



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, October 18, 2011 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee
Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee
Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee
Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Public Safety Committee
Supervisors Mirkarimi, Cohen, Campos

Rules Committee
Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday
10:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
10:00 AM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

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.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience 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; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, 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. 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.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

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.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. **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

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

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.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org

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>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the September 6, 2011, and September 13, 2011, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the second regularly scheduled meeting each month. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Regular Agenda as an action item.)

By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.)

1. 111093 [Formal Policy Discussions - October 18, 2011]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 2, 4, 6, 8, and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Assuming Proposition C passes in the November election, the City will save \$1.3 billion over the next 10 years from higher pension contributions from city employees and caps on pensions for new employees, among other changes. Pension reform will continue to be an issue however as projections indicate that pension costs may well exceed \$700 million by 2014-2015, according to the most recent estimates from the Controller's Office. What plans do you have to continue the conversation and potential reforms in this regard? (Supervisor Farrell, District 2)

2. The Healthy San Francisco Program was adopted and implemented by the City several years ago and has experienced steady increases in enrollment over time. What impact has the Healthy San Francisco Program had on health outcomes in the City? What impact has the Healthy San Francisco Program had on reducing the utilization of emergency room visits and reducing costs? Given the Program's performance so far, and given new requirements and policies enacted at the federal level around health care reform, will you be recommending any adjustments or changes to the program? (Supervisor Chu, District 4)

3. Please describe the plan that our offices have been developing for the OccupySF demonstration, given the projected long-term nature of this protest. How can our City, including the Department of Public Health, Department of Public Works, Department of Recreation and Park, and the San Francisco Police Department address public health concerns and the costs associated with that, and protect the 1st Amendment right of OccupySF participants? (Supervisor Kim, District 6)

4. Our taxi system is a critical part of our transit system. We will never truly get people out of their cars without reliable taxi service. Yet it's been more than a decade since we have significantly improved service. Current service levels are inadequate and unacceptable. Municipal Transportation Agency (MTA) is in the process of issuing approximately 85 new permits, and that is a modest first step. Understanding that California Environmental Quality Act (CEQA) clearance may be required to achieve a larger increase in the number of taxis, how do you plan to ensure that MTA meaningfully addresses the lack of adequate taxi service? Will you include in next year's budget funding for any CEQA clearance that may be required to support a significant increase in the number of taxi permits? (Supervisor Wiener, District 8)

5. The City's approach to code enforcement involves a number of departments including the Department of Building Inspection, Police Department, and City Attorney's Office. Throughout the City, and specifically in District 10, we continually see vacant and occupied properties with significant housing and other code violations that go unaddressed for months and sometimes even years. How do you propose to improve the response to complaints, inspection, citation, and enforcement of code violations? Additionally, what strategies or changes can be implemented to increase the City's efficiency in addressing these issues and capacity to take legal action against some of our most egregious property owners who refuse to abate code violations? (Supervisor Cohen, District 10)

Discussion: The Mayor shall discuss the eligible questions with the Board of Supervisors.

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.

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

Items 2 through 6

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Cohen, Campos

2. **111002** **[Accept and Expend Grant - Local Juvenile Justice Accountability Measures - \$149,896]**
 Sponsor: Campos
 Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of \$149,896 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Rules Committee

Present: Supervisors Elsbernd, Farrell

3. **110958** **[Appointments, Assessment Appeals Board No. 1 - Diane Robinson and Richard Lee]**
 Motion appointing Diane Robinson and Richard Lee, terms ending September 1, 2014, to the Assessment Appeals Board No. 1. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
4. **110959** **[Appointment, Assessment Appeals Board No. 2 - Ed Campana]**
 Motion appointing Ed Campana, term ending September 1, 2014, to the Assessment Appeals Board No. 2. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

- 5. **111070** **[Appointment, Bicycle Advisory Committee - Richard May]**
Motion appointing Richard May, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

- 6. **111071** **[Appointment, Sweatfree Procurement Advisory Group - Robert Rosoff]**
Motion appointing Robert Rosoff, term ending December 17, 2013, to the Sweatfree Procurement Advisory Group. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Avalos, Mar, Elsbernd

- 7. **110899** **[Administrative Code - False Advertising by Limited Services Pregnancy Centers]**
Sponsors: Cohen; Chiu, Wiener, Kim, Chu, Mar, Campos and Avalos
Ordinance amending the San Francisco Administrative Code by adding Chapter 93, Sections 93.1 through 93.5, to prohibit limited services pregnancy centers from making false or misleading statements to the public about pregnancy-related services the centers offer or perform.

10/04/2011; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Campos, Farrell, Chiu

8. **110998 [Administrative Code - Health Care Security Ordinance]**
Sponsors: Campos; Cohen, Mar, Avalos, Kim and Mirkarimi
Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, and 14.4 to: 1) clarify that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) add an employee notification requirement; 3) modify penalty provisions; and 4) set an operative date.
- 10/04/2011; AMENDED.
- 10/04/2011; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Mar, Cohen, Wiener

9. **110589 [Planning Code - Zoning Map - Establishing the Lombard and Scott Street Affordable Group Housing Special Use District - 3151-3155 Scott Street]**
Sponsors: Chiu; Avalos, Kim, Mar, Mirkarimi and Campos
Ordinance amending the San Francisco Planning Code Section Map 2SU, and adding Section 249.55 to: 1) create the Lombard and Scott Street Affordable Group Housing Special Use District for the real property encompassing 3151-3155 Scott Street (Assessor's Block No. 0937, Lot No. 001), at the southwest corner of Scott and Lombard Streets, in order to facilitate the development of an affordable group housing project; and 2) making 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.
- 09/20/2011; CONTINUED ON FIRST READING.
- 10/04/2011; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Mirkarimi

10. 110903 **[Administrative Code - Nonprofit Annual Economic Statement]**
Ordinance amending the San Francisco Administrative Code Section 10.1 to allow Nonprofits receiving City funding to provide and update information directly to City Departments as an alternative to filing annual economic statements with the City Administrator. (City Administrator)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chu, Mirkarimi, Kim

11. 111051 **[Accept and Expend Grant - Electric Vehicle Charging Station Program and Amendment to the Annual Salary Ordinance for FY2011-2012 - \$100,000]**
Sponsor: Mayor
Ordinance authorizing the Department of the Environment to accept and expend funds in the amount of \$100,000 from Coulomb Technologies, Inc., to provide administrative and outreach services for a program to install electric vehicle charging stations in multiple-dwelling units and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant funded position at the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 101539 **[Cost-Sharing Agreement - BART - Paratransit Services]**
Sponsor: Chu
Resolution retroactively 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.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Mirkarimi

13. 110933 **[Contract Amendment - Western States Oil - Not to Exceed \$78,300,000]**
Resolution approving the Fifth Amendment to the Agreement between the City and Western States Oil increasing the total not-to-exceed amount of the contract from \$50,500,000 to \$78,300,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Mirkarimi, Kim

14. 110985 **[Real Property Lease Amendment - Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn - 160 South Van Ness Avenue]**
Resolution authorizing the amendment of an existing lease at 160 South Van Ness Avenue, with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn as Tenants in Common, for the Human Services Agency to provide a construction allowance and extend the lease term. (Real Estate Department)

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

15. 111003 **[Termination Agreement(s) - Breda Light Rail Vehicle Leveraged Lease Transactions]**
Sponsors: Farrell; Chu
Resolution authorizing the Municipal Transportation Agency to enter into one or more consensual termination agreements with the equity investors and other parties that participated in the leveraged lease transactions executed in 2002 and 2003 with respect to the San Francisco Municipal Transportation Agency's Breda light rail vehicles, provided that there is no net financial cost or liability to the City/San Francisco Municipal Transportation Agency for the terminations.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

- 16. 111010 [General Obligation Refunding Bonds - Series 2011-R1 - Not to Exceed \$1,355,991,219]**
Sponsor: Mayor
Resolution authorizing the issuance from time to time, in one or more series, of not to exceed \$1,355,991,219 aggregate principal amount of the City and County of San Francisco General Obligation Refunding Bonds, including the initial series or series of such Bond to be designated as "City and County of San Francisco General Obligation Refunding Bonds, Series 2011-R1," to refund certain outstanding General Obligation Bonds; approving the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories, verification agents, and other agents for said bonds; approving the form and authorizing the execution and delivery of escrow agreements relating to the refunded bonds; approving and directing the tax levy for repayment of said bonds; approving procedures for competitive or negotiated sales including approving forms of official notice of sale and notice of intention to sell said bonds and authorizing the selection of underwriters and the execution and delivery of bond purchase agreements; approving the form and authorizing the execution and delivery of continuing disclosure certificates; approving the form and authorizing the distribution of the preliminary official statement and authorizing the execution, delivery, and distribution of the official statement for the Series 2011 R1 Bonds; authorizing payment of costs of issuance of said bonds; approving modifications to documents; ratifying actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the bonds and the refunding of certain outstanding General Obligation Bonds.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Mirkarimi

- 17. 111023 [Interconnection Agreements - Renewable Energy Generating Facilities]**
Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into two long term interconnection agreements for renewable energy generating facilities, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Mirkarimi, Kim

- 18. 111033 [Owner Controlled Insurance Program Amendment - Laguna Honda Hospital Replacement Program - Not to Exceed \$17,323,400]**
Sponsor: Elsbernd
Resolution authorizing the Director of Public Works to execute an amendment to the Owner Controlled Insurance Program for the Laguna Honda Hospital Replacement Program from \$15,382,933 to \$17,323,400.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. 111087 [Multifamily Housing Revenue Bonds, Series 2011B - Fell Street Apartments - Not to Exceed \$8,100,000]**Sponsor: Mirkarimi**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$8,100,000 for the purpose of providing financing for the acquisition and rehabilitation of an 82 unit multifamily rental housing project, known as Fell Street Apartments; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

Question: Shall this Resolution be ADOPTED?**Recommendation of the City Operations and Neighborhood Services Committee***Present: Supervisors Avalos, Mar, Elsbernd***20. 111032 [Free MUNI Fast Pass for Youth]****Sponsors: Campos; Avalos, Cohen, Kim, Mar, Mirkarimi and Chiu**

Resolution urging government agencies to work together to develop a free MUNI Fast Pass for San Francisco youth.

(Supervisor Elsbernd dissented in Committee.)

Question: Shall this Resolution be ADOPTED?**Recommendation of the Land Use and Economic Development Committee***Present: Supervisors Mar, Cohen, Wiener***21. 110590 [Planning Code - Reconstruction of Buildings Damaged or Destroyed by Fire or Acts of God]****Sponsor: Cohen**

Ordinance amending the San Francisco Planning Code Sections 181(d) and 188(b) to: 1) provide a process for the reconstruction of buildings damaged or destroyed by fire or acts of God; 2) provide a retroactive operative date of August 1, 2009; and 3) adopt findings, including environmental findings and Planning Code Section 302 findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Cohen, Campos

22. 110221 **[Administrative Code - Community Policing]**
Sponsors: Campos; Mirkarimi, Cohen, Mar and Avalos
Ordinance amending the San Francisco Administrative Code by adding Section 2A.83 to:
1) set a policy of community policing in the City and County of San Francisco; 2) define community policing; and 3) urge the Police Commission and Chief of Police to review and as necessary amend the Police Department's policies and procedures for consistency with the community policing policy.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
23. 110348 **[Health Code - Biological Agent Detector Registration and Fees]**
Sponsor: Chiu
Ordinance amending the San Francisco Health Code by adding Article 35 to create a registration scheme, fees, and other requirements for Biological Agent Detectors.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendation of the Rules Committee

Present: Supervisors Elsbernd, Farrell

24. 110969 **[Agreement - Owners' Association - Administration/Management of Civic Center Community Benefit District]**
Sponsor: Kim
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based Community Benefit District known as the "Civic Center Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code.
- Question: Shall this Resolution be ADOPTED?**

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 110737, approved July 19, 2011.)

Board of Supervisors Sitting as a Committee of the Whole

25. 110738 **[Public Hearing - Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]**

Sponsor: Mirkarimi

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

07/26/2011; CONTINUED.

09/13/2011; CONTINUED.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Committee of the Whole Adjourn and Report

26. 110739 **[Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]**

Sponsor: Mirkarimi

Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

07/26/2011; CONTINUED.

09/13/2011; CONTINUED.

Question: Shall this Resolution be ADOPTED?

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.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 27 through 31

27. 111061 [Urging Governor Jerry Brown to Support Assembly Bill 438 - Protect Public Libraries from for-Profit Corporation Takeovers]

Sponsor: Avalos

Resolution urging Governor Jerry Brown to support and implement Assembly Bill 438 that protects public libraries from for profit corporate takeovers.

09/27/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/04/2011; CONTINUED.

Question: Shall this Resolution be ADOPTED?

- 28. 111086 [Golden Gate Valley Branch Library Grand Reopening]**
Sponsor: Farrell
Resolution recognizing the grand reopening of the Golden Gate Valley Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to the City and County of San Francisco and its residents.
- 10/04/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 29. 111088 [Designation of Authority Related to the California Housing and Community Development Infill Infrastructure Grant]**
Sponsor: Mayor
Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to execute any documents necessary to participate in the State Infill Infrastructure Grant Program in accordance with the executed standard agreement with the California State Department of Housing and Community Development as authorized by Resolution No. 492-10.
- 10/04/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 30. 111089 [Recognizing the Completion and Celebrating the Reopening of McCoppin Square Park]**
Sponsor: Chu
Resolution recognizing the completion of the McCoppin Square rebuild project and celebrating the grand reopening of the park and playground.
- 10/04/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

31. 111091 [Approval of a 60-Day Extension for Planning Commission Review of Self-Service Restaurants, Retail Coffee Stores, and Video Stores (File No. 110152)]

Sponsor: Mirkarimi

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110152) that would amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; and 7) making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

10/04/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 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 ORDINANCES

Proposed ordinances received from September 27, 2011, through October 7, 2011, for reference by President to appropriate committee on October 18, 2011.

- 111067 [Administrative Code - Updating Job Classifications and Bargaining Units]**
Ordinance amending the San Francisco Administrative Code Sections 16.200 through 16.222 to reflect changes in job classifications. (Human Resources Department)

10/03/2011; ASSIGNED UNDER 30 DAY RULE to the Government Audit and Oversight Committee.

- 111099 [Settlement of Lawsuit - Damian Fleming - \$70,000]**
Ordinance authorizing settlement of the lawsuit filed by Damian Fleming against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 14, 2010, in San Francisco Superior Court, Case No. CGC 10-501543, entitled Fleming v. City and County of San Francisco. (City Attorney)

10/07/2011; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 27, 2011, through October 7, 2011, for reference by President to appropriate committee on October 18, 2011.

- 111068 [Street Artist Spaces - Grant Avenue, O'Farrell to Sutter Streets]**
Resolution approving re-designation of 22 selling spaces on Grant Avenue, O'Farrell to Sutter Streets, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulation of Police Code Section 2405(c)(8) (2) prohibiting selling adjacent to a yellow zone. (Arts Commission)

10/04/2011; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
- 111094 [Amendment to Memorandum of Understanding - Alameda County Resource Conservation District - Not to Exceed \$775,000]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute the first amendment to the Memorandum of Understanding with the Alameda County Resource Conservation District for an amount not to exceed \$775,000 and with a total duration of fourteen (14) years, pursuant to Charter Section 9.118.

10/05/2011; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 111095 [Conveyance of Easement - Silicon Valley Power - Bay Division Pipeline Nos. 3 and 4 Crossovers Project - Santa Clara]**
Resolution 1) approving and authorizing conveyance of a perpetual, nonexclusive easement to Silicon Valley Power, a division of the City of Santa Clara, at no charge, for the installation, construction, operation, inspection, maintenance, repair, and replacement of electrical facilities, including underground cable, a transformer and a meter in City's real property at the Guadalupe River site off Lick Mill Boulevard in the City of Santa Clara, to provide electrical power required for the Bay Division Pipeline Nos. 3 and 4 Crossovers Project No. CUW38001; 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)

10/07/2011; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

111073 [Petitions and Communications]

Petitions and Communications received from September 27, 2011, through October 7, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 18, 2011.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

From Noreen Weeden, on behalf of the Golden Gate Audubon Society and its more than 10,000 members, submitting support for preserving Sharp Park wetlands and wildlife. File No. 110966, Copy: Each Supervisor (1)

*From concerned citizens, submitting support for preserving Sharp Park wetlands and wildlife. File No. 110966, approximately 200 letters (2)

*From Michel & Associates, P.C., submitting opposition to proposed legislation that: 1) requires a handgun be kept in a locked container or disabled with a trigger lock; and 2) prohibits the sale of enhanced-lethality ammunition. File No. 110901, Copy: Each Supervisor, 2 letters (3)

*From Civil Service Commission, submitting the Department of Human Resources Prevailing Wage Report. Copy: Each Supervisor (4)

*From Office of the Controller, submitting the Human Rights Commission Local Business Enterprise Compliance Audit Report. (5)

From Office of the Mayor, submitting the following appointments: Copy: Rules Committee Clerk (6)

Airport Commission

Eleanor Johns, term ending August 31, 2015

Art Commission

Barbara Sklar, term ending July 1, 2015

Civil Service Commission

Kate Favetti, term ending June 30, 2017

Commission on the Environment

Angelo King, term ending July 19, 2015

Commission on the Status of Women

Kay Gulbengay, term ending August 2, 2015

Human Rights Commission

Mark Kelleher, term ending June 30, 2015

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointments by the Mayor: (7)

Airport Commission

Eleanor Johns, term ending August 31, 2015

Art Commission

Barbara Sklar, term ending July 1, 2015

Civil Service Commission

Kate Favetti, term ending June 30, 2017

Commission on the Environment

Angelo King, term ending July 19, 2015

Commission on the Status of Women

Kay Gulbengay, term ending August 2, 2015

Human Rights Commission

Mark Kelleher, term ending June 30, 2015

From concerned citizens, urging the Board to find a way to rescind the \$750,000 art contract awarded to Tom Otterness. 3 letters (8)

From Commission on the Environment, regarding the Department's regulations for cell phone disclosure requirements and regulations for the safe drug disposal information ordinance. (9)

From Planning Department, submitting a revised Planning Commission Resolution regarding the City Center Special Sign District. File No. 110448, Copy: Land Use Committee Clerk (10)

From concerned citizens, submitting opposition to the formation of the West Portal Commercial Benefit District. File No. 111007, Copy: Each Supervisor, 17 letters (11)

From Vinton and Kunhing Corporation, submitting support for the proposed project at 1171 Sansome Street. File Nos. 110836 and 110946, Copy: Each Supervisor (12)

From Planning Department, submitting amendments to the Mission Alcoholic Beverage Special Use District. File No. 110767, Copy: Each Supervisor, Land Use Committee Clerk (13)

From Diane Rivera, submitting opposition to the following proposals for the western end of Golden Gate Park: 1) renovation of the Beach Chalet Soccer Fields with artificial turf and stadium lights; and 2) the Westside Recycled Water Treatment Plant. (14)

From Oakland City Attorney, Mark Morodomi, submitting a summary from the Brennan Center for Justice that outlines what various States/Cities are doing regarding capping the amount of public matching funds. File No. 110718, Copy: Each Supervisor (15)

From concerned citizens, submitting support for the Commission on Animal Control and Welfare's humane pet acquisition proposal in defense of animals. 19 letters (16)

From concerned citizens, submitting support for bird safe buildings. File No. 110785, 8 letters (17)

From concerned citizens, submitting opposition to proposed legislation concerning false advertising by limited services pregnancy centers. File No. 110899, 4 letters (18)

From Realty Equities, Inc., submitting opposition to proposed project at 3151-3155 Scott Street. File Nos. 110979 and 110937 (19)

From Laborers' International Union of North America Local Union No. 261, submitting support for the proposed amendments to the Health Care Security Ordinance. File No. 110998, Copy: Each Supervisor (20)

From Francisco Da Costa, regarding the Bayview Opera House. Copy: Each Supervisor (21)

From Ryan Bradley, submitting opposition to the proposed Parkmerced Project. Copy: Each Supervisor (22)

From Office of the Controller, submitting the FY2010-2011 Compliance Reporting Requirements Report. (23)

From Sutton Law Firm, submitting support for proposed legislation regarding capping public matching funds. File No. 110718, Copy: Each Supervisor, 3 letters (24)

From Brady Center to Prevent Gun Violence, submitting support for proposed legislation that: 1) requires a handgun be kept in a locked container or disabled with a trigger lock; and 2) prohibits the sale of enhanced-lethality ammunition. File No. 110901, Copy: Each Supervisor (25)

From Office of the Mayor, regarding amendments to the Health Care Security Ordinance. File No. 110998, Copy: Each Supervisor (26)

From United Brotherhood of Carpenters, submitting support for proposed renovation to the Beach Chalet Athletic Fields in Golden Gate Park. (27)

From Department of Public Health, submitting the FY2010-2011 Deemed Approved Uses Report. Copy: Each Supervisor (28)

From Jon Golinger, on behalf of the Telegraph Hill Dwellers, submitting support for reversing the determination by the Planning Department that the 1171 Sansome Street project is exempt from environmental review. File No. 110947, Copy: Each Supervisor (29)

From Sandy Weil, regarding the difference in noise levels between the Hardly Strictly Bluegrass Festival and the Outside Lands Music Festival. Copy: Each Supervisor (30)

From Airport Commission, submitting the FY2010-2011 Final Revenue and Expenditure Report for the San Francisco International Airport Terminal 2 Promotion Fund. Copy: Each Supervisor (31)

From Cynthia Joseph, regarding the "OccupySF" peaceful protest and assembly. 8 letters (32)

From Bill Quan, regarding some nurses in City government earning \$300,000,000 this past year. Copy: Each Supervisor (33)

From Verizon Wireless, submitting notification of nine cellular antennas to be installed at 500 Parnassus Avenue. (34)

From San Mateo County Transportation Authority, regarding the Wetland Mitigation Restoration Project receiving the Environment Enhancement Project of the year award by the California Transportation Foundation. (35)

From State Fish and Game Commission, regarding proposed regulations for the south coast marine protected areas. Copy: Each Supervisor (36)

From State Fish and Game Commission, regarding proposed regulatory action relating to non-indigenous Coho Salmon. Copy: Each Supervisor (37)

From Department of Health and Human Services, regarding resolution encouraging the Food and Drug Administration to ban the use of menthol in cigarettes. File No. 110740, Copy: Each Supervisor (38)

From Patrick Goggin, submitting his resignation from the Medical Cannabis Task Force. (39)

From Richard Skaff, regarding disability access violations within the Crab House on Pier 39. (40)

*(An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is available at the Clerk's Office Room 244, City Hall.)

ADJOURNMENT