

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - FINAL

Tuesday, May 25, 2010 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,  
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

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

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Wednesday

1:30 PM

##### **Budget and Finance Sub-Committee**

Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday

11:00 AM

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

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

1st and 3rd Thursday

3:30 PM

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

Supervisors Chu, Avalos, Elsbernd

2nd and 4th Monday

10:30 AM

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

Supervisors Mar, Chu, Maxwell

2nd and 4th Thursday

1:00 PM

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

Supervisors Maxwell, Mar, Chiu

Monday

1:00 PM

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

Supervisors Chiu, Mirkarimi, Dufty

1st and 3rd Monday

10:00 AM

##### **Rules Committee**

Supervisors Campos, Alioto-Pier, Mar

1st and 3rd Thursday

10:00 AM

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

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:10 p.m. On the call of the roll, Supervisor Chu was noted absent. Supervisor Chu was noted present at 2:11 p.m.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of April 27, 2010. The motion carried by the following vote:

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

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendations of the Budget and Finance Sub-Committee

#### **100470 [Appropriating Surplus Revenues and Expenditures to Support Cost Overruns in the Department of Public Health for FY2009-2010 - \$20,807,609]**

**Sponsor: Mayor**

Ordinance appropriating \$20,807,609, including appropriating \$19,923,697 of surplus San Francisco General Hospital revenue and \$7,500 of Laguna Honda Hospital revenues, de-appropriating \$876,412 of Laguna Honda Hospital and non-hospital operations expenditures, to fund cost overruns in the Department of Public Health, including \$13,258,088 at San Francisco General Hospital, \$6,176,521 at Laguna Honda Hospital, and \$1,373,000 in non-hospital operations, for FY2009-2010.

(Fiscal Impact.)

**FINALLY PASSED**

**100527 [Accept and Expend Grant - Human Services Agency's Temporary Assistance to Needy Families Emergency Contingency Fund as Part of the American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$20,014,497]**

**Sponsor: Mayor**

Ordinance amending the FY2009-2010 Annual Salary Ordinance (Ordinance No. 183-09) to reflect the addition of temporary and permanent salaries of \$8,496,952 and authorizing the Human Services Agency to retroactively accept and expend a grant in the amount of \$20,014,497 from the United States Department of Health and Human Services, Temporary Assistance to Needy Families Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program.

**FINALLY PASSED**

**Recommendation of the Budget and Finance Committee**

**100362 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]**

**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management services, general security services, information booth services, and shuttle bus services (Airport); paratransit services, comprehensive facility security services, parking citation and collection system, meter coin counting and collection services, towing contract services, and transit shelter maintenance services (MTA); and janitorial services and security services (Port).

**ADOPTED**

**Recommendations of the Rules Committee**

**100358 [Settlement of Lawsuit - Noah Booher - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Noah Booher against the City and County of San Francisco for \$35,000; the lawsuit was filed on March 10, 2009, in the United States District Court for the Northern District of California, Case No. C08-1045 MHP, entitled Noah Booher v. City and County of San Francisco et al. (City Attorney)

**FINALLY PASSED**

**100359 [Settlement of Lawsuit - Betty C. Bullock - \$134,000]**

Ordinance authorizing settlement of the lawsuit filed by Betty C. Bullock against the City and County of San Francisco for \$134,000; the lawsuit was filed on December 1, 2008, in San Francisco Superior Court, Case No. 482347; entitled Betty C. Bullock v. City and County of San Francisco, et al. (City Attorney)

**FINALLY PASSED**

**100361 [Settlement of Lawsuit - Assimina Mavromatis - \$29,500]**

Ordinance authorizing settlement of the lawsuit filed by Assimina Mavromatis against the City and County of San Francisco for \$29,500; the lawsuit was filed on July 6, 2007, in San Francisco Superior Court, Case No. CGC 07-464948; entitled Assimina Mavromatis, et al., v. City and County of San Francisco, et al. (City Attorney)

**FINALLY PASSED**

**100515 [Settlement of Lawsuit - Blackhawk Parent, LLC - \$250,000]**

Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent, LLC, against the City and County of San Francisco for \$250,000; the lawsuit entitled Blackhawk Parent, LLC, v. City and County of San Francisco, Case No. 478-160 filed August 1, 2008, in San Francisco Superior Court. (City Attorney)

**FINALLY PASSED**

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

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

#### **100638 [Adopting Findings Reversing the Exemption Determination for the 424 Francisco Street Project]**

Motion adopting findings reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from further environmental review. (Clerk of the Board)

*Privilege of the floor was granted to Marlena Byrne (City Attorney's Office) who responded to questions raised throughout the discussion regarding File No. 100638.*

Supervisor Chiu, seconded by Supervisor Daly, moved that this Motion be AMENDED, on Page 2, Lines 10-11, by replacing 'shared concerns' with 'finds'; on Page 2, Line 11, by replacing 'supported' with 'to support'; on Page 2, Line 12, by replacing 'project' with 'Project'; on Page 2, Line 15, by replacing 'heard and shared concerns' with 'finds'; on Page 2, Lines 15-16, by replacing 'project' with 'Project'; on Page 2, Line 22, by replacing 'project' with 'Project'; on Page 3, Line 2, by replacing 'project' with 'Project'; on Page 3, Line 3, by adding ', the raising of the building' after 'entrance'; on Page 3, Line 7, by replacing 'The' with 'This Board finds that the'; on Page 3, Line 7, by adding 'public' after 'provide'; on Page 3, Line 8, by replacing 'under' with 'as required by'; on Page 3, Lines 12-17, by moving the entire paragraph to Page 4, Line 23, through Page 5, Line 4; on Page 3, Lines 24-25, by adding 'grants the appeal of the exemption determination and' after 'Supervisors'; on Page 4, Lines 9-12, by adding 'that the categorical exemption is void and that any further consideration of project approval must be preceded by preparation of' after 'directs'; on Page 4, Lines 10-11, by deleting 'the Planning Department to prepare'; and on Page 4, Line 14, by deleting 'of four or more units.' The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Noes: 2 - Alioto-Pier, Elsbernd

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED, on Page 2, Line 11, by deleting 'substantial evidence in the record support a fair argument that'; on Page 2, Line 17, by replacing 'a' with 'this'; on Page 2, Lines 17-18, by deleting '(specifically, a residence, such as this one, of four or more units)'; on Page 2, Lines 18-19, by deleting 'the Broadway Neighborhood Commercial District'; on Page 2, Lines 20-21, by deleting ', the Chinatown Mixed Use Districts, and the Telegraph Hill North Beach Residential Special Use District'; on Page 3, Line 22, by deleting 'substantial' and 'supporting a fair argument'; on Page 4, Lines 7-8, by replacing 'prepare an environmental impact report (EIR)' with 'conduct further environmental review'; on Page 4, Line 9, by replacing 'such EIR' with 'the Department'; on Page 4, Lines 10-11, by replacing 'residential buildings of four or more units' with 'this building'; on Page 4, Line 11, by deleting 'the Broadway Neighborhood Commercial District'; and on Page 4, Lines 12-13, by deleting ', the Chinatown Mixed Use Districts, and the Telegraph Hill North Beach Residential Special Use District.' The motion FAILED by the following vote:

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

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

**APPROVED AS AMENDED by the following vote:**

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

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Sub-Committee

#### **100030 [Amendment to Contract - AnsaldoBreda, Inc., for Light Rail Vehicle Systems Overhaul - Not to Exceed \$68,749,421]**

**Sponsors: Chiu and Dufty**

Resolution approving Amendment One to Contract No. APT 591.01, light rail vehicle doors and steps reconditioning and systems rehabilitation, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda, Inc., to rehabilitate the trucks of 34 light rail vehicles, at the cost of \$11,996,867 for a total contract amount not to exceed \$68,749,421 and to extend the term of the contract from five years to six years.

**ADOPTED by the following vote:**

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

#### **100502 [2010 Equipment Lease Supplement No. 16 - Not to Exceed \$11,500,000]**

**Sponsor: Mayor**

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 16 (Series 2010A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$11,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith. (Fiscal Impact.)

**ADOPTED by the following vote:**

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

#### **100534 [Water Revenue Bonds Issuance - 2010]**

**Sponsor: Mayor**

Resolution approving the issuance of water revenue bonds and water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

**ADOPTED by the following vote:**

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

#### **100488 [Recreation and Park Department - Coit Tower Non-Resident Fees]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.06, to establish non-San Francisco resident fees for the elevator at Coit Tower, and making environmental findings.

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

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

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**From the Budget and Finance Sub-Committee Without Recommendation****100469 [Recreation and Park Department - Botanical Garden Non-Resident Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46, to establish admission fees to the Botanical Garden for non-San Francisco residents, and making environmental findings.

**Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, on Page 5, Lines 7-9, by replacing 'In the event the Department receives new tax revenue in future years it shall rescind the non-resident fee for entrance to the Botanical Gardens' with 'If the Department receives revenue from new tax that can be used for operating and maintenance costs at the Botanical Gardens, authority to collect the non-resident fee for entrance to the Gardens shall expire by operation of the law within 90 days after the effective date of the new tax.' The motion carried by the following vote:**

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

**Supervisor Mirkarimi, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, on Page 5, Lines 10-12, by replacing 'With its budget submission for Fiscal Year 2011-12, the Department shall report to the Budget Finance on its collection of the non-resident fee for entrance to the Botanical Gardens' with 'The Department shall provide biannual reports to the Budget and Finance Committee on its collection of the non-resident fee for entrance to the Botanical Gardens, such reports shall include the following information: 1. Attendance figures for San Francisco residents, Members of San Francisco Botanical Garden Society, and Non-San Francisco residents; 2. Capital improvements and operating costs of the Botanical Gardens; 3. Capital improvements and operating costs associated with the collection of the non-resident fee, including a new resident fee; 4. The numbers of San Francisco Botanical Garden Society members; and 5. Gifts and donations received by the Department for the Botanical Garden.' The motion carried by the following vote:**

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

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

Ayes: 8 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Elsbernd, Maxwell

Noes: 3 - Dufty, Mar, Mirkarimi

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

### Privilege of the Floor

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

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

*Supervisor Dufty introduced, welcomed, and presented a Certificate of Honor to Bishop Senyonjo of Uganda in recognition of his human rights advocacy. Privilege of the floor was granted to Andrea Shorter (Commission on the Status of Women) who shared in the sentiments expressed by Supervisor Dufty.*

*Supervisor Chu, introduced, welcomed, and presented Certificates of Honor to Paul Yep, Curtis Liu, Barrett Chan, Andy Ting, Daryl Fong, and Henry Seto, of the San Francisco Asian Police Officers Association in recognition of their accomplishments organizing a fundraiser for the families and victims of the recent anti-Asian violence and for their continued community support.*

*Supervisor Campos presented a Certificate of Honor to Supervisor Dufty in recognition of being a role model as an advocate and parent in the LGBT community and his work with Family Builders Agency.*

*Supervisor Maxwell introduced, welcomed, and presented a Certificate of Honor to Dr. Davi Pakter of the Healing Project at Potrero Hill Health Center in recognition of the project's accomplishments and continued community support.*

## COMMITTEE REPORT

### Recommendation of the Rules Committee

#### **100603 [Appointment, Police Commission - Angela Chan]**

Motion confirming the Rules Committee's nomination of, and appointing, Angela Chan, term ending April 30, 2014, to the San Francisco Police Commission. (Clerk of the Board)  
Angela Chan, seat 2, succeeding Vincent Pan, term expired, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors for the unexpired portion of a four-year term ending April 30, 2014.

**APPROVED** by the following vote:

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

*Privilege of the floor was granted to Harvey Rose (Budget Analyst) who responded to the sentiments shared by the Board of Supervisors of the passing of Ken Bruce.*



## PUBLIC COMMENT

*Abdullah Megaheed; expressed various concerns.*  
*James Chaffee; expressed concerns relating to the SF Public Library.*  
*Peter Alexander; expressed various concerns.*  
*Male Speaker; expressed concerns relating to Recreation and Park services.*  
*Doug Moore; expressed concerns relating to a Police Department matter.*  
*Douglas Yep; expressed concerns relating to a Police Department matter.*  
*Walter Paulson; shared in song certain concerns with the Board.*  
*Robin; expressed support for Lyme Disease Month proclamation.*  
*Lydia Morales; expressed support for the Healing Project at Potrero Hill Health Center.*  
*Rozalina Gutman; expressed support for the Healing Project at Potrero Hill Health Center.*  
*Male Speaker; expressed concerns relating to war.*  
*Female Speaker; expressed concerns relating to war.*  
*Carina; expressed support for the proposed secure communities opt-out legislation.*  
*Morgan Basquez; expressed support for the proposed secure communities opt-out legislation.*  
*Angela Chan; expressed support for the proposed secure communities opt-out legislation.*  
*John DiDonna; shared in poem certain concerns with the Board.*  
*Cathy Graham; expressed various concerns.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*Supervisor Elsbernd was noted absent at 4:02 p.m. for the remainder of the meeting.*  
*Supervisor Daly was noted absent at 4:08 p.m. Supervisor Daly was noted present at 4:39 p.m.*  
*Supervisor Maxwell was noted absent at 4:12 p.m. Supervisor Maxwell was noted present at 4:40 p.m.*  
*Supervisor Alioto-Pier was noted absent at 4:20 p.m. Supervisor Alioto-Pier was noted present at 4:36 p.m.*

### **100651 [Calling on State, Federal, and International Lawmakers to Ensure Fair and Just Treatment of Domestic Workers]**

**Sponsors: Mar; Campos, Avalos, Chiu, Mirkarimi, Maxwell, Dufty and Daly**

Resolution calling on State, Federal, and International Lawmakers to ensure fair and just treatment of domestic workers.

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

**ADOPTED**

### **100653 [Supporting the 2010 National Asian Pacific Islander American Historic Preservation Forum]**

**Sponsor: Chiu**

Resolution supporting the 2010 National Asian Pacific Islander American Historic Preservation Forum to protect and preserve the legacies of Asian and Pacific Islander cultures in America.

**ADOPTED**

**100655 [Proclaiming Lyme Disease Awareness Month - May 2010]****Sponsors: Alioto-Pier; Dufty**

Resolution proclaiming May 2010, as Lyme Disease Awareness Month in the City and County of San Francisco.

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

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

Absent: 1 - Elsbernd

**Severed from the For Adoption Without Committee Reference Agenda***Supervisor Chu requested that File Nos. 100650 and 100652 be severed so that they may be considered separately.***100650 [Urging to Opt-Out of "Secure Communities"]****Sponsors: Mar; Campos, Avalos, Maxwell, Daly, Mirkarimi, Chiu and Dufty**

Resolution urging the San Francisco Sheriff's Department, the Juvenile Probation Department and the San Francisco Police Department to opt-out of participating in the Police Immigration and Customs Enforcement collaboration program known as "Secure Communities."

**Supervisor Chu, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED to June 8, 2010. The motion carried by the following vote:**

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

Absent: 1 - Elsbernd

**100652 [Opposing Assembly Bill 2650 - Regarding Unnecessary Regulations and Intrusion into the City and County's Authority]****Sponsor: Daly**

Resolution opposing Assembly Bill 2650, opposing unnecessary State intrusions on the City and County's land use and regulatory authority, and urging San Francisco's State Representatives to oppose this bill and any similar legislation to unnecessarily regulate the location of medical cannabis facilities in contravention of existing or future local ordinances.

**Supervisor Chu, seconded by Supervisor Daly, moved that this Resolution be CONTINUED to June 8, 2010. The motion carried by the following vote:**

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

Absent: 1 - Elsbernd

Supervisor Avalos requested that File No. 100654 be severed so that it may be considered separately.

### **100654 [Gift for the Repair and Maintenance of the Crocker Amazon Football Field]**

**Sponsors: Avalos; Elsbernd**

Resolution authorizing and approving a Gift from Sacred Heart Cathedral Preparatory for up to \$30,000 for renovations of the Crocker Amazon football field; and \$39,884 for the salary of a half-time gardener for one year, to be made on a monthly basis.

Supervisor Avalos, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED on Page 1, Line 12, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'; on Page 1, Line 14, by adding 'and other outdoor sports'; on Page 1, Line 15, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'; on Page 1, Line 17, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'; on Page 1, Line 20, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'; and on Page 1, Line 24, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi  
Absent: 1 - Elsbernd

**ADOPTED AS AMENDED by the following vote:**

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi  
Absent: 1 - Elsbernd

## **IMPERATIVE AGENDA**

*There were none.*

## **LEGISLATION INTRODUCED AT ROLL CALL**

### **Introduced by a Supervisor or Mayor**

### **Ordinances**

#### **100671 [Smoking Prohibition Signage Requirement]**

**Sponsor: Mar**

Ordinance amending San Francisco Health Code Section 1009.22 to clarify signage language requirement.

05/25/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/24/2010.

**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.

05/25/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/24/2010.

**100675 [Zoning - Presidio-Sutter Special Use District at 800 Presidio Avenue]****Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property 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 50-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.

05/25/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/24/2010.

**100624 [Memorandum of Understanding, Amendment No. 4 - Union of American Physicians and Dentists (Unit 8-CC)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

05/24/10; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

**100625 [Memorandum of Understanding, Amendment No. 3 - Union of American Physicians and Dentists (Unit 11-AA)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

05/24/10; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

**100617 [Memorandum of Understanding - Transport Workers Union of America, Local 200]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **Resolutions**

### **100666 [Accept and Expend Grant - State Food and Agricultural Projects - \$11,188.77]**

**Sponsor: Maxwell**

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$11,188.77 from the California Department of Food and Agriculture for the period of July 1, 2010, through June 30, 2011.

05/25/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **100667 [Proclaiming Elizabeth Rojas-Colville Day - June 24, 2010]**

**Sponsor: Daly**

Resolution proclaiming June 24, 2010, as Elizabeth Rojas-Colville Day in the City and County of San Francisco.

05/25/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **100668 [Enterprise Zone Targeted Employment Area]**

**Sponsor: Chiu**

Resolution approving the boundaries of the City and County of San Francisco Enterprise Zone Targeted Employment Area.

05/25/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **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.

05/25/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### **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.

05/25/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100672 [Amendment to Agreement - Titan Outdoor for Advertising on San Francisco Municipal Transportation Agency Property]****Sponsor: Elsbernd**

Resolution approving Amendment One to the Agreement for Advertising on San Francisco Municipal Transportation Agency Property between the City and Titan Outdoor, LLC, to allow advertising window wraps on up to 5% of the San Francisco Municipal Transportation Agency's buses and up to 10% of the San Francisco Municipal Transportation Agency's light rail vehicles and to change the approval requirements for advertising in parking garages.

05/25/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**100673 [Accept and Expend Grant - Prevention Umbrella for MSM in the Americas - \$101,261]****Sponsors: Chu; Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$101,261 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "Prevention Umbrella for MSM in the Americas" for the period of April 1, 2010, through March 31, 2011.

05/25/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**Motion****100678 [Closed Session - Update on Labor Negotiations Concerning City Workers from the Mayor's Office and the Department of Human Resources]****Sponsor: Avalos**

Motion that the Budget and Finance Committee convene in closed session with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e).

05/25/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests for Hearing****100676 [Climate Action Plans]****Sponsor: Mirkarimi**

Hearing to review the status of City departments' Climate Action Plans, pursuant to Environment Code Section 903.

05/25/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**100677 [Commission on the Status of Women's Justice and Courage Oversight Panel Report - Courage to Change]****Sponsor: Chiu**

Hearing to present the Commission on the Status of Women's Justice and Courage Oversight Panel Report "Courage to Change," documenting two years of work by City agencies to address gaps in the criminal justice system's response to domestic violence.

05/25/10; RECEIVED AND ASSIGNED to Public Safety Committee.

**100679 [Service Impacts on Mayor's Proposed Human Services Agency and Department of Aging and Adult Services Budgets for FY2010-2011]****Sponsor: Avalos**

Hearing to consider service impacts of the Mayor's proposed Human Services Agency and Department of Aging and Adult Services budgets for FY2010-2011.

05/25/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Introduced by President at Request of Departments****PROPOSED ORDINANCE****100360 [Recreation and Park Department - Harding Park Fees]**

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.12, to increase greens fees at Harding Park and Fleming Golf Courses, and making environmental findings. (Recreation and Park Department)

04/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

05/21/10; SUBSTITUTED.

05/21/10; ASSIGNED to Budget and Finance Committee.

**PROPOSED RESOLUTIONS****100605 [Contract with Toyon Associates, Inc., to Provide Regulatory Reporting, Reimbursement and Revenue Optimization Services]**

Resolution authorizing the San Francisco Department of Public Health to extend the contract between the City and County of San Francisco and Toyon Associates, Inc., to provide regulatory reporting, reimbursement and revenue optimization services. (Public Health Department)

05/12/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**100606 [California Environmental Quality Act Findings for San Francisco Public Utilities Commission Crystal Springs/San Andreas Transmission Upgrade Project]**

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Crystal Springs/San Andreas Transmission Upgrade Project, part of the Water System Improvement Program for the improvements to the regional water supply system, otherwise known as Project No. CUW37101, including the Mitigation Habitat Actions at two sites in San Mateo County; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

05/17/00; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100607 [Adopting California Environmental Quality Act Findings for Sunnydale Sewer System Improvement Project]**

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CENMSCIC23, Sunnydale Sewer System Improvement Project, in the Visitacion Valley and Sunnydale neighborhood areas, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

05/17/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.



**Requests Granted**

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*San Francisco Bay Guardian*

*Southeast corner of Fillmore and Post*

*Southwest corner of Divisadero and Sutter*

*9th Avenue and Judah (near bus stops)*

*7th Avenue and Irving (near bus stops)*

*Northwest corner of Hayes and Fillmore*

*Southeast corner of Fillmore and Haight*

*San Francisco Chronicle*

*Northwest corner of Fillmore and Hayes*

*Southeast corner of Haight and Fillmore*

*Irving and 9th Avenue*

*Irvine 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*

*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 private property locations:*

*901 Divisadero*

*500 Page, on the Fell side*

*1779 Fulton*

*593 Haight*

*798 Haight*

*751 Fulton*

*1859 Fulton*

*546 Haight*

*528 Haight*

*507 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 utility poles at the following locations:*

*Wood Pole  
Southeast corner Haight & Fillmore*

*Metal Poles  
In front of 312 Fillmore  
In front of 2225 Turk*

*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  
Northeast corner Broderick & Hayes  
Northeast corner Oak & Broderick  
Northeast corner Pierce & Waller*

*Bus Shelters  
Southeast corner Buchanan & Hayes  
On Masonic near Oak  
Fillmore and Haight (all 4 bus stops, graffiti and grime)*

*Emergency Boxes  
Northeast corner Fillmore & Haight  
Northeast Broderick & Hayes*

*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  
Northwest corner Fulton & Clayton  
Northwest corner Haight & Fillmore*

*Mailbox  
Southwest corner Turk & Baker  
Southwest corner McAllister & Broderick*

*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 and Sidewalk issues  
On Hayes, between Lyon & Baker, North side  
On Fillmore & Waller, South of Waller near crosswalk; sink hole/asphalt cracking*

*From: Supervisor Mirkarimi  
To: Director, Mayor's Office of Economic and Workforce Development  
To: Director, Recreation and Parks Department  
Requesting/Inquiring: Requesting the Mayor's Office of Economic and Workforce Development and the Recreation and Parks Department to report on any efforts that were made to petition the United States Soccer Federation to include Candlestick Park as a candidate venue for the United States' bid to host the 2018 and 2022 FIFA World Cups.*

*From: Supervisor Mar  
To: City Attorney  
Requesting/Inquiring: Requesting the City Attorney to look into drafting legislation that would require that gifts of public open space or public parks be gifted to the Recreation and Park Department.*

*From: Supervisor Alioto-Pier  
To: City Attorney  
Requesting/Inquiring: Requesting the City Attorney to draft an amendment to the Planning Code to require Other Entertainment Uses to be a conditional use in the Van Ness Special Use District.*

*From: Supervisor Alioto-Pier  
To: Director, Mayor's Office of Housing  
Requesting/Inquiring: Please provide a report on the number of affordable housing units in San Francisco specifically targeted to youth or young adults up to the age of 25. Provide the number of units that are fully accessible for youth and young adults with disabilities.*

## **In Memoriams**

*Mary Lou Nordland Bodo – Supervisor Dufty  
John Ring – Supervisors Elsbernd, Chu, Dufty, and Alioto-Pier  
Ken Bruce – Entire Board  
Cynthia Elaine Knight-Selmar – Supervisor Maxwell  
Steve Wiezbowski – Supervisor Chiu*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 4:44 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 June 29, 2010.*

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Angela Calvillo, Clerk of the Board