Yen Ling; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Male Speaker; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Marilyn Luu; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Felix Cabrera; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Ai Kim; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Sang Chi; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Anoop Prasad; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Alan Herrera; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Male Speaker; expressed support of the resolution denouncing deportation of Shing Ma "Steve" Li.
Adriana LaGuerta; expressed support of resolution denouncing deportation of Shing Ma "Steve" Li.
Lisa; expressed support of the proposed resolution urging the passage of the DREAM Act.
Peter Warfield; expressed concerns relating to the SF Public Library.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 101388 be severed so that it may be considered separately.

101388 [Denouncing the Deportation of Shing Ma "Steve" Li and Urging Congress to Pass the DREAM Act]

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

Resolution denouncing the deportation of Shing Ma "Steve" Li, a DREAM Act student at City College of San Francisco, calling for Immigration and Customs Enforcement to grant him deferred action status, and urging Congress to pass the DREAM Act.

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

Resolution No. 537-10

ADOPTED by the following vote:

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

Supervisor Avalos requested that File No. 101376 be severed so that it may be considered separately.

101376 [2011 Board of Supervisors Regular Meeting Schedule]

Motion establishing the 2011 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 18, February 22, May 31, July 5, October 11, and November 29; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 10 through September 2, 2011, and December 14 through December 30, 2011. (Clerk of the Board)

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Lines 6 and 24, by changing 'August 3' to 'August 10'; after Page 1, Line 18, by adding a Whereas clause stating 'The Board is constrained by certain administrative deadlines in relation to the passing of the 2011-2012 budget and may decide to meet on August 9 solely to consider an override vote should the Mayor veto the annual budget'; and after Page 1, Line 25, by adding a Moved clause stating 'That in the event of a Mayoral veto of the 2011-2012 budget, the Board will conduct a meeting on August 9.'. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Motion establishing the 2011 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 18, February 22, May 31, July 5, October 11, and November 29; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 3 through September 2, 2011, and December 14 through December 30, 2011. (Clerk of the Board)

Motion No. M10-166

APPROVED AS AMENDED by the following vote:

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 Avalos, seconded by Supervisor Campos, 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 Avalos, seconded by Supervisor Campos, 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

100896 [Declaring November 9, 2010, as Clinic by the Bay Day]

Sponsors: Avalos; Dufty, Alioto-Pier, Campos and Mirkarimi

Resolution declaring November 9, 2010, as Clinic by the Bay Day in the City and County of San Francisco.

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

Resolution No. 529-10

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 Mayor

Ordinances

101120 [Police Code - Discharge of Firearms; Fireworks]

Sponsor: Mayor

Ordinance amending the San Francisco Police Code by amending Section 1290 and adding Section 1290.1, to add exceptions to the general prohibition on the discharge of firearms within the City.

11/09/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 12/9/2010.

101121 [Accept and Expend Grant - FY2010 Regional Catastrophic Preparedness Grant Program and Amend Annual Salary Ordinance, FY2010-2011 - \$3,570,000]**Sponsors: Mayor; Alioto-Pier**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program Bay Area Site and as fiscal agent for the Urban Area Security Initiative Approval Authority, to retroactively accept and expend Regional Catastrophic Preparedness Grant Program grant funds in the amount of \$3,570,000 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide \$181,478 as San Francisco's portion of required matching funds; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one grant-funded position (.75 FTE) in Class 5293 Planner IV in the Department of Emergency Management.

11/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101122 [Accept and Expend Grant - FY2010 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY2010-2011 - \$34,262,131]**Sponsors: Mayor; Alioto-Pier**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative grant in the amount of \$34,262,131 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of two grant-funded positions in the Department of Emergency Management, as follows: one position (.75 FTE) in Class 1823 Senior Administrative Analyst and one position (.75 FTE) in Class 1824 Principal Administrative Analyst.

11/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101124 [Appropriating \$477,732 of Certificate of Participation Proceeds for Disability Access Improvement Projects in the Mayor's Office on Disability for FY2010-2011]**Sponsor: Mayor**

Ordinance appropriating \$477,732 of Certificate of Participation Series 2011A proceeds to fund disability access improvements in the Board of Supervisors chambers for the Mayor's Office on Disability in the General Services Agency, Administrative Services, for FY2010-2011 and placing these funds on Controller's reserve pending issuance of the Certificate of Participation. (Fiscal Impact.)

11/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101147 [Public Works Code - Establishment of Regulatory Controls for the Discharge of Fats, Oils, and Grease Into Sewers]**Sponsor: Mar**

Ordinance amending Article 4.1 of the San Francisco Public Works Code by adding Sections 140 - 140.7 to provide prohibitions, limitations, and requirements for the discharge of fats, oils, and grease into the City's sewerage system by food service establishments.

11/09/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 12/9/2010.

101148 [Visitacion Valley Infrastructure Fee Revenue Appropriation - Public Library and Department of Public Works for FY2010-2011- \$2,385,068]**Sponsor: Maxwell**

Ordinance appropriating \$2,385,068 of Visitacion Valley Infrastructure Fee revenue from the Visitacion Valley Infrastructure Fund, including \$2,169,200 in the Public Library for the Visitacion Valley Branch Library Project and \$215,868 in the Department of Public Works, for the planning and design of utility undergrounding on Leland Avenue for FY2010-2011, and placing \$1,156,304 on Controller's reserve in the Public Library pending receipt of Visitacion Valley Infrastructure Fee revenue.

(Fiscal Impact.)

11/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101190 [Police Code - Registration and Other Requirements for Event Promoters]**Sponsors: Chiu; Maxwell**

Ordinance adding Article 15.7 to the San Francisco Police Code, requiring event promoters to register with the Entertainment Commission; prohibiting holders of certain entertainment-related permits, and registered promoters, from retaining an unregistered promoter to hold an event; and authorizing under certain circumstances for certain promoters reporting requirements, increased security plan requirements for events they promote, general liability insurance requirements, a criminal background check requirement, and other requirements.

09/22/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 10/21/2010.

11/09/10; SUBSTITUTED AND ASSIGNED to Public Safety Committee.

Resolutions**100896 [Declaring November 9, 2010, as Clinic by the Bay Day]****Sponsors: Avalos; Dufty, Alioto-Pier, Campos and Mirkarimi**

Resolution declaring November 9, 2010, as Clinic by the Bay Day in the City and County of San Francisco.

11/09/10; ADOPTED.

101125 [Golden Gate Park Music Concourse Garage Refinance]**Sponsor: Mar**

Resolution concurring in the recommendation of the Controller and the Director of the Office of Public Finance that the issuance of \$30,000,000 tax-exempt bank qualified bonds with First Republic Bank for and on behalf of the Music Concourse Community Partnership, a California nonprofit public benefit corporation, is reasonably prudent; and directing the Controller and the Director of the Office of Public Finance to do everything necessary and desirable to provide for the issuance of such bonds.

11/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101259 [34th America's Cup Host City Agreement and Finding of Fiscal Feasibility]**Sponsors: Mayor; Chiu, Mirkarimi, Alioto-Pier, Chu, Dufty and Maxwell**

Resolution approving a Host City and Venue Agreement among the City, the America's Cup Event Authority and the San Francisco America's Cup Organizing Committee; authorizing the Mayor, or his designee, and the Port to execute the Host City and Venue Agreement; authorizing and urging the Mayor, Office of Economic and Workforce Development, Port, and such other City Officials as appropriate, to take such steps and execute such additional agreements as are consistent with the Host City and Venue Agreement and this Resolution to bring the 34th America's Cup to the San Francisco Bay; and finding that the proposed event is fiscally feasible as set forth in Administrative Code Chapter 29.

Economic Impact

11/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101265 [Accept and Expend Grant - CalHome - Not to Exceed \$1,500,000]**Sponsor: Mayor**

Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the California Department of Housing and Community Development in a total amount not to exceed \$1,500,000 to assist low-income first time homebuyers and low-income homeowners.

11/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101299 [Accept and Expend Grant - Installation of Art at the Civic Center Plaza - \$70,000]**Sponsor: Mayor**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$70,000 from the National Endowment for the Arts for the installation of Zhang Huan's Three Heads, Six Arms at the Civic Center Plaza.

11/09/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101398 [Accept and Expend Grant - Project ITRIP - \$42,384]**Sponsor: Chu**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$42,384 from the University of California, San Francisco (UCSF), to fund the project ITRIP Follow Up; for the period of September 1, 2010, through February 28, 2011, waiving indirect costs. (Public Health Department)

11/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101399 [Accept and Expend Grant - WritersCorps Program - \$10,200]**Sponsors: Chu; Dufty**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$10,200 from the California Arts Council's Artists in Schools Program to help support the cost of a WritersCorps contracted teaching artist at Mission High School in San Francisco. (Arts Commission)

11/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101400 [Accept and Expend Grant - Arts Commission's Art Education Program - \$15,000]**Sponsor: Chu**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$15,000 from the California Art Council to help support the Arts Commission's Arts Education Program. (Arts Commission)

11/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101401 [Supporting the Promotion and Deployment of Broadband Internet Access in California and San Francisco]**Sponsor: Chiu**

Resolution joining with 31 California counties in supporting the work of the California Emerging Technology Fund's Get Connected! public awareness program; embracing the California Emerging Technology Fund's goal to achieve broadband Internet access at home for 80% of all Californians by 2015; embracing a goal to achieve broadband Internet access for 90% of San Franciscans by 2015, with a focus on connecting seniors and low income households; requesting that the Department of Technology report back on strategic actions planned that will remove barriers and promote the deployment and adoption of broadband.

11/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101402 [Declaring November 18, 2010, as Bay Area Young Positives Day]**Sponsors: Dufty; Campos**

Resolution declaring November 18, 2010, as Bay Area Young Positives Day to recognize 20 years of providing peer-based, specialized, culturally competent services to the San Francisco Bay Area's HIV positive youth.

11/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101403 [Declaring December 9, 2010, as CHEER SF Day in San Francisco]**Sponsors: Dufty; Campos**

Resolution declaring December 9, 2010, as CHEER SF Day in San Francisco to commemorate the 30th Anniversary of the world's first LGBT-identified cheerleading team that raises funds for local, national, and international service agencies.

11/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**101139 [Process for Nominating and Selecting a Successor Mayor]****Sponsor: Chiu**

Motion directing the Clerk of the Board of Supervisors to propose a process for nominating and selecting a successor to the Mayor.

11/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101404 [Committee of the Whole – Public Hearing to Take Public Input and Discuss the Process to Appoint a Successor Mayor]**Sponsor: Avalos**

Motion that the Board convene as a Committee of the Whole on November 16, 2010, to consider the appointment of successor Mayor for the City and County of San Francisco.

11/09/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101406 [Appointing a Successor Mayor]**Sponsors: Avalos; Campos and Daly**

Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

11/09/10; ASSIGNED to Board of Supervisors.

Hearings**100908 [San Francisco International Airport - Operational Procedures of Shared-Ride Ground Transportation Industry]****Sponsor: Mar**

Hearing on the operational procedures of the shared-ride ground transportation industry at San Francisco International Airport.

11/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101052 [Implementation of Justice Tracking Information System Project to Consolidate the City's Criminal Justice Data]**Sponsor: Chiu**

Hearing on the status of the implementation of JUSTIS, a project to consolidate the City's criminal justice data.

11/09/10; RECEIVED AND ASSIGNED to Public Safety Committee.

101389 [Utility Infrastructure Safety Review]**Sponsors: Maxwell; Chu, Mar, Dufty and Mirkarimi**

Hearing on the initial report regarding the Utility Infrastructure Safety Review per Resolution No. 442-10, on file with the Clerk of the Board of Supervisors in Board File No. 101168.

11/09/10; RECEIVED AND ASSIGNED to Public Safety Committee.

101405 [Public Hearing - Take Public Input and Discuss the Process to Appoint a Successor Mayor]**Sponsors: Avalos; Campos and Daly**

Hearing to take public input and discuss the process by which the Board of Supervisors may exercise its exclusive jurisdiction under the Charter to appoint a successor Mayor for the City and County of San Francisco.

11/09/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

PROPOSED ORDINANCES

101381 [Settlement of Lawsuit - Allison Ayer - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Allison Ayer against the City and County of San Francisco for \$30,000; the lawsuit was filed on January 28, 2010, in San Francisco Superior Court, Case No. CGC-10-496373; entitled Allison Ayer v. City and County of San Francisco, et al. (City Attorney)

10/27/10; RECEIVED AND ASSIGNED to Rules Committee.

101382 [Settlement of Lawsuit - Charles Haynes - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Charles Haynes against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 23, 2009, in the United States District Court, Northern District of California, Case No. C09-00174 PJH; entitled Charles Haynes, et al. v. City and County of San Francisco, et al. (City Attorney)

10/27/10; RECEIVED AND ASSIGNED to Rules Committee.

101383 [Settlement of Lawsuit - Guillermo Chavez - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by Guillermo Chavez against the City and County of San Francisco for \$30,000; the lawsuit was filed on October 2, 2009, in San Francisco Superior Court, Case No. 439-130; entitled Guillermo Chavez v. City and County of San Francisco, et al.; other material terms of said settlement are: 1) \$10,000 to be paid to the San Francisco Tax Collector's Bureau of Delinquent Revenue to satisfy the medical lien for treatment in this case; 2) \$11,555 to be allocated to attorney's fees and litigation costs; 3) the balance of \$8,445 is to be paid to the Bureau of Delinquent Revenue to pay down money owed by plaintiff to the City for medical treatment unrelated to the injuries in the lawsuit. (City Attorney)

10/27/10; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

101331 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for: (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (City Attorney)

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

101374 [Purchase Agreement - Subsurface Easements - Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel - \$650]

Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to obtain two permanent, exclusive, subsurface easements from Cargill, Inc., for the purpose of constructing the San Francisco Public Utilities (SF PUC) Commission Water System Improvement Program-Funded Project No. CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel, for a purchase price of \$650; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

11/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101375 [Construction Management Services Agreement - San Francisco General Hospital Rebuild Program - Not to Exceed \$16,400,000]

Resolution authorizing the Director of Public Works to execute an amendment to a professional construction management services agreement for the San Francisco General Hospital Rebuild Program from \$8,000,000 to \$16,400,000. (Public Works Department)
(Fiscal Impact.)

11/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101384 [Settlement of Unlitigated Claim - Motorist Insurance Group and Ellis Brooks Chevrolet - \$48,969.70]

Resolution approving the settlement of the unlitigated claim filed by Motorist Insurance Group and Ellis Brooks Chevrolet against the City and County of San Francisco for \$48,969.70; claim was filed on May 4, 2010. (City Attorney)

10/27/10; RECEIVED AND ASSIGNED to Rules 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 from the public property located at the following locations:

Utility Boxes

In front of 1697 McAllister

Northeast corner of Linden & Buchanan

Bus Shelters

Southwest corner of Buchanan & Haight

Southeast corner of Pierce & Hayes

Southeast corner of Hayes & Divisadero

Fillmore and Haight (all 4 bus stops including canopies – graffiti and grime).

Fire Hydrants

Southwest corner of Baker & Oak

*In front of 1390 Fell
Northwest corner of Octavia & Grove*

*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:*

*Metal Poles
In front of 101 Scott
In front of 1146 Haight
In front of 522 Haight
In front of 357 Haight
In front of 1296 Haight
In front of 1359 Oak
Southwest corner of Oak & Baker
In front of 900 Broderick*

*Wood Pole
Northeast corner of Octavia & Grove*

*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:*

*686 Waller
888 Waller
542 Haight
546 Haight
75 Buena Vista East
1166 Haight
1230 Haight
1296 Haight
156 Central
1473 Oak
1441 Oak
1427 Oak
1419 Oak
1407 Oak
1369 Oak
1353 Oak
1343 Oak
709 Baker
1980 Golden Gate
1998 Golden Gate
320 Masonic
900 Broderick
1379 Hayes
1359 Hayes
1337 Hayes
1259 Hayes
1245 Hayes
1235 Hayes
1133 Hayes
428 Grove
502 Grove*

522 Laguna
350 Laguna
198 Haight (on back of Rose)

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, Lights, and Sidewalk Issues
On Webster & Grove, west side of street in the intersection

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

Garbage Can
Southeast corner of Fell & Fillmore

Mailboxes
Southeast corner of Haight near Fillmore
Southwest corner of Hayes & Fillmore
In front of 579 Hayes
On Baker, between Oak & Fell by DMV

Street Wall and Overpass
At 1145 Hayes, street-car railing

In Memoriams

Dodie Rosekrans – Supervisor Alioto-Pier
Eugene Jules Marty, Jr. – Supervisor Chu
Kate Horan – Supervisor Chiu
Jelvon Helton – Supervisor Mirkarimi
Kum Soon Lee - Supervisor Mirkarimi
Frank Ortiz Cercos – Supervisor Dufty
Philip Robertson – Supervisor Dufty
Joyce Taylor- Supervisors Dufty and Maxwell
Michael C. Wolford – Supervisor Dufty
Chief Alex Fagen, Sr. – Entire Board
Patrick Hugh Cunnie – Entire Board
Norma Garcia – Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:43 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 December 14, 2010.

Angela Calvillo, Clerk of the Board