

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, December 14, 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

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 41

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:19 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved to approve the Board Meeting Minutes of November 9, 2010, and November 16, 2010. The motion carried by the following vote:

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

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### 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.

**Ordinance No. 322-10**

**FINALLY PASSED**

**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.

**Ordinance No. 326-10****FINALLY PASSED****Recommendations of the Land Use and Economic Development Committee****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.

**Ordinance No. 313-10****FINALLY PASSED****101448 [Installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area - \$80,000]****Sponsor: Maxwell**

Resolution making findings under Section 33445 of the California Health and Safety Code and consenting to the Redevelopment Agency using approximately \$80,000 in designated federal grant monies for the installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area.

**Resolution No. 594-10****ADOPTED**

**101485 [Southeast Digester Task Force - Biosolids Digester Facility Project]****Sponsor: Maxwell**

Resolution urging the Public Utilities Commission to incorporate the Southeast Digester Task Force recommendations into the Biosolids Digester Facility Project, to select the preferred site and expedite implementation.

**Resolution No. 599-10****ADOPTED****101486 [Commending the Community Benefits Program]****Sponsor: Maxwell**

Resolution commending the San Francisco Public Utilities Commission's Community Benefits Program.

**Resolution No. 600-10****ADOPTED****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.

**Ordinance No. 315-10****FINALLY PASSED****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.

**Ordinance No. 317-10****FINALLY PASSED**

**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.

**Ordinance No. 327-10****FINALLY PASSED****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.

**Ordinance No. 316-10****FINALLY PASSED****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.

**Ordinance No. 318-10****FINALLY PASSED****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)

**Ordinance No. 320-10****FINALLY PASSED**

**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)

**Ordinance No. 325-10**

**FINALLY PASSED**

**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)

**Ordinance No. 324-10**

**FINALLY PASSED**

**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)

**Ordinance No. 323-10**

**FINALLY PASSED**

**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.

**Ordinance No. 314-10**

**FINALLY PASSED**

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

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

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Recommendation of the Budget and Finance Committee

##### **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.

**Resolution No. 588-10**

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

**Ordinance No. 311-10**

**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 City Operations and Neighborhood Services 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.

**Ordinance No. 319-10****FINALLY PASSED 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.

**Ordinance No. 312-10****FINALLY PASSED 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: Dufty; 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 Dufty, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED on Page 4, Line 12, by deleting 'more than'; Line 12, by replacing '25,000' with '50,000'; Line 12, by adding 'or more'; Line 14, by deleting 'more than'; Line 14, by replacing '25,000' with '50,000'; and Line 15, by adding 'or more.'** 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

**101095 [Planning Code - Affordable Housing Program Exemption for Qualified Student Housing]****Sponsors: Dufty; 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.)

**Ordinance No. 321-10****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.)

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

Ayes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell, Mirkarimi

Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**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.)

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

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

**101444 [Accept and Expend Grant - Chinatown Broadway Streetscape Improvement Design Plan - \$250,000]**

**Sponsor: Chiu**

Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of \$250,000 from the California Department of Transportation, Division of Transportation Planning for the FY 2010-2011 Environmental Justice Grant for the Chinatown Broadway Streetscape Improvement Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.06 FTE), in the Planning Department.

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

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

**101446 [Accept and Expend Grant - Central Corridor Growth Strategy and Design Plan - \$250,000]**

**Sponsor: Mayor**

Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of \$250,000 from the California Department of Transportation, Division of Transportation Planning, for the CalTrans Community-Based Transportation Grant for the Central Corridor Growth Strategy and Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.15 FTE), in the Planning Department.

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

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

**100598 [Real Property Lease - 238 Eddy Street]**

Resolution authorizing the Master Lease of the Windsor Hotel at 238 Eddy Street for the Department of Public Health. (Real Estate Department)  
(Fiscal Impact.)

**Resolution No.** 589-10

**ADOPTED by the following vote:**

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

**101346 [Airport Concession Leases - Lori's Diner, Andale, Meyers Holdings, and H. Young Enterprises]**

Resolution approving Amendment No. 1 to Domestic Terminals Food and Beverage Lease No. 03-0178 with Lori's Diner International; No. 03-0179 with Andale Airports; No. 03-0181 with Meyers Holdings, LLC; and No. 03-0188 with H. Young Enterprises, and the City and County of San Francisco, by and through its Airport Commission. (Airport Commission)

**Resolution No.** 590-10

**ADOPTED by the following vote:**

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

**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)

**Resolution No.** 591-10

**ADOPTED by the following vote:**

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

**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.)

**Resolution No.** 592-10

**ADOPTED by the following vote:**

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

**101460 [Airport Concession Lease - Melshire DFW, L.P.]**

Resolution approving the Terminal 2 Specialty Store Lease between Melshire DFW, L.P. dba Natalie's Candy Jar, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

**Resolution No.** 596-10

**ADOPTED by the following vote:**

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

**101461 [Contract Amendment - Sunol Valley Regional Construction Management Services - Water System Improvement Program Projects - Not to Exceed \$19,000,000]**

Resolution authorizing an amendment to the San Francisco Public Utilities Commission contract CS- 915R for Sunol Valley Regional Construction Management Services in the amount not to exceed \$3,000,000, for a total agreement not to exceed amount of \$19,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Sunol Valley Region, Alameda County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)  
(Fiscal Impact.)

**Resolution No.** 597-10

**ADOPTED by the following vote:**

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

**101462 [Contract Amendment - Peninsula Habitat Restoration Construction Management Services - Water System Improvement Program Projects - Not to Exceed \$26,000,000]**

Resolution authorizing an amendment to the San Francisco Public Utilities Commission Contract No. CS- 916 for Peninsula Regional Construction Management Services in the amount not to exceed \$ 4,000,000, for a total agreement not to exceed amount of \$26,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Peninsula Region, San Mateo County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)  
(Fiscal Impact.)

**Resolution No.** 598-10

**ADOPTED by the following vote:**

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

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## **Recommendations of the Land Use and Economic Development Committee**

### **101006 [Administrative Code - Revisions to Local Business Enterprise Ordinance]**

**Sponsors: Chu; Chiu**

Ordinance amending Administrative Code Chapter 14B to increase minimum competitive amount for general services contracts to \$400,000; to clarify ownership requirements for certification of local businesses with no single majority owner and make other clarifications to address certification of businesses under common ownership or with multiple locations; to clarify requirements for setting aside contracts under the mandatory Micro-LBE Set-Aside program; to exclude contracts under the threshold amount or minimum competitive amount from good faith efforts outreach and documentation requirements; to simplify and coordinate reporting requirements; to re-authorize the Treasurer to negotiate financial instruments in support of the Surety Bond and Financial Assistance Program after these provisions were inadvertently rescinded; and to make technical corrections.

**Supervisor Chu, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED on Page 29, Line 13, by replacing '(4)' with '(3)'. 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

### **101007 [Administrative Code - Revising Requirements for Purchasing Goods and Services]**

**Sponsors: Chu; Chiu**

Ordinance amending Administrative Code Chapters 21 and 21C to conform Purchasing requirements to Administrative Code Chapter 14B by defining minimum competitive amounts of \$100,000 for professional services and commodities contracts and \$400,000 for general services contracts, clarify "bid-splitting," and make miscellaneous changes to City procurement requirements; to clarify information technology purchases; to update and conform references to Administrative Code Chapter 14B; to rescind the Sealer of Weights and Measures' authority under Section 21.32 to donate food purchases; to rescind the local tax adjustment set forth in Administrative Code Chapter 21C; to enact a new Section 21.32 to adjust bids likely to result in local sales tax revenue; to reenact and renumber Administrative Code Sections 21.25, 21.25-1, 21.25-2, 21.25-3, 21.25-4, and 21.25-x regarding prevailing wage requirements as Chapter 21C; and to make certain technical corrections.

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

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

### **101091 [Planning Code - Notice Requirement for "Other Entertainment Uses" in the Van Ness Avenue Special Use District]**

**Sponsors: Alioto-Pier; Chiu**

Ordinance amending the San Francisco Planning Code by amending Section 243 to require notice for "Other Entertainment Uses" in the Van Ness Avenue Special Use District; 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.

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

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

**101449 [Rehabilitation of Building 813 in the Hunters Point Shipyard Redevelopment Project Area - \$7,258,890]****Sponsor: Maxwell**

Resolution making findings under Section 33445 of the California Health and Safety Code and consenting to the Redevelopment Agency of the City and County of San Francisco's payment of funds in the amount of \$7,258,890 for the pre-development and rehabilitation of Building 813 in the Hunters Point Shipyard Redevelopment Project Area.

**Resolution No. 595-10****ADOPTED by the following vote:**

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

**Recommendations of the Rules Committee****101472 [Appointments, SOMA Community Stabilization Fund Community Advisory Committee - Conny Ford, Ada Chan, Allan Manalo, Judith Baker, and Thomas Temprano]**

Motion appointing Conny Ford, Ada Chan, Allan Manalo, Judith Baker, and Thomas Temprano, terms ending April 27, 2011 and April 27, 2012, to the SOMA Community Stabilization Fund Community Advisory Community. (Clerk of the Board)

**Motion No. M10-186****APPROVED by the following vote:**

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

**101477 [Appointment, Workforce Investment Community Advisory Committee - Sheryl Davis]**

Motion appointing Sheryl Davis, term ending February 19, 2012, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

**Motion No. M10-187****APPROVED by the following vote:**

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

## SPECIAL ORDER 2:30 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### 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)

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 101541 and 101542. Todd Brennon; Ashaf Hieron; Betty Mathey; Rebecca Lee; Brian Leubitz; Cecilia Chang; Larry Brinkin; Kevin Shank; Francisco DaCosta; spoke expressing support of Mark Dunlop's appointment to the TIDA Board of Directors. Mark Dunlop provided an overview of his qualifications and expressed his interest in the position. 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

#### 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)

**Motion No. M10-185**

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

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

#### 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)

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

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

## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### 101354 [Public Hearing - Resolution to Establish the Ocean Avenue Community Benefits District]

**Sponsor: Avalos**

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 101355. Kate Favetti; Ernestine Weiss; Dollie Sitolot; Dan Weaver; Walter Paulson; spoke in support of the assessment district. Jesse Waters; Ace Washington; spoke in opposition to the assessment district. 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

#### 101355 [Resolution to Establish the Ocean Avenue Community Benefits District]

**Sponsor: Avalos**

Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Ocean Avenue BID was 54.83%, and the returned weighted ballots voting against the Ocean Avenue BID was 45.17%, further indicating there was no majority protest.*

*Privilege of the floor was granted to Lisa Pagan (OEWD) who responded to questions raised throughout the discussion regarding File No. 101355.*

**Resolution No. 587-10**

**ADOPTED by the following vote:**

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd



## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### 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.

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 101437. Olsen Lee (Redevelopment Agency) provided an overview of the ground lease and responded to questions raised throughout the discussion. Abdallah Megahed; Ace Washington; Walter Paulson; expressed various concerns. 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

#### 101437 [Ground Lease - Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]

**Sponsor: Daly**

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.

*Supervisor Chu was noted absent at 4:57 p.m.; noted present at 5:07 p.m.*

*ADOPTED by the following vote:*

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

*Absent: 1 - Chu*

*Supervisor Chu, seconded by Supervisor Dufty, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Resolution No. 593-10**

**ADOPTED by the following vote:**

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

## SPECIAL ORDER 3:00 P.M.

### Board of Supervisors Sitting as a Committee of the Whole

#### 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 January 4, 2011.*

### 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 January 4, 2011.*

## SPECIAL ORDER 3:00 P.M.

#### 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)

*Angela Calvillo, Clerk of the Board, provided an overview of the process. Ms. Calvillo continued by reading the names of the Supervisors-elect. Rick Caldeira, Legislative Deputy Director, placed the envelopes in the drum, locked the drum, and spun it around. One by one envelopes were drawn and names were read into the record as follows:*

*Supervisor-elect Mark Farrell*

*Supervisor-elect Malia Cohen*

*Supervisor-elect Scott Wiener*

*Supervisor-elect Jane Kim*

*Therefore, beginning January 8, 2011, at 12 noon the following order will be the official order of seniority of all continuing and newly elected Board members:*

*Supervisor Sean Elsbernd, Supervisor Ross Mirkarimi, Supervisor Carmen Chu, Supervisor David Campos, Supervisor Eric Mar, Supervisor John Avalos, Supervisor and current Board President David Chiu, Supervisor Mark Farrell, Supervisor Malia Cohen, Supervisor Scott Wiener, Supervisor Jane Kim. Ms. Calvillo concluded by indicating that seniority determines the order of polling Board members for the assignment of offices, parking spaces, seats in this Legislative Chamber, and for the appointments to compensated and non-compensated commission positions. There were no further actions.*

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

### Privilege of the Floor

Supervisor Mar, seconded by Supervisor Chu, 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 Chu introduced, welcomed, and presented a Certificate of Honor to Theresa Shanley in recognition of spotting the kidnapped child victim of Virginia, Brittany Smith, in the Sunset District and alerting the police.*

*Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Steve Li in recognition of his human rights advocacy and continued community support.*

*Supervisor Maxwell introduced, welcomed, and presented a Certificate of Honor to the Asthma Task Force in recognition of their accomplishments and continued community support.*

*Supervisor Maxwell introduced, welcomed, and presented a Certificate of Honor to John Sutti in recognition of his accomplishments and continued community support.*

## COMMITTEE REPORTS

### Recommendation of the City Operations and Neighborhood Services Committee

#### 100761 [Environment Code - Restrictions on Pesticide Use]

**Sponsors: Mayor; Alioto-Pier**

Ordinance amending the San Francisco Environment Code by amending Sections 300, 301, 302, 303, 304, 305, 306, and 308, adding Section 310, and repealing Section 307, all to strengthen restrictions on the use of pesticides on City property, and making environmental findings.

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

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

#### 101419 [Environment Code - Cell Phones; Retailers' Duty to Disclose Specific Absorption Rate Values]

**Sponsor: Mar**

Ordinance amending the San Francisco Environment Code by amending Sections 1103 and 1105, to require cell phone retailers to provide customers upon request with factsheets regarding Specific Absorption Rate values for cell phones and the use of cell phones, and to delay the enforcement date for certain provisions of the Chapter 11, the "Cell Phone Right-to-Know Ordinance," and making environmental findings.

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

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

## **Recommendations of the Budget and Finance Committee**

### **101463 [Settlement of Lawsuit - Lexington Insurance - City to Receive \$2,750,000; Appropriating Settlement Proceeds]**

Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. Lexington Insurance Company, San Francisco County Superior Court Case No: CGC-10-498967 (Action), removed to United States District Court, N.D. Cal., Case No: 3:10-CV1-02188-SI, arising from an insurance coverage dispute involving a claims-made Designers and Construction (i.e., professional liability) Project Specific Professional Liability and Pollution Liability Policy issued by Lexington Insurance Company (Lexington) to the San Francisco Public Utilities Commission for the period February 1, 2002, to February 1, 2006, policy number 1152114 (Lexington Policy), calling for payment of \$2,750,000 from Lexington to the City and County of San Francisco and including other material terms of said settlement: (1) Lexington will have no further obligations under the Lexington Policy and said policy shall be considered null and void and of no further force and effect; (2) San Francisco will defend and hold harmless and indemnify Lexington from and against any demand against Lexington made under the Lexington Policy; (3) all parties will execute a mutual release; (4) San Francisco will execute and file a dismissal of all claims with prejudice; (5) the City and Lexington each shall bear its own legal costs and fees arising from this action; and appropriating the full proceeds from the settlement to fund the San Francisco Public Utilities Commission's attorney fees and legal expenses related to certain pending litigation matters. (City Attorney)

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

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

### **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, Fiscal Impact.)

*Privilege of the floor was granted to Brad Benson (Port Commission) who provided details on the amended Host and Venue Agreement and responded to questions raised throughout the discussion regarding File No. 101259.*

**Resolution No. 585-10**

**ADOPTED by the following vote:**

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

**101488 [Assessment Ballots for City Parcels to Form the Proposed Civic Center Community Benefit District]****Sponsor: Mayor**

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of 11 parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed property and business improvement district to be named the Civic Center Community Benefit District.

**Resolution No. 586-10****ADOPTED 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****100041 [Public Works Code, Administrative Code - Personal Wireless Service Facility Site Permits and Associated Fees]****Sponsors: Avalos; Campos, Mar, Chiu and Chu**

Ordinance amending the San Francisco Public Works Code by: (1) adding Article 25, Sections 1500 through 1528, to establish new requirements for Personal Wireless Service Facility Site Permits and to increase certain fees for obtaining such permits, (2) amending the San Francisco Administrative Code by amending Chapter 11, Article 1, Section 11.9, to eliminate obsolete provisions related to such permits, (3) making the provisions of the ordinance retroactive, and (4) making environmental findings.

*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

**100495 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]****Sponsor: Alioto-Pier**

Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents and determinations under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents and determinations.

**Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED ON FIRST READING to January 4, 2011. The motion carried by the following vote:**

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

**101247 [Planning Code - Update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund]****Sponsor: Maxwell**

Ordinance amending the San Francisco Planning Code by amending Sections 420.1 through 420.5 to update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund and to conform the program with other Area Plan fee programs; making conforming changes to Sections 401 (definitions) and 406 (waiver, reduction, or adjustment of development project requirements); and making findings, including environmental findings.

**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.*

*Supervisor Mirkarimi was noted absent at 5:49 p.m.; noted present at 5:54 p.m.*

**PUBLIC COMMENT**

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

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

*Female Speaker; spoke in support of proposed KPFA legislation.*

*Peter Warfield; expressed concerns relating to the SF Public Library.*

*Male Speaker; expressed various religious concerns.*

*Antonio Ortiz; spoke in support of proposed KPFA legislation.*

*Ace Washington; expressed various concerns.*

*Female Speaker; expressed various concerns.*

*Edmond Juicye; expressed various concerns.*

*Sue Hestor; spoke in support of proposed KPFA legislation.*

*Anthony Thuss; spoke in opposition of proposed KPFA legislation.*

*Female Speaker; spoke in opposition of proposed KPFA legislation.*

*Mara Rivera; spoke in opposition of proposed KPFA legislation.*

*Robert English; spoke in opposition of proposed KPFA legislation.*

*Kim Walter; spoke in support of proposed KPFA legislation.*

*Brian Edwards; spoke in support of proposed KPFA legislation.*

*Eric Brooks; spoke in opposition of proposed KPFA legislation.*

*Abdallah Megahed; expressed various concerns.*

*Sarah Rendalla; spoke in opposition of proposed KPFA legislation.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****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.

**Resolution No. 601-10****ADOPTED****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.

**Resolution No. 602-10****ADOPTED****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)

**Resolution No. 603-10****ADOPTED****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)

**Resolution No. 604-10****ADOPTED****101501 [Final Map 5461 - Hunters View]**

Motion approving Final Map No. 5461, a 5-lot subdivision for condominium purposes, being a 219 unit residential condominium project; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Hunters View Development Documents. (Public Works Department)

**Motion No. M10-188****APPROVED**

**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.

**Motion No. M10-189**

**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

**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 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.

*The President inquired as to whether any member of the public wished to address the Board relating to File No. 101465. Abdallah Megaheed; Linda Lewis; Mattie Scottman; Paul Courier; Ernestine Weiss; Walter Paulson; Male Speaker; Larry Bradshaw; Tommy Akimoto; Ace Washington; Female Speaker; Eric Brooks; Christopher Cook; Harold Miller; Richard Hanlon; Male Speaker; Female Speaker; Clemintina; Female Speaker; Francisco DaCosta; Abraham Simmons; Juanita Martinez; Jorge Garcia; Edmond Juicye; Cynthia Sandoval; Dale Seymour; 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 14, 2010' with 'January 4, 2011' and Line 9 by replacing 'December 14, 2010' with 'January 4, 2011.' The motion carried by the following vote:**

Ayes: 8 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell

Noes: 3 - Campos, Daly, Mirkarimi

Motion that the Board of Supervisors convene as a Committee of the Whole on January 4, 2011, 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 January 4, 2011. The motion carried by the following vote:**

Ayes: 8 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell

Noes: 3 - Campos, Daly, Mirkarimi



*Supervisor Alioto-Pier requested that File No. 101528 be severed so that it may be considered separately.*

**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.

**Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Resolution be TABLED. The motion carried by the following vote:**

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

*Supervisor Avalos requested that File No. 101529 be severed so that it may be considered separately.*

**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.

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

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

**Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED AS AMENDED to January 4, 2011. The motion carried by the following vote:**

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

## **IMPERATIVE AGENDA**

*There were none.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or Mayor

#### Ordinances

**101497 [Police Code - Prohibiting the Use of Amplified Sound on Open Top Sightseeing Buses]**

**Sponsor: Chiu**

Ordinance amending the San Francisco Police Code by amending Section 46 to clarify that the definition of "Sound Truck" in that section does not include open top tour buses, amending Section 2901 to clarify that the noise restrictions imposed by Article 29 do not apply to City agencies, adding a new Section 2913 to prohibit the use of amplified sound on open top sightseeing buses in San Francisco except where the sound is audible only to individual listeners, amending Section 2916 to authorize the Department of Public Health and the Police Department to enforce the requirements of Section 2913, and amending Section 2922 to clarify that the Article should not be construed to conflict with Federal or State laws.

12/14/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 1/13/2011.

**101499 [Payment of Reward to John Doe - \$10,000]**

**Sponsor: Dufty**

Ordinance authorizing the Mayor's Office to reward John Doe \$10,000 for providing information that led to the arrest of a criminal defendant.

12/14/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**101520 [Park Code - Establishing Maximum Park Hours]**

**Sponsor: Mayor**

Ordinance amending San Francisco Park Code Article 3 by adding Section 3.21 to establish maximum hours of operation for Golden Gate Park and McLaren Park from 5:00 a.m. to 1:00 a.m., unless the Recreation and Park Department authorizes specific activities; to authorize the Recreation and Park Commission to establish hours for other property under its jurisdiction, and making environmental findings.

12/14/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/13/2011.

**101537 [Planning Code - Urban Agriculture]**

**Sponsors: Mayor; Chiu**

Ordinance amending the Planning Code to update controls related to urban agricultural uses by adding Section 102.34 to define urban agriculture, including neighborhood agriculture and urban industrial agriculture, and amending Sections 204.1, 209.5, 227, 234.1, 234.2, and Articles 7 and 8 to regulate such uses in various zoning districts; and making findings including environmental findings and findings of consistency with General Plan and Section 101.1.

12/14/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/13/2011.

**101557 [Creating an Infrastructure Financing District and Adopting an Infrastructure Financing Plan - Rincon Hill Area]****Sponsor: Mayor**

Ordinance creating an Infrastructure Financing District and adopting an Infrastructure Financing Plan for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).  
Economic Impact

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101574 [Elections Code - E-mailing the Voter Information Pamphlet]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Municipal Elections Code by amending Section 500, and adding Section 502, to require the Director of Elections to establish a process that permits voters to choose to receive the San Francisco Voter Information Pamphlet and associated materials by electronic means instead of by paper mail.

12/14/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/13/2011.

**Resolutions****101538 [Accept and Expend Grant - Integrating HIV/Geriatric for People with HIV 50 & Older - \$402,596]****Sponsor: Chu**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$402,596 from the University of California San Francisco to participate in a program entitled "Integrating HIV and Geriatric for People Living with HIV 50 & Older" for the period of December 1, 2010, through November 30, 2011.

12/14/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**101539 [Paratransit Cost-Sharing Agreement with BART]****Sponsor: Chu**

Resolution approving a Cost-Sharing Agreement for Paratransit Services between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District for a period of up to ten years.

12/14/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**101556 [Accept and Expend Gift - Recreation and Park Department Operations - \$171,753]****Sponsor: Chu**

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a gift of \$171,753 from the San Francisco Parks Trust to support various Recreation and Park Department operations.

12/14/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**101558 [Formation of an Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution proposing the formation of an Infrastructure Financing District for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101559 [Approving the Infrastructure Financing Plan - Rincon Hill Area]****Sponsor: Mayor**

Resolution approving the Infrastructure Financing Plan for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101560 [Special Election for the Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution calling for a special election for the City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101561 [Declaring the Results of the Special Election for the Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution declaring the results of special election for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101562 [Intention to Issue Bonds for the Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution of intention to issue bonds for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101563 [Authorizing Issuance of Bonds for the Infrastructure Financing District - Rincon Hill Area]****Sponsor: Mayor**

Resolution authorizing the issuance of bonds for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101564 [Memorandum of Understanding - 34th America's Cup]****Sponsors: Mayor; Chiu, Mirkarimi, Alioto-Pier, Dufty, Elsbernd, Maxwell and Chu**

Resolution approving a Memorandum of Understanding between the City Controller and the Port Commission regarding the 34th America's Cup under Charter Section B7.320.

12/14/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**101566 [Accept and Expend Grant - Integrating I-Tech International AIDS Education & Training Center - \$13,001]****Sponsor: Chu**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$13,001 from the University of California San Francisco, to participate in a program entitled "Integrating I-Tech International AIDS Education and Training Center" for the period of April 1, 2010, through March 31, 2011.

12/14/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**101567 [Accept and Expend Grant - Oil Spill Response Planning - \$31,000]****Sponsor: Chu**

Resolution retroactively authorizing the Department of Emergency Management to accept and expend a grant in the amount of \$31,000 from the California Department of Fish and Game for oil spill response planning for the period July 1, 2010, through June 30, 2011.

12/14/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**101569 [Accept and Expend Gift - Golden Gate Park Irrigation - \$73,146]****Sponsor: Mar**

Resolution authorizing the Recreation and Park Department to accept and expend a gift from Warren Hellman and the Hardly Strictly Bluegrass Festival of \$73,146 to improve the irrigation systems in Speedway, Lindley, and Marx Meadows in Golden Gate Park. (Recreation and Park Department)

12/14/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**101570 [Accept and Expend Grant - Sudden Oak Death - \$896]****Sponsor: Mar**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant (Agreement #10-0511) from the California Department of Food and Agriculture in the amount of \$896 to fund the project "Sudden Oak Death" for the period of July 1, 2010, through June 30, 2011. (Public Health Department)

12/14/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**101571 [Amending Public Hearing Date Relating to Infrastructure Financing District - Rincon Hill - from January 25, 2011, at 3:00 p.m., to February 8, 2011, at 3:00 p.m.]****Sponsors: Mayor; Maxwell**

Resolution amending Resolution No. 496.10 to reschedule the public hearing date relating to the formation of Infrastructure Financing District No. 1 (Rincon Hill Area), from January 25, 2011, at 3:00 p.m., to February 8, 2011, at 3:00 p.m.

12/14/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**101573 [Extending the Term of Service for the Power Plant Task Force]****Sponsor: Maxwell**

Resolution extending the termination date of the Power Plant Task Force to December 31, 2011.

12/14/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**101575 [Annual Reports - Fillmore Jazz Community Benefit District]****Sponsor: Mirkarimi**

Resolution regarding Fillmore Jazz Community Benefit District annual reports to the City: receiving and approving the District's Annual Reports for District FYs 2007, 2008, and 2009, which include the District's proposed budget for District FY2010, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code § 36600 et seq.) and Section 3.4 of the District's management contract with the City.

12/14/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**101527 [Resolution to Establish the Civic Center Community Benefit District]****Sponsor: Mayor**

Resolution establishing a property-based business improvement district to be known as the "Civic Center Community Benefit District," ordering the levy and collection of assessments against property located in that district for ten years commencing with FY2011-2012, subject to conditions as specified, and making environmental findings.

12/14/10; ASSIGNED to Board of Supervisors.

**Motions****101565 [Waiving Board Rule 4.19 and Directing the Clerk of the Board to Agendize Consideration to Override Local Hiring Policy for Construction Veto on January 4, 2011]****Sponsor: Avalos**

Motion waiving Board Rule 4.19 of the Rules of Order of the Board of Supervisors and directing the Clerk of the Board to agendize consideration to override veto pursuant to Charter Section 2.106 of the San Francisco Local Hiring Policy for Construction, File No. 101311 at the Regular Meeting of January 4, 2011.

12/14/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**101568 [Directing the Budget and Legislative Analyst's to Conduct Three Audits in FY2010-2011 and Set the Priority for These Three Audits]****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 public property; (b) the financial impact to the City of the provisions for Standby Pay, Lead Pay, and other related premium pay in 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.

12/14/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****101572 [Hearing - Local Hiring for Non-Public Work Projects]****Sponsor: Mirkarimi**

Hearing to review various avenues for increasing local hiring on non-public work projects including the following: 1) Private projects that the City subsidizes, which are covered by the First Source Hiring Ordinance; 2) Projects governed by the Redevelopment Agency and Port; 3) Non-public work jobs where the City directly hires workers to perform work for the City; 4) Incorporating local hire requirements into the City's Project Labor Agreement negotiations; and 5) Local hire policies for permanent jobs with the City, the Port, and Redevelopment Agency.

12/14/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**101526 [Public Hearing - Establish the Civic Center Community Benefit District]****Sponsor: Mayor**

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Civic Center Community Benefit District," ordering the levy and collection of assessments against property located in that district for ten years commencing with FY2011-2012, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

12/14/10; ASSIGNED to Board of Supervisors.

**Introduced by the President at the Request of a Department****PROPOSED RESOLUTIONS****101502 [Professional Services Agreement - Terminal 2/Boarding Area D Renovations - Not to Exceed \$16,850,000]**

Resolution approving Modification No. 5 to the Professional Services Agreement for Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities in the amount of \$1,710,000 for a new total contract amount not to exceed \$16,850,000. (Airport Commission)

12/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**101503 [Airport Concession Lease - Books, Inc.]**

Resolution approving Amendment No. 2 to North Terminal Bookstore Lease No. 00-0176 between Books, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

12/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**101504 [Airport Concession Lease - Museum of Modern Art]**

Resolution approving the International Terminal Museum/Gallery Store Lease between San Francisco Museum of Modern Art and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

12/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**101505 [Purchase Agreement - Permanent Access Road Easement - Stanislaus County - \$13,000]**

Resolution (1) approving and authorizing an agreement for the purchase of a permanent access road easement totaling 2.16 acres over portions of Assessor's Parcel Numbers 016-002-017, 016-002-018 and 016-002-44 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$13,000; (2) adopting findings under the California Environmental Quality Act; (3) 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 (4) authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

12/02/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**101506 [Master Lease - Hotel Le Nain at 730 Eddy Street]**

Resolution authorizing the Master Lease of the Hotel Le Nain at 730 Eddy Street for the Department of Public Health. (Real Estate Department)

12/06/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Request Granted**

*From: Supervisor Mirkarimi*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to review and approve an Ordinance requiring ground-floor Commercial Uses fronting Fillmore Street in the NC-3 District.*

**In Memoriams**

*Jonathon Simmons – Supervisor Alioto-Pier*

*Ruth S. White – Supervisor Dufty*

*Gil Ribera – Supervisor Dufty*

*Sgt. Jim S.Acevedo – Supervisor Dufty*

*Edward M. Walsh – Supervisor Dufty*

*Rose J. Sancimino – President Chiu*

*Richard Michael Johnston – Supervisor Elsbernd*

*John Kroll – Supervisor Elsbernd*

*Oscar Jimenez – Supervisor Campos*



## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 6:53 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.*

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Angela Calvillo, Clerk of the Board