

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, August 2, 2011 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

**Budget and Finance Committee**

Supervisors Chu, Mirkarimi, Kim

Wednesday

10:00 AM

**City and School District Select Committee**

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

2nd and 4th Thursday

3:30 PM

**City Operations and Neighborhood Services Committee**

Supervisors Avalos, Mar, Elsbernd

2nd and 4th Monday

10:00 AM

**Government Audit and Oversight Committee**

Supervisors Campos, Farrell, Chiu

2nd and 4th Thursday

10:00 AM

**Land Use and Economic Development Committee**

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

**Public Safety Committee**

Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday

10:30 AM

**Rules Committee**

Supervisors Kim, Elsbernd, Farrell

1st and 3rd Thursday

1:30 PM

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

Volume 106 Number 31

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:12 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.*

*Supervisor Kim was noted present at 2:13 p.m.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of June 28, 2011. The motion carried by the following vote:

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

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendation of the Land Use and Economic Development Committee

#### 110769 [Transportation Code - Car Share Vehicle Parking Restrictions]

**Sponsors:** Mayor; Chiu

Ordinance amending the San Francisco Transportation Code, Division I, Articles 7 and 8, by: 1) adding Section 7.2.52 to establish a violation for unauthorized vehicles to park in a designated car share parking space; and 2) amending Section 8.1 to permit the removal of vehicles parked in violation of Section 7.2.52.

**Ordinance No.** 169-11

**FINALLY PASSED**

## **Recommendation of the Budget and Finance Sub-Committee**

### **110749 [Administrative, Business and Tax Regulations Codes - 0.50% Sales Tax Increase to Fund Public Safety Programs and Services to Children and Seniors]**

**Sponsors: Mayor; Chiu, Cohen, Mirkarimi and Wiener**

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Article 16-A to provide funds for public safety programs and services to children and senior citizens in the City and County of San Francisco by imposing a transactions (sales) and use tax at the rate of one-half of one percent (0.50%) for a period of ten years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; adopting an expenditure plan; amending the Administrative Code by adding Section 10.100.321 establishing a special revenue fund; and directing submission of the tax for voter approval at the November 8, 2011, municipal election.

(Fiscal Impact; Economic Impact.)

**Ordinance No. 164-11**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **110596 [Settlement of Claim - Shatese Stewart - \$250,000]**

Ordinance authorizing settlement of all claims in the lawsuit filed by Shatese Stewart against the City and County of San Francisco for \$250,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC-09-494967; entitled Shatese Stewart v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No. 168-11**

**FINALLY PASSED**

### **110694 [Settlement of Lawsuit - Jorei Enterprises, LLC - \$125,000]**

Ordinance authorizing settlement of the lawsuit filed by Jorei Enterprises, LLC, against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 21, 2010, in San Francisco Superior Court, Case No. CGC-10-506527; entitled Jorei Enterprises, LLC v. City and County of San Francisco; other material terms of said settlement are mutual releases of liability in connection with the conveyance of 351 California Street, San Francisco. (City Attorney)

**Ordinance No. 167-11**

**FINALLY PASSED**

### **110714 [Settlement of Lawsuit - Arash Ghanadan - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Arash Ghanadan against the City and County of San Francisco for \$50,000; the lawsuit was filed on December 18, 2009, in San Francisco Superior Court, Case No. CGC-09-495308; entitled Arash Ghanadan, et al. v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No. 166-11**

**FINALLY PASSED**

**110823 [Appointment, Eastern Neighborhood Citizens Advisory Committee - L Joseph Boss]**

Motion appointing L Joseph Boss, term ending October 19, 2013, to the Eastern Neighborhood Citizen Advisory Committee. (Clerk of the Board)

L Joseph Boss, seat 3, succeeding Susan Eslick, resigned, must be nominated by District 10 Supervisor and confirmed by the full Board, for the unexpired portion of a four-year term ending October 19, 2013.

**Motion No. M11-124**

**APPROVED**

**110824 [Appointments, Child Care Planning and Advisory Council - Karen Burch, Marjorie Weiss, and Barbara Manzanares]**

Motion appointing Karen Burch, Marjorie Weiss, and Barbara Manzanares, terms to be determined, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Karen Burch, seat 1, succeeding Margaret Jerene, term expired, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for a three-year term to be determined.

Marjorie Weiss, seat 7, succeeding Juanita Santana, term expired, must be a nominee of District 7 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "community representative," for a three-year term to be determined.

Barbara Manzanares, seat 11, succeeding Pamela Tate-Roger, resigned, must be a nominee of District 11 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for a three-year term to be determined.

**Motion No. M11-125**

**APPROVED**

**110830 [Appointments, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - Nella Manuel, Robert Marquez, Dina Hilliard, and LJ Cirillo]**

Motion appointing Nella Manuel, Robert Marquez, Dina Hilliard, and LJ Cirillo, terms to be determined, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)

Nella Manuel, seat 4, new appointment, must be a senior or disabled resident of the Central Market Street and Tenderloin Area or in District 6 bounded on the southern side by 13th Street and Townsend Street, for a term to be determined.

Robert Marquez, seat 6, new appointment, must represent a community-based organization or provide direct services to the Central Market Street and Tenderloin Area or in District 6, bounded on the southern side by 13th Street and Townsend Street, for a term to be determined.

Dina Hilliard, seat 7, new appointment, must have small business expertise and familiarity with the Central Market Street and Tenderloin Area, for a term to be determined.

LJ Cirillo, seat 8, new appointment, must have expertise on homelessness, transitional age youth, or supportive housing and familiarity with the Central Market Street and Tenderloin Area or in District 6, bounded on the southern side by 13th Street and Townsend Street bounded, for a term to be determined.

**Motion No. M11-126**

**APPROVED**

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

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

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

**110503 [Administrative Code - Regulating Overtime Available for City Employees]**

**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code, Section 18.13.1 to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and to specify and modify written reports to be submitted regarding overtime information.

**Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to September 6, 2011. The motion carried by the following vote:**

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

**110528 [Feeder Agreement - BART]**

Resolution approving the Feeder Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for payment for transfer trips, with a term from July 1, 2009, to June 30, 2010. (Municipal Transportation Agency)

*Privilege of the floor was granted to Sonali Bose (Municipal Transportation Agency) who responded to questions raised throughout the discussion.*

**Supervisor Campos, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

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

**Resolution No. 348-11**

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

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

**Recommendations of the Land Use and Economic Development Committee****110506 [Police, Planning, and Business and Tax Regulations Codes - Limited Live Performance Permits]**

**Sponsors: Mirkarimi; Wiener, Mar and Campos**

Ordinance amending the San Francisco Police Code Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.19, 1060.20.4, 1060.24, 1060.35, 2901, 2909, and 2916; adding to the San Francisco Police Code Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1; amending the San Francisco Planning Code Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37; and amending the San Francisco Business and Tax Regulations Code Section 8 to 1) create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; 2) to specify application and license fees and hearing requirements for said permit; and 3) making 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.

**Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED on Page 36, beginning on Line 7, by adding '(b) No extension may be granted pursuant to subsection (a), above, for Limited Live Performance Permits granted in the following areas: the North Beach Neighborhood Commercial District as defined in Planning Code Section 722.1; and the Polk Street Neighborhood Commercial District as defined in Planning Code Section 723.1.'** The motion carried by the following vote:

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

**Supervisor Farrell, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED on Page 36, beginning on Line 7, following the previous amendment, by adding '; the Union Street Neighborhood Commercial District as defined in Planning Code Section 725.1; the north and south sides of Chestnut Street between the east side of Fillmore Street and the west side of Divisadero Street, and the north side of Lombard Street, between Fillmore Street and Divisadero Street.'** The motion carried by the following vote:

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

Supervisor Farrell, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED on Page 31, beginning on Line 25, by adding '(2) The Director shall provide a copy of all Limited Live Performance Permit applications and the corresponding public hearing notices within a specified geographic area to any Person who, in writing or by email, requests such and identifies the area. Such applications and notices shall be given at least 30 days prior to the date of the public hearings, or within 5 days after receipt of the request if the request is less than 30 days prior to the hearing.' The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener Ordinance amending the San Francisco Police Code Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.19, 1060.20.4, 1060.24, 1060.35, 2901, 2909, and 2916; adding to the San Francisco Police Code Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1; amending the San Francisco Planning Code Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37; and amending the San Francisco Business and Tax Regulations Code Section 8 to: 1) create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; 2) to specify application and license fees and hearing requirements for said permit; and 3) making 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.

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

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

### **110592 [Planning Code - Inner Clement, Outer Clement, and Geary Neighborhood Commercial Controls]**

**Sponsors: Mar; Avalos**

Ordinance amending the San Francisco Planning Code Sections 263.20, 712.1, 716.1, and 781.4 to: 1) allow one additional eating and drinking use as principally permitted in the Inner Clement Neighborhood Commercial Districts and allow any additional eating and drinking use in that district as conditionally permitted; 2) allow eating and drinking uses in the Outer Clement Neighborhood Commercial District with a conditional use permit; 3) remove the prohibition on large fast-food restaurants and prohibit formula retail pet supply stores and formula retail eating and drinking uses in the Geary Boulevard Fast-Food Subdistrict; 4) make video stores a principally permitted use on the ground floor in the NC-3 and the Inner Clement and Outer Clement Neighborhood Commercial Districts; and 5) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Ordinance No. 170-11**

**FINALLY PASSED by the following vote:**

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Mirkarimi

Noes: 3 - Chu, Elsbernd, Wiener

## **Recommendation of the Rules Committee**

### **110591 [Settlement of Lawsuit - T-Mobile West Corporation]**

**Sponsor: Elsbernd**

Ordinance authorizing settlement of the lawsuit filed by T-Mobile West Corporation against the City and County of San Francisco on July 8, 2010, in the United States District Court for the Northern District of California, Case No. C-10-03011-CW; entitled T-Mobile West Corporation v. City and County of San Francisco, according to the terms set forth in the Settlement Agreement and subject to court approval of the parties' Stipulated Judgment; approving as part of the settlement a conditional use authorization enabling T-Mobile West Corporation to construct a wireless facility at 725 Taraval Street containing substantially fewer antennas than originally proposed and subject to all City required conditions; and making environmental findings.

*FINALLY PASSED by the following vote:*

*Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener*

*Noes: 3 - Avalos, Campos, Mar*

*Supervisor Mirkarimi, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Ordinance No. 171-11**

**FINALLY PASSED by the following vote:**

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 4 - Avalos, Campos, Mar, Mirkarimi

## **CALLED FROM COMMITTEE**

### **110546 [Administrative Code - Health Care Security Ordinance]**

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

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1, 14.3, and 14.4 of the Health Care Security Ordinance to provide that only amounts actually paid or irrevocably committed to pay for providing employee health care services shall satisfy the employer expenditure requirements of the Ordinance, add an employee notification requirement, and to modify penalty provisions.

(Economic Impact)

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

Ayes: 9 - Avalos, Campos, Chu, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 2 - Chiu, Cohen



## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **110594 [Administrative Code - Enforcement of Minimum Wage Law by the Office of Labor Standards Enforcement]**

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

Ordinance amending the San Francisco Administrative Code Sections 12R.5, 12R.7, 12R.16, 12R.17, 12R.18, and 12R.25 to: 1) enhance the Office of Labor Standards Enforcement's enforcement of the City's Minimum Wage Ordinance by clarifying agency access to places of employment; 2) require a policy to resolve complaints or initiate enforcement actions within one year; 3), raise the penalty for employer retaliation; 4) impose a penalty for failure to post minimum wage rates; 5) provide for posting notice to employees upon commencement of an investigation and public posting of employer non-compliance, and impose penalties for violation of these posting requirements; 6) impose a penalty for failure to provide employer's name, address, and telephone number to employees; 7) allow for back wages held in escrow for an employee for three years or more to be used to enforce the Minimum Wage Ordinance or other laws enforced by the Office of Labor Standards Enforcement if the Office of Labor Standards Enforcement cannot locate the employee; 8) provide authority to immediately issue an administrative citation upon sufficient evidence of certain violations; and 9) require industry-focused outreach materials for employees.

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

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

#### **110583 [Administrative Code - Cash Difference and Overage Funds]**

Ordinance amending the San Francisco Administrative Code Section 10.82 to: 1) authorize the Controller to establish cash difference and overage funds for the use of any county officer or department head or judicial district handling judicial funds; 2) to increase, reduce, or discontinue the funds; 3) require any county officer or department head using such funds to report to the Controller; and 4) require the Controller to annually report to the Board of Supervisors regarding the cash difference and overage funds. (Treasurer-Tax Collector)

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

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

#### **110217 [Purchase Agreement - Permanent Access Road Easement and Temporary Construction Easement - San Joaquin County - \$10,000]**

Resolution approving and authorizing an agreement for the purchase of a permanent access road easement and a temporary construction easement over, on, and in portions of Assessor's Parcel Nos. 253-170-05 located in San Joaquin County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$10,000; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

**Resolution No. 330-11**

**ADOPTED by the following vote:**

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

**110428 [Purchase Agreement - Permanent Tie-Back Easement and Temporary Construction Easement - San Mateo County - \$87,570]**

Resolution approving and authorizing an agreement for the purchase of a permanent tie-back easement and a temporary construction easement over, on, and in portions of Assessor's Parcel No. 038-200-020 located in the Town of Hillsborough, San Mateo County, and required for the Crystal Springs Pipeline No. 2 Replacement Project, known as Project No. CUW37801, for a purchase price of \$87,570; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution. (Real Estate Department)

**Resolution No.** 329-11

**ADOPTED by the following vote:**

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

**110429 [Purchase Agreement - Two Permanent Access Road Easements and Two Temporary Construction Easements - San Joaquin County - \$83,900]**

Resolution approving and authorizing an agreement for the purchase of a two permanent access road easements and two temporary construction easements over, on, and in portions of Assessor's Parcel Nos. 253-270-17, 19, 21, 24, and 25 located in San Joaquin County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$83,900; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution. (Real Estate Department)

**Resolution No.** 328-11

**ADOPTED by the following vote:**

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

**110721 [Mortgage Revenue Bonds - 121 Golden Gate Avenue - Not to Exceed \$26,000,000] Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco (City) to: 1) reimburse certain expenditures from proceeds of future bonded indebtedness; 2) authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$26,000,000 for 121 Golden Gate Avenue (121 Golden Gate Avenue Senior Community); 3) authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; 4) authorizing the Director to certify to CDLAC that the City has on deposit the required amount; 5) authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; 6) approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$26,000,000; 7) authorizing and directing the execution of any documents necessary to implement this Resolution; and 8) ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

**Resolution No.** 327-11

**ADOPTED by the following vote:**

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

**110723 [Contract Amendment - Transbay Joint Powers Authority - Transbay Transit Center Program Services - Not to Exceed \$3,280,677]****Sponsor: Kim**

Resolution approving the First Amendment to Contract No. CS -159 between the San Francisco Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center Program Services pursuant to Charter Section 9.118 in an amount not to exceed \$3,280,677, retroactive to August 9, 2010.  
(Fiscal Impact)

**Resolution No. 326-11****ADOPTED by the following vote:**

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

**110724 [Exchange and Conveyance of Real Property - Folsom and Essex Streets Intersection]****Sponsor: Kim**

Resolution 1) approving the exchange of a portion of City property located near the intersection of Folsom Street and Essex Street with a portion of abutting real property owned by 515 Folsom Street LLC; 2) adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.

**Resolution No. 331-11****ADOPTED by the following vote:**

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

**110726 [Agreement - Serco, Inc. - SFpark Pilot Project - Not to Exceed \$44,080,000]****Sponsor: Wiener**

Resolution approving the Fourth Amendment to the Agreement with Serco, Inc., to: 1) replace, upgrade, and add parking meters; 2) conduct an education campaign and expand the pilot testing of new residential parking management strategies in support of the SFpark Pilot Project; and 3) to increase the contract not-to-exceed amount by \$22,000,000 utilizing a loan from the Metropolitan Transportation Commission for a total not-to-exceed amount of \$44,080,000.  
(Fiscal Impact)

**Resolution No. 332-11****ADOPTED by the following vote:**

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

**110736 [Real Property - Office of the Chief Medical Examiner Relocation - 1 Newhall Street - \$5,304,500]****Sponsor: Mayor**

Resolution authorizing the execution and performance of an option to purchase the approximately 33,000 square foot industrial building and land at 1 Newhall Street for \$5,304,500 contained in a lease dated for reference December 20, 2006, by and between 1 Newhall, LLC, as Landlord, and the City and County of San Francisco, as tenant; adopting findings under the California Environmental Quality Act and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

**Resolution No. 351-11****ADOPTED by the following vote:**

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

**110812 [Contract Amendment - Cypress Security, LLC - Security Services - an Additional \$17,100,000]****Sponsor: Wiener**

Resolution authorizing the San Francisco Municipal Transportation Agency to amend an expenditure contract with Cypress Security, LLC, to add an additional \$17,100,000 to continue security services for an additional three years.

(Fiscal Impact.)

**Resolution No. 333-11**

**ADOPTED by the following vote:**

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

**110862 [TIDA Contract Amendment - AMEC Geomatrix, Inc. - Retroactively Extending Term through June 30, 2012]****Sponsor: Mayor**

Resolution approving an amendment to the contract between the Treasure Island Development Authority and AMEC Geomatrix, Inc., to retroactively extend the term through June 30, 2012.

**Resolution No. 334-11**

**ADOPTED by the following vote:**

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

**110863 [Extending Time to Consider Continuing Redevelopment Activities]****Sponsors: Mayor; Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Mirkarimi and Wiener**

Resolution expressing the non-binding intent of the City and County of San Francisco to comply with Part 1.9 of the California Health and Safety Code, recently added by Assembly Bill 27, for the purpose of providing the Board of Supervisors with up to an additional month, until November 1, 2011, to consider adopting an ordinance allowing the City and County of San Francisco to continue to undertake state-authorized redevelopment activities by agreeing to make ongoing annual payments for the benefit of other taxing entities, including the San Francisco Unified School District and City College of San Francisco; and adopting findings that the Resolution is not a project under the California Environmental Quality Act.

**Supervisor Kim, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

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

**Resolution No. 350-11**

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

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

## **Recommendations of the Land Use and Economic Development Committee**

### **110731 [Electricity Resource Plan Update]**

**Sponsors: Mayor; Cohen**

Resolution endorsing an updated Electricity Resource Plan to provide a long-term vision of San Francisco's electricity future, to serve as a policy guide to be used in proposing and implementing specific actions related to electric energy programs and usage in San Francisco, and to identify potential steps toward achievement of San Francisco's goal of having zero greenhouse gas emissions from its electric usage by 2030.

**Resolution No. 349-11**

**ADOPTED by the following vote:**

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

### **110855 [Street Vacation - Resolution of Intention - Portion of Cayuga Avenue]**

**Sponsors: Mayor; Avalos**

Resolution declaring the intention of the Board of Supervisors to vacate an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; and setting a hearing date of September 6, 2011, at 3:00 p.m., for all persons interested in the proposed vacation of said public right-of-way.

**Resolution No. 335-11**

**ADOPTED by the following vote:**

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

## **Recommendations of the Public Safety Committee**

### **110732 [Executive Committee of the Corrections Partnership for Criminal Justice Realignment Appointment]**

**Sponsors: Mayor; Mirkarimi**

Resolution appointing the San Francisco Department of Public Health to the Executive Committee of the San Francisco Community Corrections Partnership for the purpose of developing an implementation plan for criminal justice realignment.

**Resolution No. 336-11**

**ADOPTED by the following vote:**

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

**110735 [County Agency Responsible for Implementation of Post-Release Community Supervision Interim Designation]****Sponsors: Mayor; Mirkarimi**

Resolution designating, on an interim basis, the San Francisco Adult Probation Department as the county agency responsible for implementing post-release community supervision until an ordinance designating the San Francisco Adult Probation Department as the post-release community supervision authority is considered and adopted by the Board of Supervisors.

**Resolution No. 337-11****ADOPTED by the following vote:**

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

**Recommendation of the Rules Committee****110622 [Administrative Code - Allowing Paid Administrative Leave in Certain Circumstances]**

Ordinance amending the San Francisco Administrative Code by adding Section 16.10 to allow the City and County of San Francisco to use time-limited paid administrative leave for its employees under certain circumstances. (Human Resources Department)

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

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

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole****110690 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]**

Hearing of persons interested in or objecting to proposed Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Sections 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, 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)

*The President inquired as to whether any member of the public wished to address the Board. Alan Davison (Department of Building Inspection) provided an overview of the assessments. Female Speaker; Mark Ramirez; Mr. Shotz; Tyrone Navarro (Department of Public Health); Male Speaker; Walter Paulson; spoke objecting to the proposed assessments. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.*

**HEARD AT PUBLIC HEARING**

## Committee of the Whole Adjourn and Report

### **110691 [Special Assessment of Liens for Assessment of Cost]**

Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, 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. (Building Inspection Commission)

*Alan Davison (Department of Building Inspection) indicated that the following addresses be removed from the accompanying report due to recent receipt of payment: 4801 3rd Street; 1855 10th Avenue; 3850 17th Street; 3864-3868 24th Street; 689 26th Avenue; 519 47th Avenue; 80 Alviso Street; 65 Badger Street; 601 Bosworth Street; 460 Bryant Street; 1522 Bush Street; 1012 Chenery Street; 619 Diamond Street; 85 Farallones Street; 314 Flood Avenue; 2332-36 Fulton Street; 1117 Geary Blvd.; 1122 Gilman Avenue; 1884 Green Street; 2175 Greenwich Street; 587 Haight Street; 1314 Hawes Street; 1429V Hyde Street; 2909 Jennings Street; 1084 Le Conte Avenue; 2640 Leavenworth Street; 246 Liberty Street; 58 Lobos Street; 631 Madrid Street; 3156 Mission Street; 5530 Mission Street; 55 Natoma Street; 215 Noe Street; 165 O'Farrell Street; 466 Paris Street; 32 Peralta Avenue; 130 Pope Street; 7 Seymour Street; 75 Staples Avenue; 1335 Stevenson Street; 290 Townsend Street; 548 Valencia Street; 552 Valencia Street; 65 Valley Street; 3800 Washington Street; 3810 Washington Street. The amendments to the accompanying report, as provided by the Department of Building Inspection, included in File No. 110691, were received without objection.*

#### **Resolution No. 338-11**

**ADOPTED, after accepting the amendments to the accompanying report, by the following vote:**

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

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

### **Privilege of the Floor**

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

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

*Supervisor Mirkarimi introduced, welcomed, and presented a Certificate of Honor to Peter Thorp, a local teacher who started a successful girl's school in Rwanda in January 2011, in recognition of his accomplishments and continued community support. Supervisors Mar and Campos shared in the recognition.*

*Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Jen Holland of Lindy in the Park in recognition of her accomplishments and continued community support.*

*Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Gregg Sass of the Department of Public Health in recognition of his 10 years of service to the City and County of San Francisco as Chief Financial Officer upon his retirement.*

## SPECIAL ORDER 4:00 P.M.

### **110759 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1945 Hyde Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated January 27, 2011, Case No. 2010.0162E, that a project located at 1945 Hyde Street is exempt from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The project site currently contains a 19,739-square-foot, two-story over basement parking garage constructed in 1920, containing 58 off-street parking spaces providing both long-term and short term parking. The proposed project would convert the building into a three-story over basement, seven-unit residential building, with 17 parking spaces provided by stackers, and one approximately 860 square-foot commercial space along Hyde Street. The existing height of the building is 32 feet and the proposed third floor addition would increase the height to 40 feet. Modifications to the building would include conversion of the front vehicular access arches into retail entrances and conversion of an arch on Russell Street into the proposed off-street parking garage entrance. The proposed 17 space parking garage would function as a combination of the following: residential parking, community monthly parking, or hourly parking, with one dedicated car-share space. Additionally, the proposed project would increase the gross-square-footage of the building from 19,739 to 25,187 square feet, Assessor's Block No. 0123, Lot No. 002. (District 3) (Appellant: Jamie Cherry on behalf of the Russian Hill Community Association). (Clerk of the Board)  
(Filed July 13, 2011; Companion Measure to File Nos. 110760, 11761 and 110762.)

*The President inquired as to whether any member of the public wished to address the Board. The President indicated written communications were received from the Appellants further indicating there would be no representatives from the Appellants at the hearing. Walter Paulson; spoke in support of the appeal. Sarah Jones (Planning Department) provided an overview of the decision of the Planning Department. Steve Vettel (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. There was no rebuttal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING**

### **110760 [Affirming the Exemption Determination - 1945 Hyde Street]**

Motion affirming the determination by the Planning Department that a project located at 1945 Hyde Street is exempt from environmental review. (Clerk of the Board)

**Motion No. M11-129**

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

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

### **110761 [Reversing the Exemption Determination - 1945 Hyde Street]**

Motion reversing the determination by the Planning Department that a project located at 1945 Hyde Street is exempt from environmental review. (Clerk of the Board)

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

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



**110762 [Preparation of Findings to Reverse the Exemption Determination - 1945 Hyde Street]**

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 1945 Hyde Street is exempt from environmental review. (Clerk of the Board)

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

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

**SPECIAL ORDER 4:00 P.M.****110831 [Public Hearing - Appeal of Tentative Parcel Map - 1621 Montgomery Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated July 6, 2011, approving a Tentative Parcel Map for a 4-unit commercial condominium subdivision located at 1621 Montgomery Street, Assessor's Block No. 0060, Lot No. 0310. (District 3) (Appellant: Sandra M. Bonato on behalf of the Lombard Plaza Owners Association). (Clerk of the Board)

(Filed July 15, 2011; Companion Measure to File Nos. 110832, 110833, and 110834.)

*The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance. Steven Weil (Appellant) and Ralph Kertstetter (Project Sponsor) both spoke in favor of the continuance. There were no other speakers.*

**Supervisor Mirkarimi, seconded by Supervisor Chu, moved that this Hearing be CONTINUED open to September 6, 2011, at 2:30 p.m. The motion carried by the following vote:**

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

*The President CONTINUED the Hearing open to September 6, 2011, at 2:30 p.m.*

**110832 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1621 Montgomery Street]**

Motion finding the Tentative Parcel Map for a 4-unit commercial condominium subdivision located at 1621 Montgomery Street, Assessor's Block No. 0060, Lot No. 0310, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works; and approving the Tentative Parcel Map.

**Supervisor Mirkarimi, seconded by Supervisor Chu, moved that this Motion be CONTINUED to September 6, 2011, at 2:30 p.m. The motion carried by the following vote:**

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

**110833 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1621 Montgomery Street]**

Motion finding the Tentative Parcel Map for a 4-unit commercial condominium subdivision located at 1621 Montgomery Street, Assessor's Block No. 0060, Lot No. 0310, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; disapproving the decision of the Department of Public Works; and disapproving the Tentative Parcel Map. (Clerk of the Board)

**Supervisor Mirkarimi, seconded by Supervisor Chu, moved that this Motion be CONTINUED to September 6, 2011, at 2:30 p.m. The motion carried by the following vote:**

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

**110834 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1621 Montgomery Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 4-unit commercial condominium subdivision at 1621 Montgomery Street, Assessor's Block No. 0060, Lot No. 0310.

**Supervisor Mirkarimi, seconded by Supervisor Chu, moved that this Motion be CONTINUED to September 6, 2011, at 2:30 p.m. The motion carried by the following vote:**

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

**SPECIAL ORDER 4:00 P.M.****110835 [Public Hearing - Appeal of Tentative Parcel Map - 1171 Sansome Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 30, 2011, approving a Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040. (District 3) (Appellants: John M. Sanger, Catherine Sanger, David Davies, and Jack Weeden). (Clerk of the Board) (Filed July 11, 2011; Companion Measure to File Nos. 110836, 110837, and 110838.)

*The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.*

**Supervisor Chu, seconded by Supervisor Cohen, moved that this Hearing be CONTINUED open to September 6, 2011, at 2:30 p.m. The motion carried by the following vote:**

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

*The President CONTINUED the Hearing open to September 6, 2011, at 2:30 p.m.*

**110836 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1171 Sansome Street]**

Motion finding the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works; and approving the Tentative Parcel Map. (Clerk of the Board)

**Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be CONTINUED to September 6, 2011, at 2:30 p.m. The motion carried by the following vote:**

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

**110837 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1171 Sansome Street]**

Motion finding the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; disapproving the decision of the Department of Public Works; and disapproving the Tentative Parcel Map. (Clerk of the Board)

**Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be CONTINUED to September 6, 2011, at 2:30 p.m. The motion carried by the following vote:**

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

**110838 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1171 Sansome Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040. (Clerk of the Board)

**Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be CONTINUED to September 6, 2011, at 2:30 p.m. The motion carried by the following vote:**

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

## COMMITTEE REPORTS

### Recommendation of the Government Audit and Oversight Committee

**110688 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "The Parkmerced: Government by Developer"]**

**Sponsor: Campos**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "The Parkmerced Vision: Government by Developer" and urging the Mayor to cause the implementation of accepted findings and recommendations through his department heads and through the development of the annual budget. (Clerk of the Board)

*ADOPTED by the following vote:*

*Ayes: 9 - Avalos, Chiu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener*

*Noes: 2 - Campos, Kim*

*Supervisor Avalos, seconded by Supervisor Kim, moved to rescind the previous vote. The motion carried by the following vote:*

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

*ADOPTED by the following vote:*

*Ayes: 7 - Chiu, Cohen, Elsbernd, Farrell, Mirkarimi, Wiener*

*Noes: 4 - Avalos, Campos, Kim, Mar*

*Supervisor Mirkarimi, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Resolution No. 339-11**

**ADOPTED by the following vote:**

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

## **Recommendations of the Rules Committee**

### **110772 [Resolution of Intention - West Portal Community Benefit District]**

**Sponsor: Elsbernd**

Resolution 1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "West Portal Community Benefit District" and to levy a multi-year assessment on identified parcels in the district; 2) approving the management district plan and engineer's report and proposed boundaries map for the district; 3) ordering and setting a time and place for a public hearing thereon; 4) approving the form of the Notice of Public Hearing and Assessment Ballots; and 5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

**Resolution No. 340-11**

**ADOPTED by the following vote:**

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

### **110844 [Appointments, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - Eva Purring, Felica Denia, Steven Suzuki, Brad Paul, Mara Blitzer, Jesus Perez, and Linda Pierce]**

Motion appointing seven members, terms to be determined, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)

**Motion No. M11-128**

**APPROVED by the following vote:**

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

## **Recommendations of the City Operations and Neighborhood Services Committee**

### **110343 [Liquor License Expansion - 1168 Folsom Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Craig and Elizabeth Wathen, for the expansion of the City Beer Store into the adjacent office space located at 1168 Folsom Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

**Resolution No. 341-11**

**ADOPTED by the following vote:**

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

**110544 [Liquor License Transfer - 1423 Polk Street]**

Resolution determining that the premise to premise transfer of a Type 48 on-sale general public premises liquor license from 1060 Geary Street to 1423 Polk Street (District 3), to Lori Martens for KoKo Cocktails (dba the HI-LO Club), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

**Resolution No.** 342-11

**ADOPTED by the following vote:**

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

**110864 [Application Approval - Comprehensive HIV Prevention Programs - \$8,085,800]**

**Sponsors:** Mayor; Wiener

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2012 to continue to receive funding for the "Comprehensive HIV Prevention Programs" grant from the Centers for Disease Control and Prevention, requesting \$8,085,000 in HIV prevention funding for San Francisco; from January 1, 2012, through December 31, 2012.

**Resolution No.** 343-11

**ADOPTED by the following vote:**

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.*

*James Chaffee; expressed concerns relating to the SF Public Library.*

*Colin Gallagher; spoke in opposition to proposed legislation relating to secure communities.*

*Walter Paulson; shared in song certain concerns with the Board.*

*Emil Lawrence; expressed concerns relating to MTA Director recruitment.*

*Tracy Parrish; spoke in support of proposed legislation relating to Final Map No. 5580: 49-55 Columbus Avenue.*

*Michael Kim; spoke in support of proposed legislation relating to Final Map No. 5580: 49-55 Columbus Avenue.*

*Male Speaker; spoke in support of proposed legislation relating to Final Map No. 5580: 49-55 Columbus Avenue.*

*Male Speaker; spoke in support of proposed legislation relating to VetSTRONG.*

*Male Speaker; expressed various concerns.*

*Female Speaker; expressed various concerns relating to revenue generation.*

*Ray Hartz; expressed concerns relating to government.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****110885 [Accept and Expend Grant - Maritime CCTV System Security Improvements - \$45,000]****Sponsor: Chiu**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$45,000 from the Department of Homeland Security, FY2008 Infrastructure Protection Program Port Security Grant Program for the deployment of CCTV/intrusion detection system for the SFPD Marine Unit, the Harbor Master's small boat berthing area, and the fueling dock, all located at Hyde Street Harbor.

**Resolution No. 344-11****ADOPTED****110886 [Accept and Expend Grant - Improving Blood Safety and HIV Testing - \$42,580]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$42,580 from the Blood Systems, Inc., to participate in a program entitled "Improving Blood Safety and HIV Testing in Brazil: A Randomized Controlled Trial" for the period of April 12, 2011, through March 31, 2012.

**Resolution No. 345-11****ADOPTED****110887 [Accept and Expend Grant - Technical Assistance to Support President's Emergency Plan for Aid - \$62,123]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$62,123 from the University of California San Francisco, to participate in a program entitled "Atlanta HQ UCSF Technical Assistance to Support President's Emergency Plan for Aid" for the period of April 1, 2011, through March 31, 2012.

**Resolution No. 346-11****ADOPTED****110888 [Accept and Expend Grant - Support for President's Emergency AIDS Plan - \$72,877]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$72,877 from the University of California San Francisco, to participate in a program entitled "Tanzania UCSF Technical Assistance to Support the President's Emergency Plan for AIDS" for the period of April 1, 2011, through March 31, 2012.

**Resolution No. 347-11****ADOPTED**

**110890 [Salvadoran's Day - August 6, 2011]****Sponsor: Avalos**

Resolution proclaiming August 6, 2011, as Salvadoran's Day in the City and County of San Francisco to acknowledge the Salvadorian contributions in the Bay Area.

**Resolution No. 354-11**

**ADOPTED**

**110891 [Visitacion Valley Branch Library Grand Opening]****Sponsor: Cohen**

Resolution recognizing the grand opening of the new Visitacion Valley Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

**Resolution No. 353-11**

**ADOPTED**

**110889 [Suspending Board Rule 4.29 of the Rules of Order to Schedule Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. at the September 6, 2011, Board Meeting]**

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m., at the September 6, 2011, Board Meeting. (Clerk of the Board)

**Motion No. M11-132**

**APPROVED**

**110879 [Final Map 5570: 301-315 Moraga Street (formerly 1701-9th Avenue)]**

Motion approving Final Map 5570, a 3 Lot Subdivision and 6 Residential Unit Condominium Project, located at 301-315 Moraga Street (formerly 1701-9th Avenue) being a subdivision of Lot No. 001 in Assessor's Block No. 2040; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

**Motion No. M11-133**

**APPROVED**

**110880 [Final Map 6159: 130-23rd Avenue]**

Motion approving Final Map 6159, a 6 Unit Residential Condominium Project, located at 130-23rd Avenue Street being a subdivision of Lot No. 037 in Assessor's Block No. 1382; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

**Motion No. M11-134**

**APPROVED**

**110881 [Final Map 5209: 1301 Indiana Street and 1280 Minnesota Street]**

Motion approving Final Map 5209, a Mixed-Use 32 Unit Residential and 3 Unit Commercial Condominium Project, located at 1301 Indiana Street and 1280 Minnesota Street being a subdivision of Lot No. 159 in Assessor's Block No. 4228; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

**Motion No. M11-135**

**APPROVED**

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

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

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

*Supervisor Chiu requested that File No. 110689 be severed so that it may be considered separately.*

**110689 [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 2, 2011, at 3:00 p.m. 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 Sections 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, 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)

*The President inquired as to whether any member of the public wished to address the Board relating to File No. 110689. There were no speakers. The President declared public comment closed.*

**Motion No. M11-127**

**APPROVED by the following vote:**

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



*Supervisor Elsbernd requested that File No. 110869 be severed so that it may be considered separately.*

**110869 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 8, 2011, Consolidated General Municipal Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2011, Consolidated General Municipal Election. (Clerk of the Board)

**Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

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

**Motion No. M11-130**

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

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

*Supervisor Farrell requested that File No. 110892 be severed so that it may be considered separately.*

**110892 [Commending VetSTRONG, the San Francisco Chapter of Returning Veterans of America, City College of San Francisco Veterans Alliance, and Our Veterans Club at San Francisco State University]**

**Sponsors: Farrell; Cohen, Chu, Elsbernd, Mar, Mirkarimi, Kim, Chiu, Campos and Avalos**  
Resolution commending VetSTRONG, the San Francisco Chapter of Returning Veterans of America, City College of San Francisco Veterans Alliance, and Our Veterans Club at San Francisco State University in their work to strengthen a community amongst Post 9-11 veterans, veteran resource providers, and residents of the City and County of San Francisco.

*Supervisors Chiu, Campos, and Avalos requested to be added as co-sponsors.*

**Resolution No. 352-11**

**ADOPTED by the following vote:**

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

Supervisor Mirkarimi requested that File Nos. 110894 and 110878 be severed so that they may be considered separately.

**110894 [Urging the Suspension of or Termination of Agreements with Immigration and Customs Enforcement on the Police/ICE Collaboration Program Known as “Secure Communities” and Supporting AB 1081]**

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

Resolution urging Governor Jerry Brown and Attorney General Kamala Harris to join the Governors of Illinois, Massachusetts, and New York in suspending or terminating agreements with Immigration and Customs Enforcement (ICE) on the Police/ICE collaboration program known as “Secure Communities” and to support Assembly Bill 1081, the TRUST Act - state legislation that would permit localities to opt out of the program.

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

**Supervisor Chu, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to September 6, 2011. The motion carried by the following vote:**

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

**110878 [Final Map 5580: 49-55 Columbus Avenue]**

**Sponsor: Chiu**

Motion approving Final Map 5580, a Three Airspace Subdivision and 21 Unit Limited Equity Housing Cooperative, located at 49-55 Columbus Avenue being a subdivision of Lot No. 12 in Assessor's Block No. 195; adopting findings pursuant to the General Plan and City Planning Code Section 101.1; and approving a Notice of Conditions of Approval related to the Final Map. (Public Works Department)

*Supervisor Chiu requested to be added as sponsor.*

**Motion No. M11-131**

**APPROVED by the following vote:**

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

## IMPERATIVE AGENDA

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

#### Ordinances

**110781 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2011-2012]**

**Sponsor: Mayor**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate of residential tenants pursuant to Chapter 37 of the Administrative Code for FY ending June 30, 2012.

(Fiscal Impact)

07/21/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

08/02/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

**110782 [Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]**

**Sponsor: Mayor**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for FY ending June 30, 2012.

07/21/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

08/02/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

**110783 [Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]**

**Sponsor: Mayor**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the FY ending June 30, 2012.

07/21/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

08/02/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

**110784 [Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2011-2012]**

**Sponsor: Mayor**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid transit District purposes for the FY ending June 30, 2012.

07/21/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

08/02/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

**110899 [Administrative Code - False Advertising by Limited Services Pregnancy Centers]****Sponsors: Cohen; Chiu, Wiener and Kim**

Ordinance amending the San Francisco Administrative Code by adding Chapter 93, Sections 93.1 through 93.5, to prohibit limited services pregnancy centers from making false or misleading statements to the public about pregnancy-related services the centers offer or perform.

08/02/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/1/2011.

**110900 [Administrative Code - Film Fees and Rebate Program]****Sponsor: Farrell**

Ordinance amending the San Francisco Administrative Code Sections 57.5 and 57.8 to: 1) decrease filming fees for smaller-budget productions; 2) include documentary films, docudrama films, and "reality" programming among eligible productions for the Film Rebate Program; 3) exempt productions by nonprofit entities, public service announcements, and qualifying student productions from film fees; and 4) make environmental findings.

(Fiscal Impact)

08/02/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 9/1/2011. Fee Ad published in the SF Examiner on 9/2/11 and 9/9/11.

**110901 [Police Code - Safe Storage and Enhanced-Lethality Ammunition Findings]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Sections 4511 and 613.9.5 to add findings to ordinances: 1) requiring a handgun to be kept in a locked container or disabled with a trigger lock; and 2) prohibiting the sale of enhanced-lethality ammunition.

08/02/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 9/1/2011.

**110902 [Public Employment - Amendment to the Annual Salary Ordinance for Adult Probation, District Attorney, and Public Defender - FY2011-2012]****Sponsor: Mayor**

Ordinance amending Ordinance No. 146-11 (Annual Salary Ordinance FY2011-2012) to reflect the addition of 34 positions (22.84 FTE) in various job classes for Assembly Bill 109 Public Safety Realignment consisting of adding 30 positions (19.92 FTE) in Adult Probation, 2 positions (1.50 FTE) in Public Defender, and 2 positions (1.42 FTE) in District Attorney.

(Fiscal Impact)

08/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110907 [Appropriating State Assembly Bill 109 Realignment Fund to Support Expenditures at the Adult Probation and Other Departments for FY2011-2012 - \$5,787,176]****Sponsor: Mayor**

Ordinance appropriating \$5,787,176 of Assembly Bill 109 Public Safety Realignment revenue to support related expenditures at Adult Probation, District Attorney, Public Defender, and Sheriff for FY2011-2012.

08/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110915 [Administrative Code - Determination of Prevailing Wage Rate]****Sponsor: Mar**

Ordinance amending the San Francisco Administrative Code, Section 6.22(E) to authorize departments to petition the State Director of Industrial Relations in the event the department concludes that there is no prevailing wage rate set, or that a prevailing wage has not been properly set, for a particular craft, classification or type of worker needed for a prospective public works contract.

08/02/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 9/1/2011.

**Resolutions****110908 [Urging the Municipal Transportation Agency to Halt Action on the Transfer of Credit Card Charges to Taxi Cab Drivers]****Sponsor: Campos**

Resolution urging the San Francisco Municipal Transportation Agency to reconsider and abandon the decision to shift the burden of credit card merchant charges to the city cab drivers.

08/02/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**110909 [Accept and Expend Grant - FY2007 Supplemental Port Security Grant Program - Marine-Based Equipment Enhancements - \$230,000]****Sponsor: Chiu**

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of \$230,000 from the Federal Emergency Management Agency for FY2007 Supplemental Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay.

08/02/11; RECEIVED AND ASSIGNED to Public Safety Committee.

**110910 [Accept and Expend Grant - FY2008 Port Security Grant Program - Type 2 Fire Boat - \$7,870,484]****Sponsor: Chiu**

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of \$7,870,484 from the Federal Emergency Management Agency for the FY2008 Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay.

08/02/11; RECEIVED AND ASSIGNED to Public Safety Committee.

**110911 [Accept and Expend Grant - FY2010 Port Security Grant Program - Rapid Response Vessel and Regional Marine Training - \$645,125]****Sponsor: Chiu**

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of \$645,125 from the Federal Emergency Management Agency for FY2010 Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay.

08/02/11; RECEIVED AND ASSIGNED to Public Safety Committee.

**110912 [Accept and Expend Grant - FEMA Assistance to Fire Fighters - Heavy-Duty Washer Extractors - \$107,296]****Sponsor: Chiu**

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of \$107,296 from the Federal Emergency Management Agency for the purchase and installation of seven commercial washer extractors to clean personal protective equipment.

08/02/11; RECEIVED AND ASSIGNED to Public Safety Committee.

**110913 [Gift Acceptance - Powell Street Promenade]****Sponsor: Kim**

Resolution acknowledging and accepting the Union Square Business Improvement District's gift of the Powell Street Promenade on Powell Street, between Geary Boulevard and Ellis Street, and dedicating these improvements to public use.

08/02/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110914 [Increase the Assessor-Recorder's Base Recording Fee]****Sponsor: Kim**

Resolution authorizing an increase in the Assessor-Recorder's base fee for recording and indexing the first page of every instrument, paper, or notice from \$3 to \$10 pursuant to California Government Code Section 27361(a).

(Fiscal Impact)

08/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110916 [Real Property Lease Amendment - Northeast Corner of Octavia Boulevard and Fell Street]****Sponsor: Mirkarimi**

Resolution approving an amendment of lease between the City and County of San Francisco and PROXYdevelopment, LLC, for property located at the northeast corner of Octavia Boulevard and Fell Street, commonly known as a portion of Assessor's Block No. 0817, Lot No. 33 (Parcel L), to extend the lease term from four years to five years.

08/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110917 [Real Property Sublease Amendment - Southeast Corner of Octavia Boulevard and Hayes Street]****Sponsor: Mirkarimi**

Resolution approving an amendment of sublease between the City and County of San Francisco and PROXYdevelopment, LLC, for property located at the southeast corner of Octavia Boulevard and Hayes Street, commonly known as a portion of Assessor's Block No. 0817, Lot No. 30 (Parcel K), to extend the sublease term from three years to five years.

08/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110918 [Revolving Fund Agreement - Burial or Emergency Relocation of Crime Victims - \$75,000]****Sponsor: Mirkarimi**

Resolution authorizing the Office of the District Attorney to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses for eligible homicide victims and emergency relocation for victims of domestic violence and sexual assault for the period of July 1, 2011, through June 30, 2014.

08/02/11; RECEIVED AND ASSIGNED to Public Safety Committee.

**110919 [Accept and Expend Grant - Compensation for Crime Victims - Up to \$714,138]****Sponsor: Mirkarimi**

Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to \$714,138 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement for the period of July 1, 2011, through June 30, 2012.

08/02/11; RECEIVED AND ASSIGNED to Public Safety Committee.

**110920 [2011 Public Safety Realignment Plan]****Sponsor: Mayor**

Resolution approving the City and County of San Francisco 2011 Public Safety Realignment Plan.

08/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110921 [Certificates of Participation - Moscone Center Refunding Project - Not to Exceed \$110,000,000]****Sponsor: Mayor**

Resolution approving the execution and delivery of not to exceed \$110,000,000 aggregate principal amount of Refunding Certificates of Participation for the purpose of refinancing certain lease revenue refunding bonds issued by the Redevelopment Agency; approving a property lease, project lease, escrow agreements, and a trust agreement; providing for the manner of sale of Refunding Certificates of Participation, whether by competitive or negotiated sale; approving the form of the official notice of sale and the notice of intention to sell for the Refunding Certificates of Participation; directing the publication of the notice of intention to sell for the Refunding Certificates of Participation; approving the form of the Certificate Purchase Contract; approving the form of the official statement in preliminary and final form; approving the form of the continuing disclosure certificate; authorizing the acceptance by the City of certain property in connection with the execution and delivery of the Refunding Certificates of Participation; authorizing the payment of cost of issuance; authorizing the taking of appropriate actions in connection therewith; and related matters.

(Fiscal Impact)

08/02/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110922 [Lost Landmark Plaques for Uptown Tenderloin Historic District]****Sponsor: Kim**

Resolution authorizing the placement of sidewalk plaques in front of nine locations in the Tenderloin neighborhood in accordance with Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance.

08/02/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110923 [Accept and Expend Grant - National Night Out - \$3,000]****Sponsor: Mayor**

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a grant from the Target Corporation in the amount of \$3,000 to purchase supplies and handouts for National Night Out community events on August 2, 2011.

08/02/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110925 [Approval of a 30 Day Extension for Planning Commission Review]****Sponsor: Mirkarimi**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; and 7) making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

08/02/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Request for Hearing****110924 [Hearing - America's Cup Workforce Development Plan Status]****Sponsor: Avalos**

Hearing on the status of the America's Cup Workforce Development Plan to include reports from the Mayor's Office of Economic and Workforce Development, the Port, and America's Cup Event Authority on provisions for prevailing wage for temporary and permanent structures, ensuring high labor standards, and maximizing opportunities for local workforce training and employment on end use jobs.

08/02/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.



**Introduced by the President at the Request of a Department****PROPOSED ORDINANCES****110785 [Planning Code - Zoning - Establishing Standards for Bird-Safe Buildings]**

Ordinance amending the San Francisco Planning Code by: 1) adding Section 139 to establish standards for bird-safe buildings to help reduce injury and mortality in birds caused by certain types of new construction, replacement facades, and building features; 2) amending Section 145.1 to allow for exceptions to transparency and fenestration requirements to meet standards for bird-safe buildings; and 3) adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

07/22/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/1/2011.

**110786 [Planning Code - Eastern Neighborhoods Code Cleanup]**

Ordinance amending various sections of the San Francisco Planning Code to: 1) improve the City's ability to implement the goals, objectives, and policies of the Eastern Neighborhoods Plan; 2) make technical corrections to the Code; 3) update land use tables in the Eastern Neighborhoods; 4) clarify language for affordable housing tiers and the use of historic buildings in the UMU District; 5) clarify permitted modifications for large project authorizations in the Eastern Neighborhoods; and 6) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan, and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

07/22/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/1/2011.

**110787 [Administrative Code - Eastern Neighborhoods Code Cleanup]**

Ordinance amending the San Francisco Administrative Code Section 10E.2 to: 1) clarify the requirements for the Controller's assessment in order to improve the City's ability to implement the goals, objectives, and policies of the Eastern Neighborhoods Plan; and 2) making environmental findings. (Planning Commission)

07/22/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/1/2011.

**110788 [Zoning Map Amendments - Eastern Neighborhoods Code Cleanup]**

Ordinance amending San Francisco Zoning Map Sheets ZN01, ZN07, ZN08, and SU08 to: 1) correct technical errors made in Ordinance No. 299-08; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

07/22/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/1/2011.  
9/2/2011 - Mailed notice to property owners and interested parties.

## PROPOSED RESOLUTION

**110814 [CEQA Findings - SFPUC Water System Improvement Program - Rehabilitation of the Existing San Joaquin Pipelines Project]**

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program, related to the rehabilitation of the San Joaquin Pipelines Project, Project No. CUW37302; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

07/25/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## **Requests Granted**

*From: Supervisor Avalos*

*To: City Attorney*

*Requesting/Inquiring: Requesting City Attorney to draft legislation expanding the City's current requirements for bike parking/access in commercial buildings to existing commercial buildings.*

*Bicycle Access to Office Buildings Ordinance-*

*Requiring existing commercial buildings to either provide bike parking or allow cyclists to bring bikes into the buildings.*

*Background:*

- *Concern about bike theft is one of the major factors that discourages people from biking in the City*
- *Planning Code currently requires new and majorly-renovated commercial buildings to provide secured bike parking.*
- *However, pre-existing commercial buildings are exempted from this requirement.*

*Proposal:*

*Beginning January 1st, owners of commercial buildings that are not covered by section 155.4 would be required to do one of the following:*

- *Use NYC's successful "Bicycle Access to Office Buildings Law" (implemented in 2009) as a model*
- *Provide secure bike parking in their buildings, or*
- *Allow their tenants to bring their bikes into the building*

*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 public property at the following locations:*

*Utility Boxes*

*Approximately 1050 Buchanan*

*Northwest corner of Fulton & Webster*

*Northeast corner of Fillmore & Fell*

*Northeast corner of Page & Divisadero*

*Near 1326 Oak*

*Northeast corner of Buchanan & Fell*

*Northwest corner of Webster & Grove*

*Emergency Box*

*Southwest corner of Geary & Divisadero*

*Parking & Traffic Signs*

*399 Steiner*

*810 Fulton*

*1849 Divisadero*

*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:*

*Residential and Commercial Buildings*

*399 Steiner*

*780 Oak*

*799 Oak, on north side*

*587 Haight*

1326 Grove, clothing bins etc., graffiti  
725 Webster  
709 Webster  
Northwest corner of Oak & Divisadero  
507 Divisadero  
534 Divisadero  
600 Divisadero  
616 Divisadero  
607 Divisadero  
601 Divisadero  
1377 Hayes  
590 Baker, on north side  
1333 Fulton  
861 Divisadero  
2186 Geary, on south and west sides  
Northeast corner of Sutter & Divisadero  
Approximately 1937 Divisadero  
2829 California  
2501 California  
1550 Steiner  
625 Steiner

Planter Boxes  
Northwest corner of Pierce & Waller  
639 Divisadero

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  
Northwest corner of Page & Divisadero  
347 Judah  
7th Avenue & Irving (near bus stops  
Northwest corner of Hayes & Fillmore  
Northwest corner of Pierce & Haight  
1750 Fulton  
Northwest corner of Divisadero & Fulton  
Southwest corner of Geary & Divisadero  
2825 California  
2435 California  
Northwest corner of Geary & Fillmore

San Francisco Chronicle  
Northwest corner of Fillmore & Hayes  
Southeast corner of Haight & Fillmore  
Irving & 7th Avenue  
Northwest corner of Steiner & Waller  
Southwest corner of Haight & Clayton  
Southeast corner of Haight & Masonic  
Northwest corner of Hayes & Divisadero  
Southwest corner of Baker & Hayes  
Southeast corner of Masonic & Hayes  
Southwest corner of Pine & Fillmore  
Southwest corner of California & Divisadero

*San Francisco Examiner*  
Northwest corner of Fillmore & Hayes  
Northwest corner of Pierce & Haight  
Southeast corner of Masonic & Hayes  
Northwest corner of Divisadero & Fulton  
1600 Divisadero  
Northwest corner of Baker & Fulton  
Southwest corner of Sutter & Divisadero  
Southwest corner of California & Divisadero  
Northwest corner of Geary & Fillmore

*SF Weekly*  
Southeast corner of Masonic & Haight  
444 Divisadero  
2025 California  
Southeast corner of Hayes & Divisadero  
Southeast corner of Hayes & Masonic  
Southeast corner of Masonic & Fulton  
Northwest corner of Divisadero & Fulton  
Northeast corner of McAllister & Divisadero  
Northeast corner of Sutter & Divisadero  
Southwest corner of California & Divisadero  
Northeast corner of Haight & Steiner  
Northwest corner of Pierce & Haight

*Advertiser*  
2435 California  
Southeast corner of Masonic & Fulton  
Northwest corner of Divisadero & Fulton  
Southwest corner of California & Divisadero  
Northwest corner of Geary & Fillmore

*Jobs and Careers*  
Southeast corner of Masonic & Fulton  
1750 Fulton  
1600 Divisadero  
Northwest corner of Geary & Fillmore

*Open Exchange*  
2825 California

*Western Edition HP Journal*  
Southwest corner of Geary & Divisadero

*USA Today*  
1600 Divisadero  
1750 Divisadero

*Real Estate Times*  
2825 California  
Southeast corner of Masonic & Fulton

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

Metal Poles  
632 Haight  
334 Divisadero  
280 Divisadero  
444 Divisadero  
628 Divisadero  
445 Fillmore  
1335 Fulton  
Approximately 1110 Divisadero  
1600 Divisadero  
Southwest corner of Pine & Divisadero  
Approximately 1411 Steiner  
705 Oak

Wood Poles  
1443 Fulton  
On Buchanan between Fell & Oak on east side of street

Concrete Poles  
625 Steiner  
220 Divisadero, in median  
1335 Fulton

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

Garbage Cans  
Southeast corner of Masonic & Fulton  
Southwest corner of Divisadero & Fulton  
Approximately 1180 Divisadero  
Northeast corner of McAllister & Divisadero  
Northeast corner of Pine & Divisadero  
Southeast corner of Hayes & Fillmore  
Southeast corner of Page & Fillmore

Mailboxes  
Southeast corner of Masonic & Hayes  
Northwest corner of Fulton & Webster  
Northeast corner of McAllister & Divisadero  
Southwest corner of Pine & Divisadero

Street Walls and Overpasses  
Southwest side of Geary & Steiner

Fire Hydrant  
Southeast corner of Ellis & Steiner

Public Benches  
Northeast and Northwest corners of Masonic & Hayes  
Southeast corner of Masonic & Fulton

**In Memoriams**

Darwin Dean Dias– Supervisor Jane Kim

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 5:08 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 September 6, 2011.*

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Angela Calvillo, Clerk of the Board