



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, July 27, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee
Supervisors Avalos, Mirkarimi, Elsbernd

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

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

Government Audit and Oversight Committee
Supervisors Mar, Chu, Daly

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

Public Safety Committee
Supervisors Chiu, Mirkarimi, Elsbernd

Rules Committee
Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
1:30 PM

Wednesday
11:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
10:30 AM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

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 at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting 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 en una reunion debe recibirse antes de mediodia 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 and the Committee Room 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, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. 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, by phone at (415) 554-7724, by 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 www.sfgov.org/ethics

Agenda Item Information

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

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the June 22, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

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

Items 1 through 5

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

1. [100703](#) **[Planning Code Amendments to Update Fees for Cost Recovery]**
Sponsor: Mayor
 Ordinance amending the San Francisco Planning Code, Article 3.5, by amending Sections 350, 351, 352, 353, 354, 355, and 358, to increase fees 2.61%, and an additional 2.04% for all fees except those associated with small projects for cost recovery; add a new fee for Conditional Use Applications for Wireless Telecommunication Services Facilities; increase the Discretionary Review filing fee; and make other adjustments for cost recovery.

Attachments: [Legislation Ver1](#)
[Comm Packet 062110](#)
[Comm Packet 062810](#)
[Comm Packet 070910](#)

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [100724](#) **[Update to Environmental Review Fees to Increase Fees for Cost Recovery, Establish a New Fee for Mitigation and Conditions of Approval Monitoring, and Make Other Clarifying Changes]**

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code, Chapter 31, Articles IV and V, by amending Sections 31.22, 31.23, and 31.24, to increase all fees 2.61% which is the cost of living adjustment, and an additional 2.04% for cost recovery, further increase Categorical Exemption Class 32, Negative Declaration and Environmental Impact Report addendum fees for cost recovery, change the timing of Environmental Impact Report payments, add a new fee for mitigation and condition of approval monitoring, and for the Municipal Transportation Agency and Public Utilities Commission for Categorical Exemption Certificates, clarify phase collection payments and refund policy, and establish a processing fee for phased payments.

Attachments: [Legislation Ver1](#)

[Comm Packet 062110](#)

[Comm Packet 062810](#)

[Comm Packet 070910](#)

[Legislation Ver2](#)

[Board Packet 072010](#)

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

3. [100882](#) **[Waiver of Street Encroachment Permit Fee for Golden Gate Transportation District]**

Sponsor: Elsbernd

Ordinance waiving the street encroachment permit processing fee in Public Works Code Section 2.1.1(j) for signs related to bus service for the Golden Gate Bridge, Highway, and Transportation District.

Attachments: [Legislation Ver1](#)

[Com Packet 071410](#)

[Board Packet 072010](#)

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

4. [100856](#) **[Settlement of Lawsuit - Jeffrey Bitton, Sandra Bitton and Micha Bitton - \$48,500]**

Ordinance authorizing settlement of the lawsuit filed by Jeffrey Bitton, Sandra Bitton, and Micha Bitton against the City and County of San Francisco for \$48,500; the lawsuit was filed on December 15, 2008, in the United States District Court, Northern District of California, Case No. C08-5585; entitled Jeffrey Bitton, et al. v. City and County of San Francisco, et al. (City Attorney)

- Attachments:** [Legislation_VER1](#)
[Committee Packet_071210](#)
[Board Packet_072010](#)

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [100857](#) **[Settlement of Attorney's Fees/Costs Claim in Lawsuit - A.N.S.W.E.R. Coalition - \$90,000]**

Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by A.N.S.W.E.R. Coalition - San Francisco in litigation against the City and County of San Francisco for \$90,000; the lawsuit was filed on June 16, 2006, in San Francisco Superior Court, Case No. CPF-06-506438; entitled A.N.S.W.E.R. Coalition - San Francisco v. City and County of San Francisco. (City Attorney)

- Attachments:** [Legislation_VER1](#)
[Committee Packet_071210](#)
[Board Packet_072010](#)

07/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

(Charter Section 9.100 provides the Board shall not adopt the Budget no later than August 1, 2010.)

6. [100701](#) **[Proposed Consolidated Budget and Annual Appropriation Ordinance, FYs Ending June 30, 2011, and June 30, 2012]**

Sponsor: Mayor

Proposed Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

- Attachments:** [Comm_Packet_061710](#)
[Budget_Analyst_061610](#)
[Budget_Analyst_061710](#)
[Comm_Packet_062310](#)
[Comm_Packet_062410](#)
[Comm_Packet_062110](#)
[Budget_Analyst_062310](#)
[Budget_Analyst_062310-2](#)
[Budget_Analyst_062410](#)

[Comm_Packet_062810](#)
[Comm_Packet_063010](#)
[Board_Packet_071310](#)

07/13/2010; CONTINUED ON FIRST READING.

07/20/2010; AMENDED.

07/20/2010; AMENDED.

07/20/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

7. [100747](#) **[Proposed Annual Salary Ordinance, FY Ending June 30, 2011, for all Departments, and for FY Ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission]**

Sponsor: Mayor

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2011, for all departments and for FY ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

Attachments: [Comm Packet 061610](#)

[Comm Packet 061710](#)

[Comm Packet 062310](#)

[Comm Packet 062410](#)

[Comm Packet 062110](#)

[Comm Packet 062810](#)

[Comm Packet 063010](#)

[Board Packet 071310](#)

[Board Packet 072710](#)

07/13/2010; CONTINUED ON FIRST READING.

07/20/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Mirkarimi, Elsbernd, Maxwell, Campos

8. [100750](#) **[Increase the Real Property Transfer Tax]**
Sponsor: Avalos
Motion ordering submitted to the voters an ordinance authorizing an amendment to the Real Property Transfer Tax at an election to be held on November 2, 2010.

(Economic Impact.)

Attachments: [Legislation Ver1](#)
[Comm Packet 070910](#)
[Comm Packet 071410](#)
[Board Packet 072010](#)

07/20/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

9. [100756](#) **[Establishing a Progressive Payroll Expense Tax Rate Structure and Reducing Selected Payroll Expense Tax Rates; Imposing a Gross Receipts Tax on the Rental of Commercial Real Property]**
Sponsor: Chiu
Motion ordering submitted to the voters an ordinance revising the payroll expense tax to establish a progressive tax rate structure and reducing selected payroll expense tax rates and imposing a gross receipts tax on the rental of commercial real property, at an election to be held on November 2, 2010.

(Economic Impact.)

Attachments: [Legislation VER1](#)
[Legislation Ver2](#)
[Economic Impact 062810](#)
[Comm Packet 070910](#)
[Comm Packet 071410](#)
[Board Packet 072010](#)

07/20/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

10. [100759](#) [Parking Tax Increase and Tax on Valet Services]**Sponsor: Mirkarimi**

Motion ordering submitted to the voters an ordinance authorizing the "Ordinance amending San Francisco Business and Tax Regulations Code, Article 9, Sections 602 and 602.5 (Tax on Occupancy of Parking Space in Parking Station) to increase the tax rate from 15% to 25%, making the total tax rate, including the existing surcharge, 35%; amending Section 601 to clarify the definition of "Operator" and "Occupant" and to add a new definition of "Valet Parking Service Provider;" and adding Section 602B to impose an additional tax of 35% on gross receipts from valet parking services" at an election to be held on November 2, 2010.

(Economic Impact.)

Attachments: [Legislation VER1](#)

[Comm Packet 070910](#)

[Comm Packet 071410](#)

[Board Packet 072010](#)

07/20/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

From the Board**11. [100989](#) [Bayview Hunters Point Redevelopment Plan]**

Motion adopting findings in response to written objections to adoption of an amendment to the Bayview Hunters Point Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Redevelopment Plan, pursuant to the requirements of the California Community Redevelopment Law. (Clerk of the Board)

07/19/2010; REFERRED to the Board of Supervisors.

Question: Shall this Motion be APPROVED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Mar, Chiu

12. [100658](#) [Bayview Hunters Point Redevelopment Project Area]**Sponsors: Mayor; Maxwell**

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

Attachments: [Legislation Ver1](#)[Leg Digest Ver1](#)[Response RDA 061110](#)[Response PLN 061110](#)[Response PUC 061110](#)[Response Port 061110](#)[Comm Packet 061410](#)[Response PAC 070910](#)[Comm Packet 071210](#)[Legislation Ver2](#)[Board Packet 071310](#)

07/13/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?**From the Board****13. [100988](#) [Hunters Point Shipyard Redevelopment Plan]**

Motion adopting findings in response to written objections to adoption of an amendment to the Hunters Point Shipyard Redevelopment Plan delivered to the Clerk of the Board of Supervisors before or at the public hearing on adoption of the Redevelopment Plan, pursuant to the requirements of the California Community Redevelopment Law. (Clerk of the Board)

Attachments: [Board Packet 072710](#)

07/19/2010; REFERRED to the Board of Supervisors.

Question: Shall this Motion be APPROVED?**From the Land Use and Economic Development Committee Without Recommendation***Present: Supervisors Maxwell, Mar, Chiu*

14. [100659](#) [Hunters Point Shipyard Redevelopment Project Area]**Sponsors: Mayor; Maxwell**

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

Attachments: [Legislation Ver1](#)[Leg Digest Ver1](#)[Response RDA 061110](#)[Response PLN 061110](#)[Response PUC 061110](#)[Response Port 061110](#)[Comm Packet 061410](#)[Comm Packet 071210](#)[Legislation Ver2](#)[Board Packet 071310](#)

07/13/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?**From the Board****15. [100772](#) [Report of Assessment Costs for Sidewalk and Curb Repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

Attachments: [Legislation_VER1](#)[Board_Packet_062910](#)

06/29/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

16. [100891](#) **[Report of Assessment Costs for Blighted Property Located at 1232 Noriega Street]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted property located at 1232 Noriega Street ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

06/29/2010; DIVIDED.

06/29/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

17. [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)

Attachments: [Legislation VER1](#)

[Comm Packet 072110](#)

Question: Shall this Resolution be ADOPTED?

18. [100814](#) **[Amendment to Treasure Island Development Authority Contract with AMEC Geomatrix, Inc. - Not to Exceed \$1,799,000]**

Sponsor: Mayor

Resolution approving an amendment to the contract between the Treasure Island Development Authority and AMEC Geomatrix, Inc. to extend the term through June 30, 2011, and to increase the contract by an amount not to exceed \$180,000 for a new total amount not to exceed \$1,799,000 for environmental consulting services.

Attachments: [Legislation VER1](#)

[Comm Packet 072110](#)

Question: Shall this Resolution be ADOPTED?

19. [100860](#) **[Amendment to Maintenance and Management Agreement Between the San Francisco Port Commission and the San Francisco Redevelopment Agency for Rincon Park]**

Resolution authorizing and directing the Port Executive Director to retroactively execute the Third Amendment to the Maintenance and Management Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for the maintenance and management of Rincon Park by the Port, extending the term of the Agreement from July 1, 2010, to June 30, 2013. (Port)

Attachments: [Legislation Ver1](#)
[Comm Packet 072110](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Chiu

20. [100693](#) **[Mission Bay North-Block N1 Public Infrastructure Improvements]**

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

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 071910](#)
[Board Packet 072710](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. [100852](#) **[Mission Bay South - Park P17 Improvements]**
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P17, lying along Mission Bay Boulevard North, Mission Bay Boulevard South and Terry A. Francois Boulevard for public use and naming the new park "Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,716 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Attachments: [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Comm_Packet_071910](#)
[Board_Packet_072710](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. [100853](#) **[Mission Bay South - Park P18 Improvements]**
Ordinance dedicating a portion of State Trust Parcel 5, known as Park P18, lying along Terry A. Francois Boulevard between Mission Bay Boulevard North and China Basin Street for public use and naming the new park "Bayfront Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,715 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Attachments: [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Comm_Packet_071910](#)
[Board_Packet_072710](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [100883](#) **[Agreement Regarding the Exchange of Fire Station No. 1 Located at 676 Howard Street and Portions of Hunt Street for 935 Folsom Street and a Replacement Fire Station]**

Sponsor: Mayor

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

Attachments: [Legislation_Ver1](#)

[Leg_Digest_Ver1](#)

[Response_PLN_071310](#)

[Comm_Packet_071910](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. [100639](#) **[Permits for Commercial Parking Garages and Lots]**

Sponsor: Alioto-Pier

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

Attachments: [Legislation_Ver1](#)

[Leg_Digest_Ver1](#)

[Response_Small_071310](#)

[Comm_Packet_071910](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. [100467](#) **[Zoning Map Amendment for One Capitol Avenue]**
Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of San Francisco for the real property at One Capitol Avenue (Assessor's Block No. 7148/Lot No. 040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential, House, One-Family) Zoning District; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

Attachments: [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Comm_Packet_071910](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. [100804](#) **[Interim Zoning - Requiring Conditional Use Authorization for Change in Use or Reduction of Child Care Facilities]**

Sponsors: Alioto-Pier; Dufty, Daly, Chiu and Maxwell

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any child care facility that serves more than 13 children, for an 18 month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

Attachments: [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Response_PLN_061810](#)
[Response_Small_071310](#)
[Comm_Packet_071910](#)

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Mar, Chiu

27. [100572](#) **[CEQA Findings, Candlestick Point - Hunters Point Shipyard Phase II Project]**
Sponsors: Mayor; Maxwell

Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations in connection with the development of the Hunters Point Shipyard and Candlestick Point, as envisioned in the Hunters Point Shipyard Redevelopment Plan, the Bayview Hunters Point Redevelopment Plan, and the Conceptual Framework for integrated development of the Hunters Point Shipyard and Candlestick Point endorsed by the Board of Supervisors and the Mayor in May 2007 and approved by the voters in 2008 through passage of Proposition G, the Jobs, Parks and Housing Initiative.

Attachments: [Legislation Ver1](#)

[Comm Packet 061410](#)

[Response RDA 061110](#)

[Response PLN 061110](#)

[Comm Packet 071210](#)

[Legislation Ver2](#)

[Board Packet 072710](#)

Question: Shall this Resolution be ADOPTED?

28. [100574](#) **[General Plan Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**

Sponsors: Mayor; Maxwell

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

Attachments: [Legislation_ver1](#)

[Leg_Digest_Ver1](#)

[Comm Packet 061410](#)

[Response PLN 061010](#)

[Response SBC 063010](#)

[Comm Packet 071210](#)

[Response PLN 071410](#)

[Board Packet 072710](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. [100575](#) [Hunters Point Shipyard - Health Code Amendment]**Sponsors: Mayor; Maxwell**

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

Attachments: [Legislation Ver1](#)[Leg_Digest Ver1](#)[Comm Packet 061410](#)[Response DPH 063010](#)[Comm Packet 071210](#)[Legislation Ver2](#)[Board Packet 072710](#)**Question: Shall this Ordinance be PASSED ON FIRST READING?****30. [100576](#) [Hunters Point Shipyard - Public Works Code Amendment]****Sponsors: Mayor; Maxwell**

Ordinance amending the Public Works Code to amend Section 2.3.1 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

Attachments: [Legislation Ver1](#)[Comm Packet 061410](#)[Comm Packet 071210](#)[Legislation Ver2](#)**Question: Shall this Ordinance be PASSED ON FIRST READING?****31. [100577](#) [Hunters Point Shipyard - Building Code Amendment]****Sponsors: Mayor; Maxwell**

Ordinance amending the Building Code to amend Section 106A.3.2.5 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

Attachments: [Legislation Ver1](#)[Comm Packet 061410](#)[Response BIC 070910](#)[Legislation Ver2](#)**Question: Shall this Ordinance be PASSED ON FIRST READING?**

32. [100578](#) **[Zoning Map Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**

Sponsors: Mayor; Maxwell

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

Attachments: [Legislation_Ver1](#)

[Leg_Digest_Ver1](#)

[Comm_Packet_061410](#)

[Response_PLN_061010](#)

[Comm_Packet_071210](#)

[Econ_Impact_071210](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. [100579](#) **[Zoning - Establishment of the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, and Special Height and Bulk Provisions for the Special Use Districts]**

Sponsors: Mayor; Maxwell

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

Attachments: [Legislation_Ver1](#)

[Leg_Digest_Ver1](#)

[Comm_Packet_061410](#)

[Response_PLN_061010](#)

[Response_PLN_063010](#)

[Comm_Packet_071210](#)

[Legislation_Ver2](#)

[Econ_Impact_071210](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. [100661](#) **[Subdivision Code - Candlestick Point and Hunters Point Shipyard]**
Sponsors: Mayor; Maxwell
Ordinance amending the Hunters Point Shipyard Subdivision Code to rename the Code's Division 3 title and make various amendments pertaining to the subdivision process in Phase 2 of the Hunters Point Shipyard Redevelopment Plan and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.

Attachments: [Legislation Ver1](#)
[Leg_Digest Ver1](#)
[Legislation Ver2](#)
[Comm Packet 071210](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. [100660](#) **[Candlestick Point and Shipyard Phase 2 Redevelopment Project - Real Property Transfer and Public Trust Exchange]**
Sponsors: Mayor; Maxwell
Resolution approving and authorizing the execution, delivery and performance of: (1) a Real Property Transfer Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for Certain City Property at Candlestick Point, and (2) a Title Settlement, Public Trust Exchange and Boundary Line Agreement between the City and County of San Francisco (acting by and through the Board of Supervisors and through the Port Commission), the Redevelopment Agency of the City and County of San Francisco, the California State Lands Commission and the California Department of Parks and Recreation, both agreements being in furtherance of the Candlestick Point and Phase 2 of the Hunters Point Shipyard Redevelopment Project.

Attachments: [Legislation Ver1](#)
[Comm Packet 061410](#)
[Response Port 060810](#)
[Response RPD 061710](#)
[Comm Packet 071210](#)
[Legislation Ver2](#)

Question: Shall this Resolution be ADOPTED?

36. [100662](#) **[Tax Increment Allocation Pledge Agreement for the Candlestick Point and Phase 2 of the Hunters Point Shipyard Project]**

Sponsors: Mayor; Maxwell

Resolution approving a Tax Increment Allocation Pledge Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for the pledge of net available tax increment to finance public improvements and affordable housing in furtherance of the Candlestick Point and Phase 2 of the Hunters Point Shipyard Redevelopment Project; adopting findings under the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

Attachments: [Legislation_Ver1](#)

[Comm_Packet_061410](#)

[Response_SBC_063010](#)

[Econ_Impact_070710](#)

[Comm_Packet_071210](#)

[Legislation_Ver2](#)

[Legislation_Ver3](#)

[Legislation_Ver4](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

37. [100054](#) **[Workforce Development - Public Service Academies]**

Sponsor: Mirkarimi

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

Attachments: [Legislation_Ver1](#)

[Response_Youth_020210](#)

[Comm_Packet_071910](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. [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.

Attachments: [Legislation VER1](#)

[Comm Packet 071910](#)

[Response EntertainmentComm 071510](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. [100854](#) **[Approval of the San Francisco Child and Family Services Review - System Improvement Plan for the San Francisco Human Services Agency and Juvenile Probation Departments]**
Resolution approving San Francisco's Child and Family Services Review - System Improvement Plan, a strategic plan that: (1) outlines how San Francisco will improve prioritized outcomes for children, youth, and families; (2) serves as the operational agreement between the county and state; and (3) includes plans for utilizing Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families revenues to prevent child maltreatment. (Human Services Department)

Attachments: [Legislation VER1](#)

[Comm Packet 071910](#)

Question: Shall this Resolution be ADOPTED?

40. [100869](#) **[Accept and Expend Grant - Airport K-9 Explosives Detection Team Program - \$700,500]**
Sponsor: Elsbernd
Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$700,500 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

Attachments: [Legislation Ver1](#)

[Comm Packet 071910](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

41. [100897](#) **[Appointment, Police Commission - Carol Kingsley]**
Motion confirming the Mayor's nomination of, and appointing, Carol Kingsley to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014. (Clerk of the Board)

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 1, 2010)

Attachments: [Legislation Ver1](#)
[Comm Packet 0715/10](#)

Question: Shall this Motion be APPROVED?

42. [100760](#) **[Community Policing and Foot Beat Patrols]**
Sponsors: Mirkarimi; Chiu, Avalos, Campos and Mar
Motion ordering submitted to the voters an ordinance establishing the Community Policing Policy and Foot Beat Patrol Program at an election to be held on November 2, 2010.

Attachments: [Board Packet 072710](#)
[Comm Packet 071510](#)
[Comm Packet 072010](#)
[100760.pdf](#)

Question: Shall this Motion be APPROVED?

43. [100953](#) **[Community Policing and Foot Beat Patrols]**
Sponsors: Mirkarimi; Chiu and Mar
Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010, establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010, election that bans lying or sitting on public sidewalks.

Attachments: [Legislation Ver1](#)
[Comm Packet 072010](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100841, approved July 20, 2010.)

44. [100842](#) [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 801 Market Street]

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report

- 45. [100843](#) **[Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 801 Market Street]**

Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Attachments: [Legislation_VER1](#)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100835, approved July 20, 2010.)

- 46. [100836](#) **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property By Eminent Domain for Central Subway/Third Street Light Rail Extension - 266-286 - 4th Street]**

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 266-286 - 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report

- 47. [100837](#) **[Authorizing the Acquisition of Fee Simple Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 266-286 - 4th Street]**
Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 266-286 - 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Attachments: [Legislation VER1](#)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100847, approved July 20, 2010.)

- 48. [100848](#) **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property By Eminent Domain for Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]**
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report

- 49. [100849](#) **[Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]**

Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Attachments: [Legislation_VER1](#)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100838, approved July 20, 2010.)

- 50. [100839](#) **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property By Eminent Domain for Central Subway/Third Street Light Rail Extension - 790 Market Street]**

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report

51. [100840](#) **[Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 790 Market Street]**

Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Attachments: [Legislation_VER1](#)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 100844, approved July 20, 2010.)

52. [100845](#) **[Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property By Eminent Domain for Central Subway/Third Street Light Rail Extension - 933-949 Stockton Street]**

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report

53. [100846](#) **[Authorizing the Acquisition of Fee Simple Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 933-949 Stockton Street]**
Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Attachments: [Legislation VER1](#)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

54. [100987](#) **[Committee of the Whole - San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]**
Hearing of persons interested in or objecting to the amendments to the proposed Charter Amendments (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.100, 8A.101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, 8A.113, A8.409-1, A8.409-4, and A8.428, and repealing Section A8.404, to: provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors; allocate a share of property tax revenues to the Transportation Fund; require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors; establish an Office of the MTA Inspector General; and, eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report

55. [100637](#) [San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]

Sponsors: Campos; Mirkarimi, Chiu and Mar

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.100, 8A.101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, 8A.113, A8.409-1, A8.409-4, and A8.428, and repealing Section A8.404, to: provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors; allocate a share of property tax revenues to the Transportation Fund; require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors; establish an Office of the MTA Inspector General; and, eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining.

- Attachments:** [Legislation Ver1](#)
[Comm Packet 062510](#)
[Committee Packet 071210](#)
[Legislation Ver2](#)
[Comm Packet 072010](#)
[Board Packet 072010](#)

07/20/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
07/20/2010; CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

56. [100982](#) [San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]

Sponsors: Campos; Mirkarimi, Chiu and Mar

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 8A.100, 8A.101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, 8A.113, A8.409-1, A8.409-4, and A8.428, and repealing Section A8.404, to: provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors; allocate a share of property tax revenues to the Transportation Fund; require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors; establish an Office of the MTA Inspector General; and, eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining.

- Attachments:** [Legislation Ver2](#)

07/20/2010; AMENDED.
07/20/2010; CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

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

ROLL CALL FOR INTRODUCTIONS

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

PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 57 through 64

57. [100935](#) **[Supporting Eddy Zheng's Application to Remain Lawfully in the United States]**
Sponsors: Chiu; Mar, Avalos, Mirkarimi, Campos, Chu and Maxwell
Resolution urging the Honorable Arnold Schwarzenegger, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon and allow him to remain in the United States and to continue to serving youth in the San Francisco Bay Area community.
Attachments: [Board_Packet_072010](#)
[Legislation_Ver1](#)

07/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

07/20/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

58. [100902](#) **[Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]**

Motion directing the Board of Supervisors to hold a public hearing on August 3, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection, for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

Attachments: [Legislation VER1](#)

06/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

59. [100975](#) **[Accept and Expend Grant - Polling Place Accessibility Training Program - Not to Exceed \$5,000]**

Sponsor: Alioto-Pier

Resolution authorizing the San Francisco Department of Elections to accept and expend a grant in an amount not to exceed \$5,000 for improving polling place accessibility in accordance with the California Secretary of State's Help America Vote Act Polling Place Accessibility Training Program.

Attachments: [100975.doc](#)

07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. [100977](#) **[Requesting the Planning Commission or Planning Department to Extend the Public Comment Period on the California Pacific Medical Center's Draft Environmental Impact Report to a Minimum of 90 Days and Conduct Two Public Hearings on the Environmental Impact]**

Sponsor: Campos

Resolution requesting that the Planning Commission or Planning Department extend the public comment period on the California Pacific Medical Center's Draft Environmental Impact Report to a minimum of 90 days and conduct two public hearings on the Environmental Impact Report because of the project's exceptional size and complexity and so the public can conduct a thorough review and offer thoughtful input.

07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. [100978](#) **[Commending Patricia M. Pendergast]**
Sponsor: Chu
 Resolution commending Patricia M. Pendergast, Principal Personnel Analyst and Manager of Examination and Recruitment for the San Francisco Public Utilities Commission, upon her retirement after forty-one years of dedicated service.

 07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
62. [100981](#) **[Honoring Kelly Clark and the We Ride 3000 Team]**
Sponsor: Dufty
 Resolution honoring Kelly Clark and the We Ride 3000 Team in recognition of their 3,200 mile bike ride across the United States, from San Francisco to Washington D.C., in advocacy for public education awareness.

 07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
63. [100961](#) **[Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 2, 2010, Election]**
 Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2010, Election. (Clerk of the Board)

 07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?
64. [100986](#) **[Directing the Budget and Legislative Analyst to Audit the San Francisco Office of the Public Defender]**
Sponsor: Daly
 Motion directing the Budget and Legislative Analyst to audit the San Francisco Office of the Public Defender.

 07/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

65. 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 July 13, 2010, to July 19, 2010, for reference by President to appropriate committee on July 27, 2010.

100954**[Settlement of Lawsuit - Ricardo Rodriguez - \$30,000]**

Ordinance authorizing settlement of the lawsuit filed by Ricardo Rodriguez against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 19, 2009, in Superior, Case No. CGC09-485133; entitled Ricardo Rodriguez v. City and County of San Francisco, et al. (City Attorney)

07/16/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100955**[Settlement of Lawsuit - Stanislaus Imports - \$245,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Stanislaus Imports against the City and County of San Francisco for \$245,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

07/16/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100956**[Settlement of Lawsuit - Monte & Joanne Stott and Stott & Associates, Inc. - \$32,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Monte & Joanne Stott and Stott & Associates, Inc. against the City and County of San Francisco for \$32,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

07/16/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100957 **[Settlement of Lawsuit - Yannick Constant - \$32,500]**
Ordinance authorizing settlement of the lawsuit filed by Yannick Constant against the City and County of San Francisco for \$32,500; the lawsuit was filed on April 21, 2008 in San Francisco Superior Court, Case No. 474485; entitled Yanick Constant v. City and County of San Francisco, et al. (City Attorney)

07/16/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100958 **[Settlement of Lawsuit - Icenogle IMR Joint Venture - \$1,330,000]**
Ordinance authorizing settlement of the lawsuit filed by Icenogle IMR Joint Venture against the City and County of San Francisco for \$1,330,000; the lawsuit was filed on September 24, 2007, in San Francisco County Superior Court, and subsequently transferred to Alameda County Superior Court, Case No. RG08391219; entitled Icenogle IMR Joint Venture v. City and County of San Francisco, et al.; other material terms of said settlement are: (1) mutual releases except for latent defects, (2) dismissal of all complaints and cross-complaints with prejudice, (3) each side to bear its own attorneys fees and costs, and (4) plaintiff to be responsible for resolving outstanding stop notices. (City Attorney)

07/19/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100959 **[Settlement of Lawsuit - Carlos Garcia - \$2,400,000]**
Ordinance authorizing settlement of the lawsuit filed by Carlos Garcia against the City and County of San Francisco for \$2,400,000; the lawsuit was filed on December 5, 2005, in San Francisco Superior Court, Case No. CGC-05-447342; entitled Carlos Garcia, et al. v. City and County of San Francisco, et al. (City Attorney)

07/19/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100960 **[Settlement of Lawsuit - CCSF v. Underground Construction Co., et al. - \$29,000]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Underground Construction Co., et al. by accepting the payment of \$29,000 to the City and County of San Francisco; \$23,200 from Underground Construction Co. and \$5,800 from State Farm; the lawsuit was filed on February 24, 2009, in San Francisco Superior Court, Case No. CGC-09-485059; entitled City and County of San Francisco, et al., v. Underground Construction Co., et al. (City Attorney)

07/19/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100990 [Petitions and Communications]

Petitions and Communications received from July 13, 2010, through July 19, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 27, 2010.

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (1)

Airport
Asian Art Museum
Fine Arts Museums
War Memorial and Performing Arts Center
Office of the City Attorney
Department of Children, Youth and Their Families
Mayor's Office of Housing

From concerned citizens, submitting opposition to proposed legislation concerning alcohol tax. File No. 100865, Copy: Budget and Finance Committee, 25 letters (2)

From Arthur Evans, regarding sitting or lying on public sidewalks. (3)

From Richard Harris, on behalf of 4,500 members of the S.F. Public Golf Alliance, submitting opposition to proposed Charter Amendment to change appointments to the Recreation and Parks Commission. File No. 100633 (4)

From Office of the Mayor, submitting notices of the following appointments, effective July 15, 2010: Copy: Rules Committee Clerk (5)

Mark Breitenberg, Arts Commission
Shirley Breyer Black, Human Rights Commission
Beverly Hayon, Library Commission
Mark Buell, Recreation and Parks Commission
Rebecca Prowda, Commission on the Status of Women

From Office of the Mayor, submitting the reappointment of Mark Garcia to the Board of Appeals. Copy: Rules Committee Members and Clerk (6)

From Office of the Mayor, submitting the appointment of Cheryl Brinkman to the Municipal Transportation Agency Board of Directors. Copy: Rules Committee Members and Clerk (7)

From Office of the Mayor, submitting the appointment of Maureen Kelley to the City Hall Preservation Advisory Commission. Copy: Rules Committee Members and Clerk (8)

From concerned citizens, submitting opposition to proposed Charter Amendment to change appointments to the Recreation and Parks Commission. File No. 100633, 2 letters (9)

From Entertainment Commission, submitting the 3rd Quarter Report of the Entertainment Commission per the requirement of the S.F. Police Code Section 1070.35. (10)

From Office of the Controller, submitting report concerning the audit of Quantas Airways Limited. Copy: Each Supervisor (11)

From Small Business Commission, submitting recommendation for proposed legislation concerning permits for commercial parking garages and lots. File No. 100639 (12)

From Small Business Commission, submitting recommendation for proposed legislation concerning requiring Conditional Use Authorization for change in use or reduction of child care facilities. File No. 100804 (13)

From Office of the Treasurer & Tax Collector, submitting report concerning the investment activity for fiscal year-to-date of the portfolios under the Treasurer's management. (14)

From Protect Our Benefits, urging Supervisor Elsbernd to withdraw the proposed Charter Amendment concerning Health Service Board Terms and Elections. File No. 100634, Copy: Each Supervisor, Rules Committee Clerk (15)

From Verna Poon, submitting opposition to proposed Charter Amendment concerning Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members. File No. 100636 (16)

From Commission on the Environment, submitting the Annual Biodiesel Access Task Force Attendance Report for FY2009-2010. (17)

From Commission on the Environment, submitting the Annual Urban Forestry Council Attendance Report for FY2009-2010. (18)

From concerned citizens, regarding the Hunters Point Shipyard - Candlestick Development Plan. File No. 100861, 9 letters (19)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (20)
District Attorney

From Paul Nisbett, concerning receiving a ticket for \$175.00 for having an open container of beer in Huntington Park. (21)

From Aaron Goodman, regarding memo submitted to the Planning Department regarding Parkmerced Draft Environmental Impact Report. (22)

From concerned citizens, submitting support for the implementation of Assembly Bill 1421, "Laura's Law" regarding assisted outpatient treatment. File No. 100751, Copy: Each Supervisor, Approximately 35 letters (23)

From concerned citizens, submitting opposition to the implementation of Assembly Bill 1421, "Laura's Law" regarding assisted outpatient treatment. File No. 100751, Copy: Each Supervisor, Approximately 15 letters (24)

From Police Department, reporting on the 2010 Bay to Breakers race. (25)

From Port, submitting their contracting activities as legally required by the City and County of San Francisco through its Administrative Code or based upon policies and practices adopted by the Port Commission. (26)

From Shannon Benner, regarding a MUNI employee parking in a handicapped spot. (27)

From Department of Elections, notifying proponent that the Initiative Petition regarding Hotel Tax did contain sufficient valid signatures to qualify for the upcoming November 2, 2010, Consolidated General Election to be held in the City and County of San Francisco. Copy: Each Supervisor (28)

From Manilatown Heritage Foundation, withdrawing their appeal for 900 Folsom Street and 260-5th Street. File Nos. 100786 and 100790, Copy: Each Supervisor (29)

From Yolanda, submitting support for funding the Supportive Housing Employment Collaborative. (30)

From Jirl Cruz, submitting support for the proposed ban on pet sales in San Francisco. (31)

From Susan Ivey, submitting her reasons for never planning to visit San Francisco again. (32)

From California State Parks Foundation, submitting notice that the California State Parks Foundation is no longer participating in the appeal to certify the Final Environmental Impact Report for the Candlestick Point Hunters Point Shipyard Phase II Development Plan Project. File No. 100861, Copy: Each Supervisor (33)

From Tim Giangioffe, regarding pension reform in San Francisco. (34)

From Artie, regarding Senate Bill 1070. (35)

ADJOURNMENT