

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, February 1, 2011 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

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*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

##### **Budget and Finance Committee**

Supervisors Chu, Mirkarimi, Kim

Wednesday

1:00 PM

##### **City and School District Select Committee**

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Murase, Norton

2nd and 4th Thursday

3:30 PM

##### **City Operations and Neighborhood Services Committee**

Supervisors Avalos, Mar, Elsbernd

2nd and 4th Monday

10:00 AM

##### **Government Audit and Oversight Committee**

Supervisors Campos, Farrell, Chiu

2nd and 4th Thursday

10:00 AM

##### **Land Use and Economic Development Committee**

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

##### **Public Safety Committee**

Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday

10:30 AM

##### **Rules Committee**

Supervisors Kim, Elsbernd, Farrell

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

**Volume 106 Number 6**

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**Members Present:** John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.*

## **AGENDA CHANGES**

*There were none.*

## **COMMUNICATIONS**

*There were none.*

## **CONSENT AGENDA**

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

#### **101410 [Airport Promotion and Event Fund]**

**Sponsor: Mayor**

Ordinance establishing a special fund to receive donations and authorizing expenditures for the purpose of holding events to promote the opening of the newly renovated Terminal 2 of the San Francisco International Airport; and deleting obsolete provisions.

**Ordinance No. 15-11**

**FINALLY PASSED**

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

**Sponsor: Wiener**

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

**Ordinance No. 14-11**

**FINALLY PASSED**

**Recommendation of the City Operations and Neighborhood Services Committee****110028 [Accept and Expend Grant - San Francisco Renewable Energy Plan - \$250,000]****Sponsor: Mar**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$250,000 from the Sidney E. Frank Foundation to initiate the San Francisco Renewable Energy Plan which will lay out actionable steps to source 100% of San Francisco's electrical demand from renewable energy sources.

**Resolution No. 55-11**

**ADOPTED**

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**REGULAR AGENDA****UNFINISHED BUSINESS**

*There were no items.*

**NEW BUSINESS****Recommendations of the Budget and Finance Committee****101416 [Management Agreement/Lease - Stow Lake Boathouse, LLC - Operation of the Stow Lake Boathouse Concession]****Sponsor: Mar**

Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Stow Lake Boathouse, LLC, for the operation of the Stow Lake Boathouse Concession in Golden Gate Park.

(Supervisor Mirkarimi dissented in committee.)

*Privilege of the floor was granted to Phil Ginsburg, Recreation and Park Director, and Nicholas Kinsey (Recreation and Park) who responded to questions raised throughout the discussion regarding File No. 101416.*

**Resolution No. 51-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

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

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

**Resolution No. 53-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**101579 [Airport Commission Bond-Related Authorizations - Not to Exceed \$1,600,000,000]**

Resolution approving the issuance of not to exceed \$1,600,000,000 aggregate principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds to refinance Airport Bonds and Subordinate Bonds; Approving the issuance of not to exceed \$125,000,000 aggregate principal amount of San Francisco International Airport Special Facilities Bonds to finance and refinance fuel storage and delivery facilities; Approving the maximum interest rates, maturity dates and number of issues of such Refunding Bonds, Subordinate Bonds and Special Facilities Bonds; Approving certain resolutions of the Airport Commission; Approving the forms of certain agreements related to such Bonds and authorizing the execution and delivery thereof; Approving certain amendments to the 1991 Resolution; and Approving certain other related matters. (Airport Commission)

(Fiscal Impact.)

**Resolution No. 50-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110027 [Settlement of Potential Litigation - Asian Art Museum Foundation Bonds - City Assurance to Seek Appropriation for Bonds - \$120,400,000]**

**Sponsors: Mayor; Chiu, Chu and Mar**

Resolution approving the settlement of potential litigation involving the restructuring of the \$120,400,000 California Infrastructure and Economic Development Bank Variable Rate Revenue Bonds, Series 2005 (Asian Art Museum Foundation of San Francisco) (2005 Bonds) through the execution of a Settlement Agreement by and among the City and County of San Francisco, the Asian Art Museum Foundation of San Francisco, JPMorgan Chase Bank, National Association, MBIA Insurance Corporation, National Public Finance Guarantee Corporation, and the Bank of New York Mellon Trust Company N.A., including, among other matters, the form of the Assurance Agreement under which the City will support repayment of the 2005 Bonds, and other additional material terms of such settlement.

(Fiscal Impact.)

*Privilege of the floor was granted to Ben Rosenfield, Controller, Harvey Rose, Budget and Legislative Analyst, Jay Xu, Asian Art Museum of San Francisco Director, and Mark McLoughlin (Asian Art Museum of San Francisco) who responded to questions raised throughout the discussion regarding File No. 110027.*

**Resolution No. 48-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

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

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

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110004 [Mental Health Services Act Contract - Statewide Prevention and Early Intervention - \$3,020,400]**

Resolution supporting the assignment of the Mental Health Services Act Statewide Prevention and Early Intervention allocation, totaling \$3,020,400 to the Joint Powers Authority known as the California Mental Health Services Authority. (Public Health Department)

**Resolution No. 56-11****ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Recommendations of the Land Use and Economic Development Committee****101105 [Environment Code - Existing Commercial Buildings Energy Performance]****Sponsors: Mayor; Chiu, Wiener and Mar**

Ordinance amending the San Francisco Environment Code by adding Chapter 20, Sections 2000 through 2009, to adopt the San Francisco Existing Commercial Buildings Energy Performance Ordinance, requiring owners of nonresidential buildings to conduct Energy Efficiency Audits of their properties and file Annual Energy Benchmark Summaries for their buildings, and making environmental findings.

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**101522 [Public Works Code - Handbill Distribution]****Sponsor: Chiu**

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

**Supervisor Chiu, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED ON FIRST READING to February 15, 2011. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110002 [Exchange of Quitclaim Deeds - San Francisco Unified School District]**

Resolution (1) authorizing and directing execution of a quitclaim deed from the City and County of San Francisco to the San Francisco Unified School District, a political subdivision of the State of California, for 110 public school properties; (2) authorizing and directing the acceptance of a quitclaim deed by the City and County of San Francisco from the San Francisco Unified School District for five properties owned in fee by the City and County of San Francisco; and (3) adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

**Resolution No. 54-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**SPECIAL ORDER 3:30 P.M. - Recognition of Commendations****Privilege of the Floor**

**Supervisor Chiu, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

*Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Ann Herrera of the American Heart Association in recognition of American Heart Month and their continued community support and awareness.*

*Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Women's Initiative for Self Sufficiency in recognition of their accomplishments and continued community support.*

## SPECIAL ORDER 4:00 P.M.

### 101603 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1269 Lombard Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 11, 2010, Case No. 2009.0443E, that a project located at 1269 Lombard Street is exempt from environmental review under Categorical Exemption, Classes 1 and 3 (State CEQA Guidelines Sections 15301(l)(1) and 15303(a)). The proposed project involves demolition of an existing single-family home and construction of two new single-family homes, Lot No. 023 in Assessor's Block No. 0501 (District 2) (Appellant: F. Joseph Butler, on behalf of Little House Committee) (Filed December 23, 2010; Companion Measure to File Nos. 101604, 101605, 101605.)

*The President inquired as to whether any member of the public wished to address the Board. Joseph Butler (Appellant) provided an overview of the appeal and requested the Board to approve the appeal. Greg Campbell; Judith Hoyem; Frank Morrow; Carolyn Suh; Wilma Siegal; Nancy Wuerfel; spoke in support of the appeal. Tina Tam and Joy Navarrete (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Brett Gladstone (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Tom Burwell; Frederick Knapp; Charles Bloszies; Tina Moylan; Rod Handeland; Marvin Reichel; Patricia Handeland; Carol Ann Rodgers; Male Speaker; spoke in support of the project and in opposition to the appeal. Joseph Butler (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING**

### 101604 [Affirming the Exemption Determination - 1269 Lombard Street]

Motion affirming the determination by the Planning Department and Commission that the project located at 1269 Lombard Street is exempt from environmental review.

**Motion No. M11-20**

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

### 101605 [Reversing the Exemption Determination - 1269 Lombard Street]

Motion reversing the determination by the Planning Department and Commission that the 1269 Lombard Street project is exempt from environmental review.

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**101606 [Preparation of Findings to Reverse the Exemption Determination - 1269 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department and Commission that the project located at 1269 Lombard Street is exempt from environmental review.

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

## **COMMITTEE REPORT**

**110017 [Street Vacation - Resolution of Intention - Transbay Transit Center]**

Resolution declaring the intention of the Board of Supervisors to vacate portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way areas and public service easements. (Real Estate Department)

**Resolution No. 47-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*



## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.*  
*James Chaffee; expressed concerns relating to the SF Public Library.*  
*Ray Hartz; expressed concerns relating to government.*  
*Male Speaker; expressed various religious concerns.*  
*Male Speaker; expressed concerns relating to foreign policy.*  
*Peter Warfield; expressed concerns relating to the SF Public Library.*  
*Inez Garibe; spoke in support of proposed KUSF legislation.*  
*Female Speaker; spoke in support of proposed KUSF legislation.*  
*John DiDonna; shared in poem certain concerns with the Board.*  
*Walter Paulson; shared in song certain concerns with the Board.*  
*Male Speaker; expressed various concerns.*  
*Male Speaker; spoke in support of proposed KUSF legislation.*  
*Nick Phelps; spoke in support of proposed KUSF legislation.*  
*Male Speaker (Magaret Dee); spoke in support of proposed KUSF legislation.*  
*Debra Davidson; expressed various concerns.*  
*Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.*  
*Irwin Swirnoff; spoke in support of proposed KUSF legislation.*  
*Barbara Kingerry; spoke regarding her phone banking service.*  
*Jett; spoke in support of proposed KUSF legislation.*  
*Brandon Madley; spoke in support of proposed KUSF legislation.*  
*Crystal Chambers; spoke in support of proposed KUSF legislation.*  
*Daniel Cooper; spoke in support of proposed KUSF legislation.*  
*Alex Thompson; spoke in support of proposed redevelopment legislation.*  
*Eng Joy; spoke in support of proposed KUSF legislation.*  
*J.J. Hollingsworth; spoke in support of proposed KUSF legislation.*  
*Male Speaker; spoke in support of proposed KUSF legislation.*  
*Male Speaker; expressed various concerns.*  
*Male Speaker; spoke in support of proposed KUSF legislation.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **110077 [Accept and Expend Grant - Incarcerated and Formerly Incarcerated Women - \$12,500]**

**Sponsor: Mirkarimi**

Resolution authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of \$12,500 from the van Löben Sels/RembeRock Foundation for partnering with Goodwill and Delancey Street to develop and implement a gender responsive plan for supervision of women on probation.

**Resolution No. 58-11**

**ADOPTED**

**110098 [Approval of TEFRA Hearing for Proposed Loan - Asian Art Museum Foundation - Not to Exceed \$98,400,000]****Sponsor: Chiu**

Resolution approving the TEFRA Hearing in accordance with Section 147(f) of Internal Revenue Code for proposed loan among JPMorgan Chase Bank, National Association, the California Enterprise Development Authority, and the Asian Art Museum Foundation.

**Resolution No. 49-11****ADOPTED****110099 [Urging the California State Legislature to Pass the California Dream Act]****Sponsors: Chiu; Avalos, Campos, Kim, Mar and Mirkarimi**

Resolution urging the California State Legislature to pass AB 130 and AB 131 (collectively, the California Dream Act), to provide equal access to financial aid programs for California students attending the state's public colleges and universities, regardless of a student's immigration status.

**Resolution No. 57-11****ADOPTED**

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Mirkarimi requested that File No. 110100 be severed so that it may be considered separately.*

**110100 [Opposing the Sale of KUSF's FCC License to Broadcast on 90.3 FM]****Sponsors: Mirkarimi; Mar**

Resolution recognizing the long and valuable public service of radio station KUSF, opposing the sale of KUSF's FCC license to broadcast on 90.3 FM, requesting the USF Board of Regents to rescind the decision to transfer KUSF's license and reinstate KUSF programming, and urging San Francisco's Federal representatives to express their opposition to KUSF's sale to the Federal Communications Commission.

**Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED to February 8, 2011. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Cohen requested that File No. 110102 be severed so that it may be considered separately.

**110102 [Opposing Proposed Changes to the FY2011-2012 California State Budget to Eliminate Redevelopment Agencies]**

**Sponsors: Cohen; Kim, Elsbernd, Campos, Avalos, Wiener, Farrell, Chiu and Chu**

Resolution opposing current proposed changes to the FY 2011-2012 California State Budget to eliminate Redevelopment Agencies, urging Governor Brown and the State Legislature to retain the existing authority of Redevelopment Agencies as needed to alleviate blight particularly in disadvantage neighborhoods, produce jobs, build public infrastructure, promote urban infill in furtherance of SB 375 and fund affordable housing development, and further urging Governor Brown and the State Legislature to work with local governments to explore other alternatives to solve the state's fiscal crisis.

**Resolution No. 52-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

## IMPERATIVE AGENDA

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or Mayor

### Ordinances

**110113 [Appropriating \$195,176 of General Fund Property Transfer Tax and Reducing Botanical Garden Fee Revenue for FY2010-2011]**

**Sponsors: Avalos; Mirkarimi, Mar, Campos and Kim**

Ordinance appropriating \$80,000 of General Fund from new property transfer tax and reducing botanical garden fee revenues, which will be rescinded as of March 17, 2011, in the Department of Recreation and Park for FY2010-2011.

(Fiscal Impact.)

02/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110114 [Environment Code - Yellow Pages Distribution Pilot Program]****Sponsors: Chiu; Mar, Mirkarimi and Wiener**

Ordinance adding Chapter 20 to the San Francisco Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages Phone Directories to private residences and businesses in San Francisco, and to reduce neighborhood blight, by restricting distribution to circumstances where: (1) there is personal delivery of the directory to a human being; (2) there has been a request for delivery of the directory to the residence or business; or (3) directories are maintained for pick-up at a distribution center or business open to the public; and mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages Phone Directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings.

02/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/3/2011.

**110115 [Summary Vacation, Jurisdictional Transfer, and Sale of City Property - Ocean Avenue and Phelan Avenue]****Sponsors: Elsbernd; Avalos**

Ordinance: (1) ordering the summary vacation of an approximately 17,050 square foot portion of City property located near Ocean Avenue and Phelan Avenue pursuant to the California Streets and Highways Code Sections 8330 et seq.; (2) authorizing the jurisdictional transfer of such portion of City property from the Department of Public Works to the Municipal Transportation Agency; (3) authorizing the sale of an approximately 25,772 square foot portion of City property located near Ocean Avenue and Phelan Avenue to the San Francisco Redevelopment Agency for \$4,056,580 and the grant of a pedestrian access easement and an emergency fire apparatus access easement over a portion of adjacent City property; (4) adopting environmental findings and other findings that the actions set forth in this Ordinance are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; (5) adopting findings that Administrative Code Chapter 23A does not apply to the sale of such portion of City property; and (6) authorizing other actions in furtherance of this Ordinance.

02/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110116 [Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]****Sponsors: Farrell; Mar and Mirkarimi**

Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 55-X; and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter 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.

02/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/3/2011.

**110117 [Administrative Code - Publication Requirements]****Sponsor: Mirkarimi**

Ordinance amending San Francisco Administrative Code Section 2.97 to define "Summary" for purpose of publishing Public Notices.

02/01/11; RECEIVED AND ASSIGNED to Rules Committee.

## **Resolutions**

### **110118 [Opposing the Metropolitan Transportation Commission's Proposal to Add Voting Members Representing Urban Areas]**

**Sponsors: Wiener; Campos and Avalos**

Resolution opposing the Metropolitan Transportation Commission's proposal to add voting members representing urban areas but excluding San Francisco and other large Bay Area cities, and urging the California State Legislature to oppose the proposal.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **110119 [Supporting Local 87 Janitors at 1 South Van Ness Avenue]**

**Sponsors: Wiener; Kim, Chiu, Avalos, Cohen, Campos and Mirkarimi**

Resolution supporting reinstating the Janitors who have worked at 1 South Van Ness Avenue represented by Local 87.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **110121 [Consolidation of Special Municipal Election with Special Statewide Election Anticipated for June 7, 2011]**

**Sponsor: Chiu**

Resolution calling a Special Municipal Election for June 7, 2011, and consolidating that election with the Statewide Special Election anticipated to be held on the same date.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **110122 [Commending The De Marillac Academy]**

**Sponsors: Elsbernd; Kim, Farrell and Campos**

Resolution commending The De Marillac Academy on the occasion of its tenth anniversary and commending the Academy on its outstanding educational work.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **110123 [Approving a 90-Day Extension for Planning Commission Review of Parking Controls in SoMa and Mission Bay]**

**Sponsor: Kim**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend the San Francisco Planning Code Sections 151, 151.1, 155, 161, 249.1, 249.23, and Part VII of Article 9 to: (1) remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts; (2) require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking; and (3) make parking controls in the Mission Bay Districts that are subject to the Planning Code consistent with requirements of neighboring districts; and making environmental findings, General Plan findings, and other required findings.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 110124 [Condemning Rush Limbaugh for Mocking Chinese President Hu Jintao]**  
**Sponsors: Mar; Avalos, Chu, Campos, Chiu, Kim and Cohen**  
Resolution condemning Rush Limbaugh for mocking the Chinese language and Chinese President Hu Jintao on his radio show on January 19, 2011.  
02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110125 [Apply for Department of Forestry and Fire Protection Grant for Fruit Bearing Trees]**  
**Sponsor: Mayor**  
Resolution authorizing the Department of the Environment of the City and County of San Francisco to apply for funding from the Department of Forestry and Fire Protection (CalFire) as provided through Propositions 40 and 84 for a project to plant fruit bearing trees on appropriate City land.  
02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110126 [Accept and Expend Grant - Implementation of Programs for the Prevention, Care, and Treatment of HIV/AIDS - \$13,001]**  
**Sponsor: Wiener**  
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$13,001 from the University of California San Francisco to participate in a program entitled "Implementation of Programs for the Prevention, Care, and Treatment of HIV/AIDS" for the period of July 1, 2010, through June 30, 2011.  
02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110127 [Accept and Expend Grant - Western States Node of the National Drug Abuse Treatment Clinical Trials Network - \$16,876]**  
**Sponsor: Wiener**  
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$16,876 from the University of California San Francisco to participate in a program entitled "Western States Node of the National Drug Abuse Treatment Clinical Trials Network" for the period of September 1, 2010, through August 31, 2011.  
02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 110128 [Accept and Expend Grant - Integrating I-Tech International AIDS Education and Training Center - \$20,682]**  
**Sponsor: Wiener**  
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$20,682 from the University of California San Francisco to participate in a program entitled "Integrating I-Tech International AIDS Education and Training Center" for the period of April 1, 2010, through March 31, 2011.  
02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110129 [Accept and Expend Grant - Risk Reduction Project - \$27,287]****Sponsor: Wiener**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$27,287 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Risk Reduction Project" for the period of August 1, 2010, through July 14, 2012.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

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

02/01/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

**Requests for Hearing****110130 [Hearing - Controller's Six Month Budget Status Report]****Sponsor: Chu**

Hearing to receive an update from the Controller's Office on the Six Month Budget Status Report.

02/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110131 [Hearing - Economic Impact Study of Nightlife and Entertainment in San Francisco]****Sponsor: Wiener**

Hearing to receive an economic impact study of nightlife and entertainment in San Francisco; requesting that the Controller, with support from the Entertainment Commission, perform an economic impact study of nightlife and entertainment in San Francisco, including for example, the number of jobs generated by the sector, the amount of taxes paid, the number of visitors drawn to San Francisco as a result of the sector, and to assess its results and to discuss potential legislation to support this sector and to ensure that it remains a contributor to San Francisco's economic and cultural life.

02/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110132 [Hearing - Infrastructure Financing District No. 1 - Rincon Hill Area]**

Hearing of persons interested in or objecting to the proposed legislation: (1) creating the Infrastructure Financing District and adopting the Infrastructure Financing Plan for Infrastructure Financing District No. 1 (Rincon Hill Area); (2) calling for a special election and declaring the results for the Infrastructure Financing District No. 1 (Rincon Hill Area); and (3) authorizing the issuance of bonds for the Infrastructure Financing District No. 1 (Rincon Hill Area). (Clerk of the Board)

02/01/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**Introduced by the President at the Request of a Department**

**PROPOSED RESOLUTIONS**

**110054 [Emergency Contract - Replacing Sewer on Polk Street from Bush Street to Pine Street - Not to Exceed \$422,339]**

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the sewer on Polk Street from Bush Street to Pine Street with a contract amount not to exceed \$421,071. (Public Utilities Commission)  
(Fiscal Impact.)

01/21/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110056 [Settlement of Anticipated Litigation Against Office Depot - Receipt of \$4,250,000/Payment of \$48,915.40]**

Resolution approving the settlement of anticipated litigation by the City and County of San Francisco against Office Depot for contract overcharge; the material terms of said settlement are: (1) the City to receive the sum of \$3,750,000 in the form of a check; (2) the City to receive from Office Depot credit in the amount of \$500,000 toward future purchases by the City over the next 5 years; and (3) payment to Office Depot of the sum of \$48,915.40 as full and complete satisfaction of all outstanding balances owed by the City under its office supplies contract with Office Depot.  
(City Attorney)

01/24/11; RECEIVED AND ASSIGNED to Rules Committee.



**Requests Granted**

*From: Supervisor Avalos*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to provide a summary of the trash receptacles located in District 11. Specifically, please provide a map detailing trash receptacle locations and types of containers currently in place.*

*Information on when and where receptacles have been removed and the reason cited for their removal is also requested.*

*Please also include information on comparative analysis on population density to the concentration of receptacles located in other districts.*

*Additionally, options of the various types of receptacle containers currently available would be appreciated.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:*

*108 Haight  
1133 Hayes  
1230 Hayes  
1304 Hayes  
1308 Hayes  
1379 Hayes  
1480 Grove  
170 Lily  
224 Haight  
267 Hickory  
321 Linden  
322 Linden  
376 Ivy  
498 Hayes  
502 Grove  
573 Hayes  
616 Divisadero  
Near 135 Rose  
Near 140 Rose  
940 Grove  
501 Fillmore  
2001 Grove  
207 Gough*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:*

*Potholes, Lights, and Sidewalk Issues  
Intersection of Grove & Broderick, North side of street  
Intersection of Fillmore & Waller, south side of Fillmore, street sinking  
Near 146 Rose*

Near 375 Grove  
Near 1851 Hayes  
Near 1916 Grove

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

Garbage Cans  
Southwest corner Broderick & Hayes  
Southeast corner Scott & Grove  
Opposite 1855 Hayes  
Southwest corner Lyon & Hayes  
Northeast corner Masonic & Haight  
Southwest corner Buchanan & Hayes

Mailboxes  
Southwest corner Fulton & Gough  
Northeast corner Buchanan & Haight  
Near 100 Haight

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

San Francisco Bay Guardian  
Southeast corner of Fillmore and Post  
Southwest corner of Divisadero and Sutter  
9th Avenue and Judah (near bus stops)  
7th Avenue and Irving (near bus stops)  
Northwest corner of Hayes and Fillmore  
Southeast corner of Fillmore and Haight

San Francisco Chronicle  
Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
Irving and 9th Avenue  
Irving and 7th Avenue  
Southwest corner of Haight and Clayton  
Southeast corner of Haight and Masonic

Examiner  
Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore

SF Daily  
Northwest corner of Hayes and Gough

City Star  
Northwest corner of Hayes and Gough  
Southeast corner of Fillmore and Haight

SF Weekly  
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore.

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

*Utility Boxes*

*Southeast corner Octavia and Ivy  
Northeast corner Broderick and Hayes  
Southwest corner Page and Gough  
Southwest corner Hickory and Octavia  
Southwest corner Steiner and Waller*

*Bus Shelters*

*Southwest corner Buchanan and Haight  
Southeast corner Buchanan and Hayes  
Northwest corner Fillmore and Hayes  
Northeast corner Hayes and Fillmore  
Southwest corner Broderick and Hayes  
Northeast corner Pierce and Hayes  
Northwest corner Laguna and Haight  
Northwest corner Steiner and Hayes  
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti).*

*Fire Hydrant*

*2 Haight Street  
Southeast corner Scott and Grove*

*Emergency Boxes*

*Northwest corner Central and Grove  
Southwest corner Gough and Fulton*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:*

*Metal Poles*

*Southwest corner Lily and Octavia  
Southwest corner Page and Octavia  
Southwest corner Hickory and Octavia  
Southwest corner Page and Gough  
Southeast corner Haight and Buchanan  
Northwest corner Haight and Laguna  
In front of 1045 Hayes  
In front of 112 Haight  
In front of 146 Rose  
In front of 445 Hayes  
In front of 48 Haight  
In front of 211 Hickory  
In front of 1570 Hayes  
In front of 527 Hayes  
In front of 1558 Hayes*

*Wood Poles*

*Near 140 Rose  
In front of 376 Ivy*

*In front of 1377 Grove  
In front of 2144 Hayes  
In front of 648 Hayes*

### **In Memoriams**

*James Howard Pye, Jr. – Supervisor Mirkarimi  
Mildred Phyllis Prudhomme – Supervisor Mirkarimi  
Marla Denzer – Supervisor Mirkarimi  
Feng Ping Ou – Board President Chiu  
Qiong Han Chu – Board President Chiu  
Donna Stepanek – Supervisors Elsbernd, Campos, and Chu  
Stuart Everett Brotman – Supervisor Farrell*

### **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:09 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on March 8, 2011.*

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Angela Calvillo, Clerk of the Board