



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, August 3, 2010 - 2:00 PM

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

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee
Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee
Supervisors Chu, Avalos, Dufty

Government Audit and Oversight Committee
Supervisors Mar, Chu, Maxwell

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

Public Safety Committee
Supervisors Chiu, Mirkarimi, Elsbernd

Rules Committee
Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
11:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
10:30 AM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

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AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

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Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the June 29, 2010, Board meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos

- 1. 100923 [Accept and Expend Grant - Department of Public Library - \$80,000]**
Sponsor: Chu
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$80,000 from the California State Library as part of the Federal Library Services and Technology Act for the Out-of-School-Time Online Homework Help Program.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Chiu

2. **100693 [Mission Bay North-Block N1 Public Infrastructure Improvements]**
Ordinance accepting of the irrevocable offer of additional property along Townsend Street, King Street, and Fourth Street and the irrevocable offer of public infrastructure improvements associated with Mission Bay North Block N1, including acquisition facilities on Third Street, Townsend Street, King Street, and Fourth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; designating street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,676; and authorizing official acts in connection with this Ordinance. (Public Works Department)

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **100852 [Mission Bay South - Park P17 Improvements]**
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P17, lying along Mission Bay Boulevard North, Mission Bay Boulevard South and Terry A. Francois Boulevard for public use and naming the new park "Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,716 and authorizing official acts in connection with this Ordinance. (Public Works Department)

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. **100853 [Mission Bay South - Park P18 Improvements]**
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P18, lying along Terry A. Francois Boulevard between Mission Bay Boulevard North and China Basin Street for public use and naming the new park "Bayfront Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,715 and authorizing official acts in connection with this Ordinance. (Public Works Department)

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100883 [Agreement Regarding the Exchange of Fire Station No. 1 Located at 676 Howard Street and Portions of Hunt Street for 935 Folsom Street and a Replacement Fire Station]

Sponsor: Mayor

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

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100639 [Permits for Commercial Parking Garages and Lots]

Sponsor: Alioto-Pier

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

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 100467 [Zoning Map Amendment for One Capitol Avenue]

Sponsor: Avalos

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

07/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Mar, Chiu

8. 100669 **[Lease of Real Property – Parcel L (Portion of Assessor’s Block No. 0817, Lot No. 33)]**

Sponsor: Mayor

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

Question: Shall this Resolution be ADOPTED?

9. 100670 **[Sublease of Real Property - Parcel K (Portion of Assessor’s Block No. 0817, Lot No. 30)]**

Sponsor: Mayor

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

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Mar, Chiu

- 10. 100658 [Bayview Hunters Point Redevelopment Project Area]**
Sponsors: Mayor; Maxwell
Ordinance approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.
- 07/13/2010; CONTINUED ON FIRST READING.
07/27/2010; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
- 11. 100659 [Hunters Point Shipyard Redevelopment Project Area]**
Sponsors: Mayor; Maxwell
Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.
- 07/13/2010; CONTINUED ON FIRST READING.
07/27/2010; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

- 12. 100574 [General Plan Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco General Plan by amending the Bayview Hunters Point Area Plan, the Transportation Element, the Recreation and Open Space Element, the Commerce and Industry Element, maps and figures in various Elements, and the Land Use Index, and by adopting and adding the Candlestick Point Subarea Plan and the Hunters Point Area Plan, in order to facilitate the development of the Hunters Point Shipyard and Candlestick Point, as envisioned in the Hunters Point Shipyard Redevelopment Plan, the Bayview Hunters Point Redevelopment Plan, and the Conceptual Framework for integrated development of the Hunters Point Shipyard and Candlestick Point endorsed by the Board of Supervisors and the Mayor in May 2007 and approved by the voters in 2008 through passage of Proposition G, the Jobs, Parks and Housing Initiative; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 13. 100575 [Hunters Point Shipyard - Health Code Amendment]**
Sponsors: Mayor; Maxwell
Ordinance amending Article 31 of the Health Code to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply to Hunters Point Shipyard Parcel A to address potential residual contamination, and imposing fees to administer this Article; amending Sections 804 and 1227 of the Health Code to make conforming amendments; and making environmental findings.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 14. 100576 [Hunters Point Shipyard - Public Works Code Amendment]**
Sponsors: Mayor; Maxwell
Ordinance amending the Public Works Code to amend Section 2.3.1 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 15. 100577 [Hunters Point Shipyard - Building Code Amendment]**
Sponsors: Mayor; Maxwell
Ordinance amending the Building Code to amend Section 106A.3.2.5 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 100578 [Zoning Map Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]

Sponsors: Mayor; Maxwell

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

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 100579 [Zoning - Establishment of the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, and Special Height and Bulk Provisions for the Special Use Districts]

Sponsors: Mayor; Maxwell

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

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. 100661 [Subdivision Code - Candlestick Point and Hunters Point Shipyard]

Sponsors: Mayor; Maxwell

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

07/27/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

19. 100751 [Implementation of Assembly Bill 1421 - Assisted Outpatient Treatment, "Laura's Law"]

Sponsor: Alioto-Pier

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

(Supervisor Avalos dissented in committee.)

07/20/2010; AMENDED.

07/20/2010; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

20. 100054 [Workforce Development - Public Service Academies]

Sponsor: Mirkarimi

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

07/27/2010; AMENDED.

07/27/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. 100674 [Expanding the Entertainment Commission's Power to Revoke Permits]

Sponsor: Chiu

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

07/27/2010; AMENDED.

07/27/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

22. 100694 **[Contract Amendment to the Fuel Contract - Not to Exceed \$50,000,000]**
Resolution approving the Third Amendment to the Agreement between the City and Western States Oil (Contractor) increasing the total not to exceed amount of the contract from \$25,000,000 to \$50,000,000 and extending the term for one year, pursuant to Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?
23. 100925 **[Contract with the San Francisco Community Health Authority to Provide Provider Payment Services for the Healthy San Francisco Program]**
Sponsor: Mayor
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to contract with the San Francisco Community Health Authority to provide Provider Payment services for the Healthy San Francisco program for the term of July 1, 2010, through June 30, 2011.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?
24. 100926 **[Authorizing Expenditures from SOMA Community Stabilization Fund - \$2,762,000]**
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization Fund dollars under certain conditions in the amount of \$2,762,000 to subsidize the development of onsite affordable rental housing units at 333 Harrison Street.

Question: Shall this Resolution be ADOPTED?
25. 100928 **[Accept and Expend Grant - Department of Public Works - \$417,339]**
Sponsors: Mayor; Dufty
Resolution authorizing the Department of Public Works to apply for, accept and expend \$417,339 in Federal American Recovery and Reinvestment Act of 2009 Transportation Enhancement funds for the Corbin Place Stair Replacement Project.

Question: Shall this Resolution be ADOPTED?

**26. 100929 [Approval of Amendment Agreement with the Tides Center - \$10,570,840]
Sponsor: Mayor**

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

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 100967 [Intention to Renew the 2500 Block of Mission Street Business Improvement District - Mission Miracle Mile Business Improvement District]

Sponsor: Campos

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

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos

28. 100641 [Expend Grant - California Department of Toxic Substances Control and Amendment to the Annual Salary Ordinance, FY2010-2011 - \$74,500]

Sponsor: Chu

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

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Daly

**29. 100943 [Board of Supervisors Response to the 2009-2010 Civil Grand Jury Report Entitled "Americans With Disabilities Act: Is San Francisco In Compliance?"]
Sponsors: Alioto-Pier; Mar**

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

Question: Shall this Resolution be ADOPTED?

30. 100939 [Budget and Legislative Analyst Review of Aging in Place Practices and Resources]**Sponsor: Mar**

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

Question: Shall this Motion be APPROVED?**From the Government Audit and Oversight Committee Without Recommendation***Present: Supervisors Mar, Chu, Daly***31. 100508 [Directing the Budget and Legislative Analyst to Audit the Department of Children, Youth and Their Families]****Sponsor: Alioto-Pier**

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

Question: Shall this Motion be APPROVED?**Recommendations of the Land Use and Economic Development Committee***Present: Supervisors Maxwell, Mar, Chiu***32. 100833 [Approving Street Encroachment at Lake Merced Boulevard and Higuera Avenue]**

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

Question: Shall this Resolution be ADOPTED?

33. 100901 [California Environmental Quality Act Findings for Water System Improvement Program Habitat Mitigation Actions]

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

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100902, approved July 27, 2010.)

34. 100903 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

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

Action:_____

Committee of the Whole Adjourn and Report

35. 100904 [Special Assessment of Liens for Assessment of Cost]

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

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Public Safety Committee at a Regular Meeting on Monday, August 2, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 3, 2010.

36. 100879 [Increasing Penalties for Certain Crimes Committed on Municipal Transportation Agency Vehicles, Platforms or in Bus Zones]

Sponsors: Chu; Chiu

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

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, August 2, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 3, 2010.

37. 101010 [Accept and Expend Grant - American Recovery and Re-Investment Act and Amendment to the Annual Salary Ordinance, FY2010-2011 - \$1,670,000]

Sponsor: Mayor

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

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 38 through 47

38. 100961 **[Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 2, 2010, Election]**
Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2010, Election.
(Clerk of the Board)
- 07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 07/27/2010; CONTINUED.
- Question: Shall this Motion be APPROVED?**
39. 101012 **[Approving the Fare Schedule for Golden Gate Pedicab]**
Sponsor: Chiu
Resolution approving the fare schedule for Golden Gate Pedicab.
- 07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

- 40. 101017 [Supporting the Golden Gate Warriors Return to San Francisco]**
Sponsors: Alioto-Pier; Elsbernd, Dufty, Maxwell, Mirkarimi and Chiu
Resolution supporting the Golden Gate Warriors return to San Francisco.
- 07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 41. 101018 [Accept and Expend Grant - Ghana MARPS Size Estimation - \$28,465]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$28,465 from the University of California San Francisco (UCSF), to participate in a program entitled "Ghana MARPS Size Estimation" for the period of April 1, 2010, through March 31, 2011.
- 07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 42. 101019 [Accept and Expend Grant - OCTAVE Capacity Building Workshop Series - \$47,022]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$47,022 from the Public Health Foundation Enterprises, Inc. (PHFE), to participate in a program entitled "OCTAVE-Capacity Building Workshop Series" for the period of July 1, 2010, through December 31, 2011.
- 07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 43. 101020 [Accept and Expend Grant - Viral Load Study - \$25,318]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$25,318 from the Public Health Foundation Enterprises, Inc. (PHFE), to participate in a program entitled "Viral Load Study" for the period of April 1, 2010, through March 31, 2011.
- 07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

44. 101021 [Accept and Expend Grant - Special Work Assignment UNICEF - \$30,965]
Sponsor: Dufty
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$30,965 from the United Nations Childrens Fund to support a project that will further understanding of the prevention of mother-to-child transmission of HIV for the period of June 18, 2010, through October 1, 2010.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 101022 [Accept and Expend Grant - Recycling and Lunchroom Composting Programs - \$18,000]
Sponsor: Mar
 Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$18,000 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 101023 [Accept and Expend Grant - GreenStacks Environmental Outreach Collaboration - \$12,000]
Sponsor: Mar
 Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$12,000 from Altamont Education Advisory Board to support GreenStacks an environmental outreach collaboration between the Department of the Environment and the San Francisco Public Libraries.

07/28/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 101024 [Property Assessed Clean Energy Programs]
Sponsors: Mayor; Mar and Dufty
 Resolution supporting Property Assessed Clean Energy (PACE) programs and requesting San Francisco's Congressional representatives to work with the Federal Housing Finance agency to establish standardized underwriting criteria and safeguards to allow for the continuation of PACE.

07/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

48. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from July 20, 2010, to July 26, 2010, for reference by President to appropriate committee on August 3, 2010.

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

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

07/23/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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

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

07/26/2010; RECEIVED AND ASSIGNED to the Rules Committee.

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

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

07/26/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101037 [Petitions and Communications]

Petitions and Communications received from July 20, 2010, through July 26, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on August 3, 2010.

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (1)
City Attorney's Office
Health Service System
Law Library
Public Library
Public Works
War Memorial and Performing Arts Center

From T Mobile, submitting notification of three cellular antennas to be installed at 939 Dartmouth Street. (2)

From T Mobile, submitting notification of three cellular antennas to be installed at 2503 15th Street. (3)

From T Mobile, submitting notification of three cellular antennas to be installed at 1029 Anza Street. (4)

From T Mobile, submitting notification of three cellular antennas to be installed at 9 Bird Street. (5)

From T Mobile, submitting notification of three cellular antennas to be installed at 1201 - 37th Avenue. (6)

From T Mobile, submitting notification of three cellular antennas to be installed at 2128 Lawton Street. (7)

From T Mobile, submitting notification of three cellular antennas to be installed at 175 Farnum Street. (8)

From T Mobile, submitting notification of three cellular antennas to be installed at 5549 Anza Street. (9)

From T Mobile, submitting notification of three cellular antennas to be installed at 344 Garfield Street. (10)

From T Mobile, submitting notification of three cellular antennas to be installed at 1698 - 27th Avenue. (11)

From T Mobile, submitting notification of three cellular antennas to be installed at 109 Lower Terrace. (12)

From Office of the Controller, regarding proposed Charter Amendment authorizing non-citizens to vote in elections for the Board of the San Francisco Unified School District. File No. 100635, Copy: Each Supervisor (13)

From San Francisco Parking Association, regarding proposed parking tax increase and tax on valet services. File No. 100759, Copy: Each Supervisor (14)

From Department of Elections, regarding notice of Ballot Simplification Committee Meetings for the November 2, 2010, Consolidated General Election. File No. 100581, Copy: Each Supervisor (15)

- From Office of the Mayor, submitting nomination of John Newlin for the reappointment to the Entertainment Commission. Copy: Each Supervisor, Rules Committee Clerk (16)
- From State Department of Public Health, regarding California AIDS hotline and web site. (17)
- From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 4 letters (18)
- From concerned citizens, submitting support for passage of Laura's Law. File No. 100751, Copy: Each Supervisor, 25 letters (19)
- From Oceanview, Merced Heights, Ingleside Community Action Organization, submitting opposition to construction of 28 new-single family dwellings on 28 lots with 42 parking spaces at One Capitol Avenue. File No. 100467, Copy: Budget and Finance Committee (20)
- From concerned citizens, regarding more taxes and job losses in San Francisco. Copy: Budget and Finance Committee, 20 postcards (21)
- From Albert Bianchini, regarding illegal immigrants in the United States. (22)
- From Jay Sath, submitting opposition to proposed fee hike for vehicle registration. Copy: Each Supervisor (23)
- From Office of the Controller, submitting their Government Barometer reports for FY2010-2011. Copy: Each Supervisor (24)
- From the Megan Furth Academy, submitting opposition to any efforts by the City and County of San Francisco to list Sacred Heart Church on the National Register of Historic Places. Copy: Each Supervisor (25)
- From Mayor's Hunters Point Shipyard Citizen's Advisory Committee, submitting support for the Hunters Point Shipyard Phase II/Candlestick Point Project. File No. 100861, Copy: Each Supervisor (26)
- From Office of the Controller, regarding emergency repairs for the Fine Arts Museums. (27)
- From Jeff Adachi, concerning statements made by members of the Board of Supervisors stating their intention to re-allocate funding from the Public Defender office's budget. Copy: Each Supervisor (28)
- From Ed Ng, submitting opposition to proposed cell tower at 1250 Quintara. (29)
- From Eric Parks, submitting support for the establishment of a Nail Salon Recognition Program in San Francisco. File No. 100963, Copy: Supervisor Chiu (30)
- From Patrick Shaw, regarding Laguna Honda Hospital. 4 letters (31)
- From Tim Giangioffe, regarding cannabis prohibition and the propaganda war. (32)
- From Joan Peters, regarding the new Bayview Library. Copy: Supervisor Maxwell (33)
- From State Fish and Game Commission, regarding Game Bird Hunting. (34)
- From concerned citizens, submitting opposition to proposed legislation concerning alcohol tax. File No. 100865, Copy: Budget and Finance Committee, 3 letters (35)

From concerned citizens, submitting support for the Shipyard Plan. File No. 100861 (36)

From Leah Thompson, regarding Sharp Park. (37)

From Amanda Alonzo, regarding McLaren Park. (38)

From Bob Daddario, regarding cancelling his trip to San Francisco. (39)

From concerned citizens, submitting opposition to proposed change to the Recreation and Parks Commission appointment process. File No. 100633, Copy: Each Supervisor, 2 letters (40)

From Bruce Brugmann, regarding proposal to make the flat payroll tax more progressive and exempt more small businesses. Copy: Supervisor Chiu (41)

From Sally Loveland, regarding various issues. (42)

From Tim Giangioffe, regarding palm readers. (43)

From Daniel Pong, regarding the increase in taxes and fees in San Francisco. (44)

From Kathy Howard, submitting support for proposed change to the Recreation and Parks Commission appointment process. File No. 100633, Copy: Each Supervisor (45)

From concerned citizens, submitting support for the construction of the proposed new St. Luke's Campus at Van Ness and Geary. 7 postcards (46)

From Kimo Crossman, regarding the UK crackdown on the mobile phone recycling industry. Copy: Each Supervisor (47)

ADJOURNMENT