

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, December 7, 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 40

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 2:12 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of October 26, 2010, and November 2, 2010. The motion carried by the following vote:

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

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from John Arntz, Director of Elections, certifying the results of the votes as cast at the General Municipal Election held on November 2, 2010.

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services 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.

Resolution No. 583-10

ADOPTED

101329 [Liquor License Transfer - 163 Jessie Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 730-732 Broadway Street to 163 Jessie Street (District 6), to Jon Gasparini for the Jessie Street Cafe, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 577-10

ADOPTED

Recommendations of the Land Use and Economic Development Committee**101194 [Administrative Code, Public Works Code and Subdivision Code - Better Streets Plan Implementation]**

Sponsors: Mayor; Mar and Campos

Ordinance adopting the Better Streets Plan; amending Chapter 98.1 of the Administrative Code to require street improvements to conform with the policies and guidance of the San Francisco Better Streets Plan (Better Streets Plan); amending various sections of the Planning Code to consolidate requirements for street improvements; to require street improvements to follow the policies and guidance of the Better Streets Plan; to expand and modify existing requirements for provision of street trees; to require specified projects to submit a streetscape plan with application submission; and to describe additional requirements for certain areas of the City subject to neighborhood streetscape plans, including Downtown and Rincon Hill; amending various sections of the Public Works Code to be consistent with the Better Streets Plan, including waiving public right-of-way occupancy fees for Better Streets Plan elements; amending Sections 1335, 1336, and 1337 of the Subdivision Code to require streetscape, pedestrian, and stormwater improvements consistent with the Better Streets Plan as part of subdivision approvals; and making findings, including environmental findings and findings that the Planning Code amendments and General Plan amendments are consistent, on balance, with the General Plan and Planning Code Section 101.1.

Ordinance No. 310-10

FINALLY PASSED

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.

Ordinance No. 308-10

FINALLY PASSED

101219 [Relocation Impact Study and Last Resort Housing Plan for Central Subway Project]

Ordinance approving the San Francisco Municipal Transportation Agency's Relocation Impact Study and Last Resort Housing Plan for the Central Subway Project. (Municipal Transportation Agency)

Ordinance No. 307-10

FINALLY PASSED

101450 [Temporary Preservation Easement - Bayview Opera House - 4705 Third Street]**Sponsor: Maxwell**

Resolution approving a temporary preservation easement affecting a City building located at 4705 Third Street, commonly known as the Bayview Opera House.

Resolution No. 576-10

ADOPTED

Recommendations of the Rules Committee**101348 [Appointments, Food Security Task Force - Karen Gruneisen, Zetta Reicker, and Deloris McGee]**

Motion appointing Karen Gruneisen, Zetta Reicker, and Deloris McGee, for indefinite terms, to the Food Security Task Force. (Clerk of the Board)

Karen Gruneisen, seat 7, new appointment, must be a representative of a community-based organization that provide nutritional support and increase the food security of San Francisco residents, for a term indefinite. The community member shall be nominated by the Task Force and may include but are limited to representatives from organizations serving food in the following program types: home-delivered meals; congregate meals for seniors; food bank; free dining room; multi-service agency serving families and youth; shelter meals; and faith-based organization. No organization shall have more than one representative on the Task Force.

Zetta Reicker, seat 15, new appointment, must be from the San Francisco Unified School District, for a term indefinite.

Motion No. M10-179

APPROVED

101397 [Appointment, Bicycle Advisory Committee - Edward Nicolson]

Motion appointing Edward Nicolson, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Edward Nicolson, seat 4, succeeding Jared Washkowitz, resigned, must be a nominee of District 4 Supervisor. The member shall serve a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Motion No. M10-180

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

101193 [Approving General Plan Amendments in Connection with the Better Streets Plan]

Sponsors: Mayor; Mar and Campos

Ordinance amending the Urban Design and Transportation Elements of the San Francisco General Plan to incorporate the San Francisco Better Streets Plan by reference, and to make objectives and policies relating to pedestrian transportation consistent with the Better Streets Plan; making environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

Ordinance No. 309-10

FINALLY PASSED by the following vote:

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

Recommendation of the Public Safety Committee

100455 [Environment Code - San Francisco Safe Drug Disposal Ordinance]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2211, to: require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; provide for implementation, enforcement, fees, and penalties; and phase-in the application of the Chapter to non-prescription drugs and controlled substances; and making environmental findings.

(Supervisor Elsbernd dissented in Committee.)

Supervisor Mirkarimi, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to December 14, 2010. The motion carried 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

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.

PASSED, ON FIRST READING by the following vote:

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

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.

PASSED, ON FIRST READING by the following vote:

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

100927 [Contract Approval - 18 Non-Profit Organizations and the University of California of San Francisco - Behavioral Health Services - \$674,388,406]

Sponsor: Mayor

Resolution retroactively approving \$674,388,406 in contracts between the Department of Public Health and 18 non-profit organizations and the University of California at San Francisco, to provide behavioral health services for the period of July 1, 2010, through December 31, 2015. (Fiscal Impact.)

Resolution No. 563-10

ADOPTED by the following vote:

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

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 not to exceed \$30,000,000 Tax Exempt Bank Qualified Bonds ("Bonds") with First Republic Bank for and on behalf of the Music Concourse Community Partnership, a California nonprofit public benefit corporation, is reasonably prudent; 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; and providing public approval for the Bonds and the project financed and refinanced thereby for the purposes of Section 147(f) of the Internal Revenue Code.

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to December 14, 2010. The motion carried by the following vote:

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

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.

Resolution No. 584-10

ADOPTED by the following vote:

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

101387 [Design Agreement - Public Safety Building, Earthquake Safety, and Emergency Response Bond Program - Not to Exceed \$17,205,152]**Sponsors: Mayor; Chiu**

Resolution authorizing the Director of Public Works to execute an amendment to the professional services agreement for the design of a new public safety building under the Earthquake Safety and Emergency Response Bond Program to increase the not to exceed amount from \$3,947,600 to \$17,205,152.

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

Resolution No. 572-10

ADOPTED by the following vote:

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

From the Budget and Finance Committee Without Recommendation

101311 [Administrative Code - San Francisco Local Hiring Policy for Construction]

Sponsors: Avalos; Mirkarimi, Campos, Daly and Mar

Ordinance amending the San Francisco Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Subsection 6.22(G) to: 1) establish a local hiring policy for City public work or improvement projects requiring contractors and their subcontractors to perform certain percentages of project work hours using San Francisco residents and disadvantaged San Francisco residents; 2) making findings in support of the policy; 3) authorizing incentives for contractors and subcontractors who exceed local hiring requirements; 4) mandating assessment of liquidated damages against contractors and subcontractors who fail to meet minimum local hiring requirements; and 5) establishing monitoring, enforcement, and administrative procedures in support of the policy.

(Economic Impact; Fiscal impact.)

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

Privilege of the floor was granted to Buck Delventhal (City Attorney's Office) who responded to questions raised throughout the discussion further indicating the amendments made to File No. 101311 were non-substantive.

Supervisor Avalos, seconded by Supervisor Mirkarimi, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE 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: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Recommendation of the City Operations Committee

101310 [Public Works Code - Regulation of Freestanding Newsracks and Fixed Pedestal Newsracks]

Sponsor: Alioto-Pier

Ordinance amending the San Francisco Public Works Code by amending Sections 184.2, 184.6, 184.8, and 184.12 thereof, relating to newsracks, to provide for: (1) the use of electronic mail for notices of violations; (2) removal of abandoned newsracks or newsracks maintained in violation of the Public Works Code within 7 calendar days of notice of violation sent by electronic mail; (3) imposition of administrative fines for violations resulting in newsrack seizures; (4) consolidation and/or reduction in size of fixed pedestal newsracks at under-used locations; (5) allocation of space in newsrack boxes on a first-come-first-served basis under certain circumstances; and (6) reduction of the fixed pedestal permit fee from \$60 to \$50.

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Daly

Recommendations of the Land Use and Economic Development Committee**100046 [Planning Code, Administrative Code - Amending Inclusionary Housing Ordinance]
Sponsors: Mayor; Chiu and Campos**

Ordinance amending the Planning Code and Administrative Code by amending the Residential Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (formerly Code Section 315 et seq.) (the "Program") to change the name of the Program to the Affordable Inclusionary Affordable Housing Program and to require all project applicants to pay the Affordable Housing Fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Sections 416 and 417 to make conforming amendments to the Inclusionary Affordable Housing Program; amending the Van Ness Market Special Use District, Section 249.33, to delete the provision that a project sponsor may only meet up to 50% of the Program's requirements through payment of the fee; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act.

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

Supervisor Dufty, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 123, Line 6, by deleting 'the Clerk and other.' 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

101094 [Administrative Code - Child Care Centers for City Projects and City-Funded Private Projects]**Sponsors: Duffy; Alioto-Pier, Chiu, Mar, Maxwell and Campos**

Ordinance amending the San Francisco Administrative Code by adding Chapter 29B to require a City agency, or a private developer that receives City funds for a development project, as defined, to prepare a feasibility study for providing an on-site child care center whenever it plans to construct or purchase a building, lease more than 50 percent of space in a private building for an initial term of more than one year, or alter more than 50 percent of the space in an existing building; adopting findings, including environmental findings.

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

Supervisor Duffy, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 4, Lines 12-16, by replacing '(1) a development project of more than 25,000 gross square feet proposed and/or funded by a City agency; and (2) a development project of more than 25,000 gross square feet proposed by a private developer receiving any funds controlled by the City and County of San Francisco unless the developer is required to comply with Planning Code Section 414 et seq.' with '(1) a City development project of more than 25,000 gross square feet; and (2) a privately-sponsored project of more than 50,000 gross square feet receiving any funds controlled by the City and County of San Francisco unless the developer is required to comply with Planning Code Sections 414 et seq.'; and on Page 5, Lines 23-25, by replacing 'The sponsoring City agency shall be responsible for providing the information requested by DCYF and for paying DCYF for its services' with 'DCYF will provide the all of the applicable/needed data on child care need related to a specific project. DCYF would provide the child care data for demographics, existing area deficiencies, availability, and pricing. DCYF would also provide a list of appropriate consultants that have the expertise to conduct a child care feasibility study, as well as any technical assistance related to the understanding and effective use of the child care data required in the feasibility study. This would also ensure that the sponsoring department discusses the project with DCYF staff and would ensure that DCYF can educate the sponsoring department and/or their hired consultants about how to successfully implement child care services, where a need is identified.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

101095 [Planning Code - Affordable Housing Program Exemption for Qualified Student Housing]**Sponsors: Duffy; Campos**

Ordinance amending the Residential Inclusionary Affordable Housing Program, Planning Code Sections 415 et seq. to exempt certain Qualified Student Housing Projects, as defined, if the project meets certain requirements; adding corresponding definitions to Section 401; and making findings including environmental findings.
(Economic Impact.)

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

Supervisor Duffy, seconded by Supervisor Campos, moved that this Ordinance be AMENDED on Page 26, Line 22, by deleting 'the Clerk and other.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

101313 [Planning Code, Zoning Map - Bayshore Boulevard Home Improvement Special Use District]**Sponsors: Maxwell; Campos and Dufty**

Ordinance amending the San Francisco Planning Code by adding Section 249.65 to establish the Bayshore Boulevard Home Improvement Special Use District for the properties on lots fronting Bayshore Boulevard from Jerrold Avenue south to the 1-280 Freeway, the west side of Loomis Street from Jerrold Avenue south to the 1-280 Freeway, Oakdale Avenue from Loomis Street to Bayshore Boulevard, Marengo Street from Bayshore Boulevard to Waterloo Street and the west side of Boutwell Street from Industrial Street south to the 1-280 Freeway, and also including some lots on Cortland Avenue; amending the Zoning Map of the City and County of San Francisco to rezone the designated blocks and lots from the current M-1 and P/M-1 zoning to PDR-2, P/PDR-2 and the Bayshore Boulevard Home Improvement 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.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee**101235 [Confirming Appointment, San Francisco Redevelopment Agency - Agnes Briones Ubalde]****Sponsor: Mayor**

Motion confirming the appointment of Agnes Briones Ubalde to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2014.

Motion No. M10-181**APPROVED by the following vote:**

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

101236 [Confirming Appointment, Port Commission - F.X. Crowley]**Sponsor: Mayor**

Motion confirming the appointment of F.X. Crowley to the Port Commission, term ending May 1, 2014.

Motion No. M10-182**APPROVED by the following vote:**

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

101285 [Confirming Reappointment, Edwin Lee as City Administrator]**Sponsor: Mayor**

Motion confirming the reappointment of Edwin Lee to a five-year term as City Administrator under Charter Section 3.104.

Motion No. M10-183**APPROVED 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

101466 [Public Hearing - Appointment of a Successor Mayor]

Sponsor: Daly

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

Pursuant to the actions of File No. 101465 this Hearing is CONTINUED to December 14, 2010.

Committee of the Whole Adjourn and Report

101467 [Appointment of a Successor Mayor]

Sponsor: Daly

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

Pursuant to the actions of File No. 101465 this Hearing is CONTINUED to December 14, 2010.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

101500 [Public Hearing to Acquire Various Real Properties by Eminent Domain for Transbay Transit Center Program]

Sponsor: Daly

Hearing of persons interested in or objecting to proposed Resolutions authorizing the acquisition of real property commonly known as 85 Natoma Street #1 (File Nos. 101408 and 101409), (Block No. 3721, Lot No. 109); 85 Natoma Street #2 (File Nos. 101411 and 101412), (Block No. 3721, Lot No. 110); 85 Natoma Street #3 (File Nos. 101414 and 101415), (Block No. 3721, Lot No. 111); 85 Natoma Street #4 (File Nos. 101417 and 101418), (Block No. 3721, Lot No. 112); 85 Natoma Street #5 (File Nos. 101420 and 101421), (Block No. 3721, Lot No. 113); 85 Natoma Street #7 (File Nos. 101423 and 101424), (Block No. 3721, Lot No. 115); 85 Natoma Street #9 (File Nos. 101426 and 101427), (Block No. 3721, Lot No. 117); 85 Natoma Street #C1 (File Nos. 101429 and 101430), (Block No. 3721, Lot No. 118); 60 Tehama Street (File Nos. 101432 and 101433), (Block No. 3736, Lot No. 088); 564 Howard Street (File Nos. 101435 and 101436), (Block No. 3721, Lot No. 019); 568 Howard Street (File Nos. 101438 and 101439), (Block No. 3721, Lot No. 020); and 13 parking easement interests across and through 85 Natoma Street (File Nos. 101441 and 101442), (Benefitted parcels Block No. 3721, Lot Nos. 093-105; burdened parcels Block 3721, Lot Nos. 109-118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of various properties as referenced in File Nos. 101409, 101412, 101415, 101418, 101421, 101424, 101427, 101430, 101433, 101436, 101439, and 101442. Supervisor Daly made opening remarks. Emilio Cruz (TJPA) provided an overview of the project and responded to questions raised throughout the discussion. There were no speakers in support of the project or the associated proposed acquisitions. Herman H. Fitzgerald and Claude Gruen (564 Howard Street); Virgil Chan (568 Howard); Thomas Byrne (60 Tehama); Patrick McInerney (85 Natoma #1, #2, #4, #C1, and 13 parking easements); spoke in opposition to the project and the associated proposed acquisitions. There were no speakers in opposition of the project or the associated proposed acquisitions. Emilio Cruz (TJPA) provided a rebuttal and responded to questions raised throughout the discussion. 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

101409 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 1]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 1, San Francisco, California (Assessor's Block No. 3721, Lot No. 109) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 571-10**ADOPTED by the following vote:**

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

101412 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 2]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 2, San Francisco, California (Assessor's Block No. 3721, Lot No. 110) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 570-10**ADOPTED by the following vote:**

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

101415 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 3]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 3, San Francisco, California (Assessor's Block No. 3721, Lot No. 111) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 569-10**ADOPTED by the following vote:**

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

101418 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 4]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 4, San Francisco, California (Assessor's Block No. 3721, Lot No. 112) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 568-10**ADOPTED by the following vote:**

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

101421 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 5]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 5, San Francisco, California (Assessor's Block No. 3721, Lot No. 113) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 567-10**ADOPTED by the following vote:**

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

101424 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 7]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 7, San Francisco, California (Assessor's Block No. 3721, Lot No. 115) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 566-10**ADOPTED by the following vote:**

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

101427 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 9]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 9, San Francisco, California (Assessor's Block No. 3721, Lot No. 117) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 565-10**ADOPTED by the following vote:**

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

101430 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. C1]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. C1, San Francisco, California (Assessor's Block No. 3721, Lot No. 118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 564-10**ADOPTED by the following vote:**

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

101433 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 60 Tehama Street]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 60 Tehama Street, San Francisco, California (Assessor's Block No. 3736, Lot No. 088) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 580-10**ADOPTED by the following vote:**

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

101436 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 564 Howard Street]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 564 Howard Street, San Francisco, California (Assessor's Block No. 3721, Lot No. 019) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 579-10**ADOPTED by the following vote:**

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

101439 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 568 Howard Street]**Sponsor: Daly**

Resolution authorizing the acquisition of real property commonly known as 568 Howard Street, San Francisco, California (Assessor's Block No. 3721, Lot No. 020) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 578-10**ADOPTED by the following vote:**

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

101442 [Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 13 Easement Interests Across and Through 85 Natoma Street]**Sponsor: Daly**

Resolution authorizing the acquisition of 13 easement interests across and through the real property commonly known as 85 Natoma Street, San Francisco, California (Assessor's Block No. 3721, Lot Nos. 109-118) (recorded in the official records of the City and County of San Francisco as Doc 2000-G860199-00, November 6, 2000) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Resolution No. 581-10**ADOPTED by the following vote:**

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

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

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Dufty, 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 Alioto-Pier introduced, welcomed, and presented Certificates of Honor to Leslie Roffman, Todd Wanerman, and Cassandra Britton of the Little School in recognition of their accomplishments and continued community support.

Supervisor Dufty introduced, welcomed, and presented a Certificate of Honor to Officer Kevin Abbey of the San Francisco Police Department in recognition of his accomplishments, continued community support, and best wishes for his future endeavors.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Melanie Nutter (Department of the Environment) in recognition of the winners of BAAQMD's Great Race for Clean Air: Systime Computer Corporation, Civil Service Commission, Environmental Management & Planning Solutions, Walter P. Moore, the Department of the Environment, and the Department of Public Works.

COMMITTEE REPORTS

Recommendations of the Rules Committee

101098 [Administrative Code - Electronic Distribution of Multi-Page Documents]

Sponsors: Mirkarimi; Chiu, Campos and Mar

Ordinance amending the San Francisco Administrative Code by amending Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to provide for the electronic distribution of documents more than 10 pages long prepared by City departments.

PASSED, ON FIRST READING by the following vote:

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

101191 [Administrative Code - Publication Requirements]**Sponsors: Mirkarimi; Campos, Mar and Chiu**

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article XII, Sections 2.96 through 2.100, to define "published" as required by San Francisco Charter Article XVII to: (1) establish requirements for publishing notices; (2) establish standards for and define the "City's Official Website Homepage;" (3) establish procedures for standardizing and defining notice and publication requirements for future proposed ordinances; and (4) authorize the Clerk of the Board of Supervisors to adopt regulations to implement this Article.

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

PASSED, ON FIRST READING by the following vote:

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

101272 [Conflict of Interest Code Amendments]

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by (1) amending Section 3.1-103 to list the officials who must file statements of economic interests and ethics-related forms with the Ethics Commission; (2) amending Section 3.1-107 to clarify the scope of disclosure category 1; (3) amending Sections 3.1-140, 3.1-150, 3.1-155, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-251, 3.1-253, 3.1-267, 3.1-275, 3.1-280, 3.1-312, 3.1-315, 3.1-320, 3.1-335, 3.1-362, 3.1-365, 3.1-390, 3.1-422, 3.1-445, 3.1-450 to update the list of designated employees who must file statements of economic interests; (4) deleting Sections 3.1-210 and 3.1-235 to reflect the current composition of City departments; and (5) adding Section 3.1-510 to identify the local officials who manage public investments. (Clerk of the Board)

PASSED, ON FIRST READING by the following vote:

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

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)

PASSED, ON FIRST READING by the following vote:

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

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)

PASSED, ON FIRST READING by the following vote:

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

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)

PASSED, ON FIRST READING by the following vote:

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

101458 [Administrative Code - Extending Operation of Voting Systems Task Force]

Sponsor: Campos

Ordinance amending the San Francisco Administrative Code by amending Sections 5.400 and 5.410 and adding Section 5.415 to extend the operation of the Voting Systems Task Force to June 30, 2011.

PASSED, ON FIRST READING by the following vote:

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

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)

Resolution No. 575-10

ADOPTED by the following vote:

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

Recommendations of the Public Safety 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.

PASSED, ON FIRST READING by the following vote:

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

101349 [Administrative Code - DNA Testing in Sexual Assault Cases]**Sponsors: Alioto-Pier; Chu**

Ordinance implementing the California "Sexual Assault Victims' Bill of Rights" by amending the San Francisco Administrative Code to: (1) add Section 2A.89 to require the Police Department to develop and implement procedures to collect and test DNA samples in sexual assault cases and provide information and notices to victims, require the Police Department to report on DNA collection and testing performance as part of the budget submission, and make it the policy of the City and County of San Francisco to appropriate sufficient funds each fiscal year to ensure timely testing of DNA evidence in sexual assault cases; and (2) add Section 10.100-172 to establish the Police DNA Testing in Sexual Assault Cases Account.

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

PASSED, ON FIRST READING by the following vote:

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

101443 [Accept and Expend Grant - Three Part-Time Q4 Police Officer III Positions - \$424,107]**Sponsor: Alioto-Pier**

Ordinance authorizing the San Francisco Police Department, on behalf of the City and County of San Francisco, to retroactively accept and expend grant funds in the amount of \$424,107 from the United States Department of Justice/National Institute of Justice "Solving Cold Cases with DNA" Grant Program; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of three (3) part-time positions (1.50 FTE total) in job classification Q4 Police Officer III in the San Francisco Police Department.

PASSED, ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

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.

Laboria Pease Moore; expressed various concerns.

Anthony Fest; expressed concerns relating to the proposed KPFA legislation.

Male Speaker; expressed various religious concerns.

Edmond Juicye; expressed various concerns.

Supervisor Chu was noted absent at 5:34 p.m.; noted present at 5:47 p.m.

Supervisor Dufty was noted absent at 5:34 p.m.; noted present at 5:45 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**101487 [Single Room Occupancy Task Force]****Sponsors: Duffy; Campos**

Resolution amending the Single Room Occupancy Task Force to accurately reflect the administration of the program and to alter the membership of the task force to accurately reflect this change.

Resolution No. 582-10**ADOPTED****101489 [Authorizing Use of General Fund Dollars as Matching Funds for Federal Medicaid Funding]****Sponsor: Mayor**

Resolution authorizing the Department of Public Health to use General Fund dollars as matching funds to receive federal Medicaid funding for services provided through the Community-Living Support Benefit Waiver (AB 2968).

Resolution No. 573-10**ADOPTED****101494 [Declaration of the November 2, 2010, Election Results]****Sponsor: Chiu**

Resolution declaring the results of the November 2, 2010, Consolidated General Election. (Elections Department)

Resolution No. 574-10**ADOPTED****101434 [Committee of the Whole - Public Hearing on Ground Lease of Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]****Sponsor: Daly**

Motion scheduling the Board to sit as a Committee of the Whole on December 14, 2010, at 3:00 p.m., to hold a public hearing on the Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 14, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

Motion No. M10-184**APPROVED****The foregoing items were acted upon by the following vote:**

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

Severed from the For Adoption Without Committee Reference Agenda

The President requested that File No. 101465 be severed so that it may be considered separately.

101465 [Committee of the Whole - Public Hearing to Take Nominations and Appoint a Successor Mayor in the Event of a Vacancy in the Office of the Mayor]**Sponsor: Daly**

Motion that the Board of Supervisors convene as a Committee of the Whole on December 7, 2010, at 3:00 p.m., to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 101465. Maggie Scottman; Paulette Brown; Karen Huggins; Rachel Agoura; Abdallah Megaheed; Walter Paulson; Laboria Pease Moore; Angela Chan; El Fabue; Female Speaker; Yolanda Salzar; Ace Washington; Lea Weiss; Female Speaker; Elizabeth Ortega; Lionel Sanchez; John Bean; Male Speaker; Umparo; John Saki; Jamel Carlson; Eric Brooks; Richard Endman; Christopher Cook; Female Speaker; Edmond Juicye; Willie; Bradley Wiedmeyer; Female Speaker; Leonard Coley; expressed various concerns relating to the motion to sit as a Committee of the Whole to appoint a Successor Mayor. There were no other speakers. The President declared public comment closed.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be AMENDED on Page 1, Line 5, by replacing 'December 7' with 'December 14' and Line 9 by replacing 'December 7' with 'December 14.' The motion carried by the following vote:

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

Noes: 2 - Avalos, Daly

Motion that the Board of Supervisors convene as a Committee of the Whole on December 14, 2010, at 3:00 p.m., to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Motion be CONTINUED AS AMENDED to December 14, 2010. The motion carried by the following vote:

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

Noes: 2 - Avalos, Daly

Supervisor Daly requested that File No. 101425 be severed so that it may be considered separately.

101425 [Protecting and Preserving the Palace of Fine Arts Swans]**Sponsor: Alioto-Pier**

Resolution endorsing the presence of swans at the Palace of Fine Arts lagoon, and urging the Recreation and Park Department, Animal Care and Control, and the San Francisco Police Department to develop a plan for the protection and preservation of swans in the Palace of Fine Arts lagoon.

REFERRED to the City Operations and Neighborhood Services Committee

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

101522 [Public Works Code - Handbill Distribution]

Sponsor: Chiu

Ordinance amending the San Francisco Public Works Code by amending Sections 184.69, 184.70, and 184.72 to ban distribution of handbills on private premises unless the handbills are securely placed upon or attached to and do not damage the premises, specifying a minimum of 30-point font size for "No Handbills" signs, and replacing criminal penalties for unlawful distribution of handbills with administrative penalties, and making environmental findings.

12/07/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/6/2011.

101523 [Planning Code, Administrative Code - Development Impact and In-Lieu Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Planning Code by amending Section 409 to clarify that the Annual Infrastructure Cost Inflation Adjustments to development fees authorized by the section that do not need further action by the Board of Supervisors, to provide that the Planning Director be included in the annual fee reporting process, and to make other technical amendments to simplify the annual fee reporting process and ensure that the Controller's Office and the Capital Planning Program coordinate their efforts, and by amending other sections of Article 4 to clarify language, eliminate confusion as to when requirements must be met, and correct errors in cross-referencing; amending the San Francisco Administrative Code by repealing Section 38.14 (the Severability Clause) and moving it to Section 430; adopting environmental, Planning Code Section 302, and Planning Code Section 101.1 findings.

12/07/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/6/2011.

Resolutions

101524 [Accept and Expend Grant - Green Cleaning Project - \$75,463]

Sponsor: Mayor

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$75,463 from the US Environmental Protection Agency to implement a green cleaning pilot project that will lead to the creation of multi-lingual green cleaning guidelines.

12/07/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101528 [Condemning Anti-Italian Remarks at the Planning Commission]**Sponsor: Alioto-Pier**

Resolution condemning remarks of Commissioner Hisashi Sugaya that deeply offended members of the Italian-American community, and urging members of City boards and commissions to treat members of the public with respect.

12/07/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101529 [Supporting the KPFA Morning Show]**Sponsors: Avalos; Campos, Mar and Mirkarimi**

Resolution expressing concern about recent layoffs of the KPFA Morning Show staff and urging Pacific Radio, KPFA's local board, the staff members and their union to find a solution to the current programming crisis.

12/07/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101530 [Tax-Exempt Revenue Obligation Bonds - the San Francisco School - Not to Exceed \$5,000,000]**Sponsor: Campos**

Resolution approving the issuance of tax-exempt revenue obligation bonds by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$5,000,000 to finance and refinance various capital facilities owned by the San Francisco School.

12/07/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101531 [Application for Mortgage Credit Certificates]**Sponsor: Chu**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

12/07/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101532 [Accept and Expend Grant - Daraja Academy Project - \$16,000]**Sponsor: Chu**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$16,000 from the San Francisco Foundation's donor advised "Do a Little Fund" for the Daraja Academy Project. (Arts Commission)

12/07/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101533 [Accept and Expend Grant - Environment Now - \$10,000]**Sponsor: Mar**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$10,000 from the Altamont Education Advisory Board to support Environment Now, an environmental stewardship and workforce development program. (Environment)

12/07/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101425 [Protecting and Preserving the Palace of Fine Arts Swans]**Sponsor: Alioto-Pier**

Resolution endorsing the presence of swans at the Palace of Fine Arts lagoon, and urging the Recreation and Park Department, Animal Care and Control, and the San Francisco Police Department to develop a plan for the protection and preservation of swans in the Palace of Fine Arts lagoon.

11/23/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/07/10; REFERRED to City Operations and Neighborhood Services Committee.

091365 [Supporting the Report of the Declining Fossil Fuel Supplies]**Sponsors: Mirkarimi; Mar**

Resolution in support of the measures and actions to mitigate the effects of declining fossil fuel supplies recommended in the report of the San Francisco Peak Oil Preparedness Task Force.

11/24/09; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/08/09; REFERRED to City Operations and Neighborhood Services Committee.

12/07/10; SUBSTITUTED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions**101525 [Committee of the Whole - Public Hearing to Establish the Civic Center Community Benefit District]****Sponsor: Mayor**

Motion directing the Board of Supervisors to hold a public hearing on January 4, 2011, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to establish the Civic Center Community Benefit District.

12/07/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101541 [Appointment, Treasure Island Development Authority Board of Directors - Mark Dunlop]

Motion approving the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012. (Clerk of the Board)

12/01/10; ASSIGNED to Board of Supervisors.

101542 [Appointment, Treasure Island Development Authority Board of Directors - Mark Dunlop]

Motion rejecting the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012. (Clerk of the Board)

12/01/10; ASSIGNED to Board of Supervisors.

Requests for Hearing

101440 [Public Hearing - Ground Lease - Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]

Sponsor: Daly

Hearing of persons interested in or objecting to proposed Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 13, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

101535 [Hearing - Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines]

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines. (Clerk of the Board)

12/07/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101540 [Public Hearing - Appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors]

Hearing of persons interested in or objecting to proposed Motion either approving or rejecting the appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors. (Clerk of the Board)

12/01/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Report

101534 [Board of Supervisors Seniority]

Lottery to determine the seniority of the newly elected Members of the Board of Supervisors scheduled for the regularly scheduled Board Meeting of Tuesday, December 14, 2010, at 3:00 p.m., pursuant to Board Rule 6.21. (Clerk of the Board)

12/07/10; ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

101483 [Park Code - Kezar Parking Fees]

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.08, to increase the parking fees at the Kezar Parking lot, and making environmental findings. (Recreation and Park Department)

11/29/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/6/2011.

PROPOSED RESOLUTIONS

101479 [Sale of Surplus Property - 909 Tennessee Street - \$1,310,000]

Resolution approving the sale of an improved surplus property located at 909 Tennessee Street, within Lot No. 001, Block No. 4108, City and County of San Francisco, for a purchase price of \$1,310,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

11/29/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101481 [Contract Amendment - Ambulance Billing - \$20,000,000]

Resolution authorizing the San Francisco Fire Department to amend the Department's ambulance billing contract with ADPI West, Inc., that anticipates approximately \$20,000,000 per year in revenues, authorize the first two-year contract extension; retroactively approve the first contract extension to July 1, 2010, and at the Department's discretion authorize the Department to exercise the second two-year extension for the contract. (Fire Department)

11/22/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101495 [License with UnitedLayer to Use Property - 200 Paul Street]

Resolution authorizing the license of space and services with UnitedLayer at 200 Paul Street for the Department of Technology. (Real Estate Department)
(Fiscal Impact.)

11/22/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101496 [License with Telx to Use Property - 200 Paul Street]

Resolution authorizing the license of space and services with Telx at 200 Paul Street for the Department of Technology.

11/22/10; 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 locations:

Garbage Cans

Northwest corner of O'Farrell and Pierce

Southeast corner of Masonic and Golden Gate

Northeast corner of Haight and Fillmore

Northeast corner of Baker and Fulton

Northeast corner of Oak and Baker

Northeast corner of Lyon and Golden Gate

Northeast corner of Fillmore and Duboce

Southwest corner of Sutter and Steiner

Mailboxes

*Southwest corner of Belvedere and Haight
Northeast corner of Baker and Golden Gate
Southeast corner of Lyon and Golden Gate
Northeast corner of Central and McAllister
Northeast corner of Haight and Fillmore*

Vacant Lots

Northwest corner of Divisadero and Ellis; high priority, neighbors are complaining of trash and graffiti. MOWED Corridor person and our office have talked to the property owners without resolution.

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

*Near 1260 Masonic
Near 930 Clayton
Near 515 Pierce*

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:

10 Cole

*1889 Golden Gate
38 Downey
445 Ashbury
1550 Steiner
744 Central
550 Baker
2195 Golden Gate
1898 McAllister
802 Steiner
124 Webster
399 Haight, on the Webster side
201 Webster
122 Webster
798 Haight
598 Haight
542 Haight
546 Haight
585 Hayes
500 Baker
738 Ashbury*

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 1015 Ashbury
In front of 104 Baker*

In front of 1057 Cole
In front of 193 Downey
In front of 206 Steiner
In front of 225 Pierce
Southwest corner of Ashbury and Fell
Southeast corner of Cole and Haight
In front of 406 Broderick
Southeast corner of Page and Scott
In front of 1729 Ellis
In front of 129 Belvedere
127 Rivoli

Wood Poles
Northeast corner of Steiner and Haight
In front of 206 Steiner
In front of 52 Central
In front of 655 Clayton
In front of 730 Baker
In front of 921 Central

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 Clayton and Fulton
Northeast corner of Broderick and Oak
Southeast corner of Fell and Stine
Southeast corner of Lyon and Fell
Northeast corner of Post and Steiner
Northwest corner of Liden and Buchanan

Bus Shelters
Southwest corner of Buchanan and Haight
Southeast corner of Buchanan and Hayes
Northwest corner of Masonic and Haight
Southeast corner of Hayes and Masonic
Northeast corner of McAllister and Pierce
Southwest corner of Central and McAllister
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti)

Fire Hydrants
Southeast corner of Ashbury and Haight
Northeast corner of Steiner and Haight

In Memoriams

*Medina Abdulkader – Supervisor Mirkarimi
Florence P. Goldberg – Supervisors Elsbernd and Dufty
Richard Goldman – Entire Board
Joe Cerrell – Supervisor Alioto-Pier
Mario Michael Ghilotti – Supervisors Alioto-Pier and Chiu
Michael Scheele – Supervisor Alioto-Pier
Randy Allgaier – Supervisors Dufty and Campos
Gary William Hazelhofer – Supervisor Dufty
Dr. Anna Barta – Supervisor Dufty*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:54 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 January 4, 2011.

Angela Calvillo, Clerk of the Board