

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

## MEETING MINUTES

Tuesday, October 6, 2009 2:00 PM

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

Regular Meeting

*DAVID CHIU, PRESIDENT*

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

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

Supervisors Avalos, Mirkarimi, Chu

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

Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas

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

Supervisors Dufty, Daly, Elsbernd

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

Supervisors Mirkarimi, Mar, Maxwell

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

Supervisors Maxwell, Mar, Chiu

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

Supervisors Chiu, Mirkarimi, Alioto-Pier

##### **Rules Committee**

Supervisors Campos, Daly, Alioto-Pier

#### Meeting Days

Wednesday  
11:00 AM

1st and 3rd Thursday  
3:30 PM

2nd and 4th Monday  
10:30 AM

2nd and 4th Thursday  
1:00 PM

Monday  
1:00 PM

1st and 3rd Monday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

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

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisor Alioto-Pier was noted absent. There was a quorum.*

*Supervisor Alioto-Pier was noted present at 2:09 p.m.*

## AGENDA CHANGES

*There were none.*

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

**091007 [Airport Concession Lease]**

Resolution approving the Terminal 3 Concourse Specialty Store Lease to Air Sun, a joint venture between Sunglass Hut Trading, LLC and Corliss Stone-Littles, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

**Resolution No. 394-09**

**ADOPTED**

**Recommendation of the City Operations and Neighborhood Services Committee**

090909 [Citizen's Committee on Community Development]  
Mayor, Supervisors Daly, Avalos, Mirkarimi, Mar, Campos

Ordinance amending the San Francisco Administrative Code by adding Section 2A.290 to establish the Citizen's Committee on Community Development, an advisory body jointly appointed by the Mayor and the Board of Supervisors, that is responsible for making policy recommendations and providing for citizen participation regarding community development strategy in the City, and making annual funding recommendations for the Federal Housing and Urban Development Community Development Block Grant and Emergency Shelter Grant programs.

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

Ordinance No. 212-09

FINALLY PASSED

**Recommendations of the Rules Committee**

090955 [Settlement of Administrative Enforcement Action - \$115,000]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$115,000.

Resolution No. 386-09

ADOPTED

091005 [Settlement of Unlitigated Claim - Rajitha Sangha - \$30,000]

Resolution approving the settlement of the unlitigated claim of Rajitha Sangha against the City and County of San Francisco for \$30,000; claim was filed on July 7, 2008. (City Attorney)

Resolution No. 385-09

ADOPTED

091006 [Settlement of Unlitigated Claim - Ferry Building Associates - \$107,798.50]

Resolution approving the settlement of the unlitigated claim filed by Ferry Building Associates against the City and County of San Francisco for \$107,798.50; claim was filed on January 26, 2009. (City Attorney)

Resolution No. 384-09

ADOPTED

091009 [Settlement of Unlitigated Claim - Rose Dennis - \$90,670.20]

Resolution approving settlement of the unlitigated claim submitted by Rose Dennis against the City and County of San Francisco for \$90,670.20; claim was submitted on April 2, 2009. (City Attorney)

Resolution No. 383-09

ADOPTED

**091048 [Appointment, Sunshine Ordinance Task Force - Suzanne Manneh]**

Motion appointing Suzanne Manneh, term ending April 27, 2011, to the Sunshine Ordinance Task Force, residency requirement waived.

Suzanne Manneh, seat 4, succeeding Ketaki Gokhale, resigned, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2011, residency requirement waived.

**Motion No.** M09-156

**APPROVED**

**091049 [Appointments, Assessment Appeals Board No. 1 - Alec Lambie, Lawrence Lee, Hayes Miles and Scott Spertzel]**

Motion appointing Alec Lambie, Lawrence Lee, Hayes Miles and Scott Spertzel, terms ending September 7, 2012, to the Assessment Appeals Board No. 1.

Alec Lambie, succeeding himself, term expired, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012.

Lawrence Lee, succeeding himself, term expired, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012.

Hayes Miles, succeeding himself, term expired, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012. ALTERNATE /HEARING OFFICER

Scott Spertzel, succeeding David Wilbur, term expired, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012. ALTERNATE /HEARING OFFICER

**Motion No.** M09-157

**APPROVED**

**091050 [Appointments, Assessment Appeals Board No. 2 - Louisa Mendoza, John McGary, Donna Crowder and Arthur Tom]**

Motion appointing Louisa Mendoza, John McGary, Donna Crowder and Arthur Tom, terms ending September 7, 2012, to the Assessment Appeals Board No. 2.

Louisa Mendoza, succeeding herself, term expired, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012.

John McGary, succeeding himself, term expired, seat 5, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012.

Donna Crowder, succeeding herself, term expired, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012.

Arthur Tom, succeeding himself, term expired, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 7, 2012.

**Motion No.** M09-158  
**APPROVED**

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

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

## REGULAR AGENDA

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**090938 [San Francisco Special Tax Financing Law]  
Supervisors Mar, Mirkarimi, Campos**

Ordinance amending the San Francisco Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize water conservation and water pollution control equipment and improvements as facilities eligible for funding through the formation of special tax districts, the imposition of special taxes, and the issuance of bonds secured by special tax funds and related technical amendments.

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

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

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

Ordinance to amend the San Francisco Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize water conservation and water pollution control equipment and improvements as facilities eligible for funding through the formation of special tax districts, the imposition of special taxes, and the issuance of bonds secured by special tax funds and related technical amendments.

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

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

**090992 [Recreation and Park - Farmers' Market Fees - \$475 per market location for six months]  
Supervisor Mirkarimi**

Ordinance amending the San Francisco Park Code Section 7.21 to establish farmers' market fees at \$475 per market location for six months of operation.

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

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

**090908 [Approving Advanced Train Control System Improvement Services and Equipment Purchases]  
Supervisor Dufty**

Resolution approving Municipal Transportation Agency Contract No. 1226, Advanced Train Control System Improvement Services and Equipment Purchases, with Thales Transport & Security, Inc., for an amount not to exceed \$30,000,000 for a term not to exceed five years with an option to extend the term an additional three years.

(Fiscal Impact.)

**Resolution No.** 393-09

**ADOPTED by the following vote:**

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

**090939 [Adoption of Local Goals and Policies for Mello-Roos Community Facilities Districts]  
Supervisors Mar, Mirkarimi**

Resolution adopting local goals and policies for Mello-Roos Community Facilities Districts.

**Resolution No.** 387-09

**ADOPTED by the following vote:**

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

**091055 [Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project]**

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

**Resolution No.** 382-09

**ADOPTED by the following vote:**

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

**091114 [Hunters Point Shipyard Cooperative Agreement for Fire and Medical Services]  
Mayor, Supervisor Maxwell**

Resolution authorizing the San Francisco Fire Department to enter a five-year Cooperative Agreement with the United States Navy to provide fire and emergency medical services to portions of the Hunters Point Shipyard remaining under federal ownership, and to accept and expend funds provided to the Fire Department by the Navy as reimbursement for services provided under that agreement.

**Resolution No.** 379-09

**ADOPTED by the following vote:**

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

**091120 [2008 Community Needs Assessment and 2010-2013 Children's Services Allocation Plan]  
Mayor**

Resolution approving the Children's Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter.

**Resolution No.** 388-09

**ADOPTED by the following vote:**

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

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

**090477 [Amending Planning Code - South of Market (SOMA) Community Stabilization Fund]  
Supervisor Daly**

Ordinance amending Section 318.2 and 318.7 of the San Francisco Planning Code to clarify certain provisions relating to the South of Market (SOMA) Stabilization Fund to clarify that the Mayor's Office of Community Investment, the successor to the Mayor's Office of Community Development, will manage and expend the Fund; and amending Section 318.3 to clarify that the SOMA Stabilization fee is due before issuance of the final certificate of occupancy or within a time certain after the issuance of a first certificate of occupancy, whichever is sooner; and making certain findings including findings under the California Environmental Quality Act.

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

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

**090791 [Changing the official sidewalk width - 20th, Minnesota, and Indiana Streets]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1584 to change the official sidewalk width on the north side of 20th Street between Minnesota and Indiana Streets, southwest corner of 20th and Minnesota Streets, and southeast corner of 20th and Indiana Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

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

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

**090963 [Interim Zoning Controls requiring conditional use authorization for Tobacco Paraphernalia Establishments, as defined, in the Polk Street Neighborhood Commercial District]  
Supervisor Chiu**

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for Tobacco Paraphernalia Establishments, as defined, and subject to specified exceptions, in the Polk Street Neighborhood Commercial District, for a one year period, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

**Resolution No.** 389-09

**ADOPTED by the following vote:**

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



**Recommendation of the Public Safety Committee**

091031 [Police Department Command Staff]  
Supervisors Campos, Alioto-Pier, Avalos, Chiu, Daly, Mar, Maxwell, Mirkarimi

Ordinance amending the San Francisco Administrative Code to authorize the Chief of Police to appoint to any non-civil service rank above the rank of Captain (a) any member of the Police Department who has had supervisory experience over other sworn law enforcement officers; and (b) for a period of five years from the effective date of this ordinance, any sworn law enforcement officer with such supervisory experience from any local, state or federal agency that employs sworn law enforcement officers, provided that only one such officer may hold an appointment at any one time.

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

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

**Recommendation of the Rules Committee**

090877 [Confirming the Mayor's reappointment of Kimberly K. Brandon to the San Francisco Port Commission]  
Mayor

Motion confirming the Mayor's reappointment of Kimberly K. Brandon to the San Francisco Port Commission for a four-year term ending May 1, 2013.

Motion No. M09-159

**APPROVED by the following vote:**

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

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole**

091135 [Committee of the Whole - Acquisition of Muni Fillmore Substation at 1190 Fillmore Street]  
Supervisor Mirkarimi

Hearing of persons interested in or objecting to proposed Resolution approving the acquisition of real property with improvements located at 1190 Fillmore Street (at Turk Street), together with a Certificate for 171,308 units of Transferable Development Rights and \$135,225 in predevelopment planning funds from the San Francisco Redevelopment Agency for the rehabilitation of the Muni Substation, at no cost to the City.

*The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of the Muni Fillmore Substation located at 1190 Fillmore Street referenced in File No. 090993. Jake Crawford; Harris Edgerly; Male Speaker; Ace Washington; Male Speaker; expressed various concerns. 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 Without Recommendation

090993 [Acquisition of Muni Fillmore Substation at 1190 Fillmore Street]

Supervisor Mirkarimi

Resolution approving the acquisition of real property with improvements located at 1190 Fillmore Street (at Turk Street), together with a Certificate for 171,308 units of Transferable Development Rights and \$135,225 in predevelopment planning funds from the San Francisco Redevelopment Agency for the rehabilitation of the Muni Substation, at no cost to the City.

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

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

Resolution No. 390-09

ADOPTED AS AMENDED by the following vote:

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

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

### Privilege of the Floor

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

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

*Supervisor Chu introduced, welcomed, and presented Certificates of Honor to Commander Gus Bruneman, retired, which was accepted by his son, Lieutenant Kurt Bruneman, and Captain Ray White, retired, on behalf of the San Francisco Police Activities League (PAL), as the founders and to Captain Rick Bruce in recognition of PAL's continued community support.*

*Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Rashanda Madison, representing San Francisco Peer Court, in support of Youth Corp Month and in recognition of their continued community support.*

*Supervisor Chiu introduced, welcomed, and presented Certificates of Honor to Benjamin Amyes, Red Cross, and Hotel Council of San San Francisco, in recognition of their contributions in a recent emergency response and for their continued community support.*

**SPECIAL ORDER 4:00 P.M.****091082 [Public Hearing - Appeal of Final Mitigated Negative Declaration - 1390 Market Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17892, adopted May 28, 2009, Case No. 2005.0979E, approving a Final Mitigated Negative Declaration for the proposed development project located at 1390 Market Street (Assessor's Block No. 0813, Lot No. 006). The proposal would demolish an existing two-story retail and office building and construct a new 120-foot-tall, 11-story building containing up to 250 dwelling units and approximately 19,880 gross square feet of ground-floor retail use. There would be no change to an existing mixed-use tower on the site, and no new parking would be provided (18 existing spaces would be removed); parking for the new residential units would be within an existing two-level basement. (Appellant: Sue C. Hestor on behalf of San Franciscans for Reasonable Growth)

(Filed 9/3/09; Companion Measure to Files 091083, 091084, 091085; District 6.)

*The President inquired as to whether any member of the public wished to address the Board. Sue Hestor (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. There were no speakers in support of the appeal. Don Lewis and Joy Navarrete (Planning Department) provided details of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Andrew Junius and Amir Massih (Project Sponsors) provided details of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Kenneth Colin, Mark Conrah; spoke in support of the project and in opposition to the appeal. Sue Hestor (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

**091083 [Affirming adoption of the final mitigated negative declaration for 1390 Market Street]**

Motion affirming Planning Commission adoption of the final mitigated negative declaration for 1390 Market Street.

**Motion No.** M09-166

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

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

**091084 [Reversing adoption of the final mitigated negative declaration for 1390 Market Street]**

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 1390 Market Street.

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

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

**091085 [Preparation of findings to reverse adoption of the final mitigated negative declaration for 1390 Market Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 1390 Market Street.

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

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

## COMMITTEE REPORTS

**091053 [Approval of the cost extension application for HIV prevention projects]  
Supervisors Dufty, Campos**

Resolution authorizing the San Francisco Department of Public Health to submit a two-year application for calendar years 2010 and 2011, to continue to receive funding for the "HIV Prevention Projects" grant from the Centers for Disease Control and Prevention, in the total amount of approximately \$16,000,000 in HIV prevention funding for San Francisco; from January 1, 2010, through December 31, 2011. (Public Health Department)

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

**Resolution No. 381-09**

**ADOPTED by the following vote:**

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

## ROLL CALL FOR INTRODUCTIONS

*See Off-Agenda Legislation below.*

## PUBLIC COMMENT

*Abdullah Megaheed; expressed various concerns.*

*Lois Roberts; expressed various concerns.*

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

*Richard McRee; expressed concerns relating to technology, inventions and patents.*

*Male Speaker; expressed various concerns.*

*Dr. Walker; expressed concerns relating to plans for Candlestick and Bayview Hunter's Point.*

*Al Long; expressed concerns relating to Bayview Hunter's Point.*

*Daniel Howard; expressed concerns relating to Bayview Hunter's Point.*

*Douglas Yim; expressed concerns relating to pornography.*

*Reverend Amos Brown; expressed concerns relating to democracy and Bayview Hunter's Point.*

*Ace Washington; expressed concerns relating to Bayview Hunter's Point.*

*Male Speaker; expressed various religious concerns.*

*Pastor; expressed concerns relating to Bayview Hunter's Point.*

*Ron Lee; expressed concerns relating to Bayview Hunter's Point.*

*Dave Johnston; expressed concerns relating to surcharge for cigarettes.*

*Daniel Landry; expressed concerns relating to Bayview Hunter's Point.*

*Male Speaker; expressed concerns relating to food.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****091143 [Welcoming the Presidents Cup to San Francisco]  
Supervisors Elsbernd, Daly**

Resolution welcoming The Presidents Cup to Harding Park Golf Course.

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

**Resolution No.** 391-09

**ADOPTED**

**091144 [Commending Bart Duncan for all of his work with the City and County of San Francisco]  
Supervisor Dufty**

Resolution commending Bart Duncan for his more than 8 years of service to the City and County of San Francisco and for his leadership as the Director of Health Services.

**Resolution No.** 392-09

**ADOPTED**

**091145 [Amending meeting requirements for the Children's Collaborative Task Force]  
Supervisor Alioto-Pier**

Resolution amending Resolution 358-07, to allow the Children's Collaborative Task Force to begin meeting prior to the appointment of all its members.

**Resolution No.** 380-09

**ADOPTED**

**091153 [Bay Area Youth Sports Foundation Day in San Francisco]  
Supervisors Alioto-Pier, Campos**

Resolution declaring Thursday, October 8, 2009, Bay Area Youth Sports Foundation Day in San Francisco.

*Supervisor Campos requested to be added a co-sponsor.*

**Resolution No.** 378-09

**ADOPTED**

**091146 [Final Map - 2242-2256 15th Street]**

Motion approving Final Map 4773, a merger and resubdivision, Parcel "B" being a six unit residential condominium project, located at 2242-2256 15th Street being a subdivision of Lot Nos. 103 and 104 in Assessors Block No. 3540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,244; District 8.)

**Motion No.** M09-160

**APPROVED**

**091147 [Final Map - 2189 Bayshore Boulevard]**

Motion approving Final Map 5584, a five residential unit and two commercial unit mixed-use condominium project, located at 2189 Bay Shore Boulevard being a subdivision of Lot No. 021 in Assessors Block No. 5066B and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,327; District 10.)

**Motion No.** M09-161

**APPROVED**

**091148 [Final Map - One Hawthorne Street]**

Motion approving Final Map 5278, a 165 residential unit and one commercial unit mixed-use condominium project, located at One Hawthorne Street being a subdivision of Lot No. 047 in Assessors Block No. 3735 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,330; District 6.)

**Motion No.** M09-162

**APPROVED**

**091149 [Final Map - 7 Vandewater Street, 418-420 Francisco Street]**

Motion approving Final Map 5590, a ten unit residential and one unit commercial mixed-use condominium project, located at 7 Vandewater Street and 418-420 Francisco Street being a subdivision of Lot No. 103 in Assessors Block No. 0041 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,332; District 3.)

**Motion No.** M09-163

**APPROVED**

**091150 [Final Map - 723 Taylor Street]**

Motion approving Final Map 4868, a twelve unit residential condominium project, located at 723 Taylor Street being a subdivision of Lot 004 in Assessors Block No. 0282 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,333; District 3.)

**Motion No.** M09-164

**APPROVED**

**091154 [Final Map - 860 Waller Street]**

Motion approving Final Map 5147, a five unit residential condominium project, located at 860 Waller Street being a subdivision of Lot No. 013 in Assessors Block No. 1240 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 178,346; District 5.)

**Motion No.** M09-165

**APPROVED**

The foregoing items were acted upon by the following vote:

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

## IMPERATIVE AGENDA

### Supervisor Campos Excused from Voting

Supervisor Dufty, seconded by Supervisor Avalos, moved to excuse Supervisor Campos from voting on the imperative item findings and File No. 091001. The motion carried by the following vote:

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

Excused: 1 - Campos

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

Supervisor Avalos, seconded by Supervisor Dufty, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

Excused: 1 - Campos

*[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.*

Supervisor Avalos, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

Excused: 1 - Campos

**091001 [Commending Central American Resource Center, Supervisor Campos, and Aura Beteta on Central American People's Day 2009]  
Supervisor Avalos**

Resolution recognizing October 18, 2009, as Central American People's Day, and to acknowledge Central American Resource Center's (CARECEN) contributions in organizing the second annual Central American community "Festival de los Volcanes," and commending Supervisor David Campos and Aura Beteta for their exemplary leadership on behalf of the City's immigrant community.

**Resolution No.** 395-09

Supervisor Avalos, seconded by Supervisor Dufty, moved that this Resolution be ADOPTED. The motion carried by the following vote:

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

Excused: 1 - Campos

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

#### Ordinances

- 090999 [Waiving contracting provisions to allow the City to meet State requirements to participate in Proposition 1A bond sale]  
Mayor, Supervisor Avalos**

Emergency ordinance (1) finding that an emergency exists for purposes of Charter Section 2.107; and (2) waiving certain City contracting provisions that are not allowed by the State under the State's standard form of purchase and sale agreement with the California Statewide Communities Development Authority and thus allowing the City to meet the deadline to participate in the State program to issue bonds to offset the adverse effects of the State's Proposition 1A borrowing of local property taxes.

(Fiscal Impact.)

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091161 [Approving Issuance of a Request for Proposals for CleanPowerSF]  
Supervisor Mirkarimi**

Ordinance approving issuance of a Request for Proposals for Community Choice Aggregation (CCA) Services for the San Francisco CCA program, commonly known as CleanPowerSF.

10/6/09, RECEIVED AND ASSIGNED to Government Audit and Oversight/LAFCo Joint Meeting.

- 091162 [Purchaser's authority to permit informal solicitation of certain contracts for purchase of goods or services and to set aside contracts for small local businesses]  
Supervisors Chu, Chiu, Maxwell**

Ordinance amending Administrative Code Section 21.5 to allow Purchaser to permit informal solicitation for contracts for commodities and services up to \$100,000 and for those contracts utilizing federal grant funds where authorized and to update Purchaser's authority to set aside contracts for local small businesses.

10/6/09, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/6/2009.



**091163 [Economic stimulus measures for capital project acceleration]  
Supervisors Chu, Chiu, Maxwell**

Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.1, to add a definition for a department head and designee and to increase the Threshold Amount for sealed competitively bid construction contracts from \$100,000 to \$400,000, with a future increase by the Controller in 2015; amending Section 6.20, to update and conform references to Administrative Code Chapter 14B; amending Section 6.21, to update and conform references to Administrative Code Chapter 14B; amending Section 6.22(A), to clarify and conform to state law the minimum contract amount requiring performance and payment bonds to \$25,000; amending Section 6.22(J), to allow for early release of retention to subcontractors certified by the Human Rights Commission as Local Business Enterprises or subcontractors on multi-year construction projects; amending Section 6.40, to increase the minimum competitive amount for the procurement of professional services for public work projects from \$25,000 to \$100,000, with a future increase in 2015 by the Controller; amending Section 6.60 to update and conform references to the Municipal Transportation Agency; amending Section 6.62, Job Order Contracts, to amend the Local Business Enterprise goal enforcement procedure and allow for micro-LBE set-asides, to increase the maximum contract amount from \$3,000,000 to \$5,000,000 and the maximum contract time to five years, to increase the maximum service order amount from \$200,000 or \$400,000 (depending on the program) to \$400,000 for all purposes, and adding new subcontractor listing and subcontractor substitution requirements.

10/6/09, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/6/2009.

**091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown]  
Supervisor Chiu**

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Table 810 to require a conditional use to install a garage in an existing residential structure in the Broadway NCD, the North Beach NCD, and the Chinatown Mixed Use and Community Business Districts; adding Section 249.46 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill – North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in a residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs and the Telegraph Hill – North Beach Residential Special Use District; amending Section 155 to add Columbus Avenue between Washington and North Point Streets to the list of streets where garage entries, driveways or other vehicular access to offstreet parking or loading are prohibited; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; 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.

(Economic Impact)

10/6/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/6/2009.

**091168 [Appropriating \$150,000 of General Fund Reserve to General City Responsibility for Emergency Aid Relief in the Philippines, Samoa and Indonesia]  
Supervisor Daly**

Ordinance appropriating \$150,000 from the General Fund Reserve to General City Responsibility for emergency aid relief for the people of the Philippines, Samoa and Indonesia related to recent natural disasters for FY 2009-2010.

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091169 [Accept and Expend Federal Grant - Police Department - \$16,562,750]  
Mayor**

Ordinance authorizing the City and County of San Francisco's Police Department to retroactively accept and expend ARRA grant funds in the amount of \$16,562,750 from the U.S. Department of Justice COPS Program for implementation of the COPS Hiring Recovery Program to hire 50 new Q-2 San Francisco Police Officers, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

(Fiscal Impact.)

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091137 [Administrative Code - Historical Property (Mills Act) Contract Procedures]  
Supervisor Alioto-Pier**

Ordinance amending Chapter 71 of the San Francisco Administrative Code regarding historical property (Mills Act) contract procedures to reflect amendments made to the San Francisco Charter to create the Historic Preservation Commission, establish certain time lines for review of applications for historical property contracts, require Budget Analyst review of applications for historical property contracts, and making other clarifying amendments; and making findings, including environmental findings.

9/22/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/22/2009.

10/6/09, SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

10/6/09, ASSIGNED to Rules Committee.

**081509 [Summary Vacation of a Portion of Channel Street Between 7th Street and Carolina Street and Exchange of Property]  
Supervisor Maxwell**

Ordinance ordering the summary vacation of a portion of Channel Street between 7th Street and Carolina Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; authorizing the exchange of such vacated City property with a new lot created in Record of Survey No. 4778, owned by Macor, Inc., Sunset Scavenger Company, and Norcal Waste Systems, Inc.; adopting environmental findings and findings that the vacation and exchange are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing actions in furtherance of the Ordinance.

11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

8/3/09, FILED PURSUANT TO RULE 5.37.

10/6/09, ASSIGNED to Land Use and Economic Development Committee.

10/6/09, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Maxwell requested this matter be reactivated.

**Resolutions****091000 [Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Certain Other Actions in Connection with Proposition 1A Bond Sale]****Mayor, Supervisor Avalos**

Resolution approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the City's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith.

(Fiscal Impact.)

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091001 [Commending Central American Resource Center, Supervisor Campos, and Aura Beteta on Central American People's Day 2009]****Supervisor Avalos**

Resolution recognizing October 18, 2009, as Central American People's Day, and to acknowledge Central American Resource Center's (CARECEN) contributions in organizing the second annual Central American community "Festival de los Volcanes," and commending Supervisor David Campos and Aura Beteta for their exemplary leadership on behalf of the City's immigrant community.

10/6/09, ADOPTED.

**091118 [Board response to the 2008-2009 Civil Grand Jury Report entitled "USE IT OR LOSE IT: a Report on the Surplus Real Property Owned by the San Francisco Unified School District"]****Supervisor Mirkarimi**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "USE IT OR LOSE IT: A Report on the Surplus Real Property Owned by the San Francisco Unified School District," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget.

10/6/09, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**091119 [Board response to the 2008-2009 Civil Grand Jury Report entitled "Being Propositioned by the San Francisco Unified School District"]****Supervisor Mirkarimi**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Being Propositioned by the San Francisco Unified School District," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget.

10/6/09, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 091158 [Board response to the 2008-2009 Civil Grand Jury Report entitled "Nonprofits, the Good, the Bad, the Ugly"]  
Supervisor Mirkarimi

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Nonprofits, the Good, the Bad, the Ugly," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget.

10/6/09, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 091159 [Board response to the 2008-2009 Civil Grand Jury Report entitled "Pensions: Beyond Our Ability to Pay"]  
Supervisor Mirkarimi

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Pensions: Beyond Our Ability to Pay," and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

10/6/09, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 091160 [Board response to the 2008-2009 Civil Grand Jury Report entitled "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness Prevent Future Progress"]  
Supervisor Mirkarimi

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness Prevent Future Progress," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget.

10/6/09, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 091164 [Accept and Expend Grant - Department of Public Health - \$282,150]  
Supervisor Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Health and Human Services Administration in the amount of \$282,150 to upgrade radiology equipment in the Trauma Center at San Francisco General Hospital; for the period of September 1, 2009, through February 28, 2011.

10/6/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 091166 [Approval of Management and Operations Agreement for the Cable Car Museum]  
Supervisor Chiu

Resolution approving Municipal Transportation Agency Management and Operations Agreement with the Friends of the Cable Car Inc., for the Cable Car Museum for a term of ten years with two five-year options to extend the term.

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091167 [Broadway Family Apartments Revenue Bonds - NTE \$19,200,000]**  
**Supervisor Chiu**

Resolution approving the reissuance of not to exceed \$19,200,000 aggregate principal amount of City and County of San Francisco Multi-family Housing Revenue Bonds Series 2004a (Broadway Family Apartments) pursuant to Section 147(f) of the Internal Revenue Code of 1986; approving the Fifth Amendment to Loan Agreement and Fifth Supplemental Indenture; ratifying previous actions; and authorizing the execution and delivery of documents and instruments.

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091170 [Accept and Expend State Grant - Urban Auto Fraud Interdiction Program - \$250,000]**  
**Supervisor Chiu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$250,000 through the California Department of Insurance, Fraud Division, Local Assistance Program, for a program entitled Organized Automobile Fraud Activity Interdiction Program ("Urban Auto") for FY 2009-2010.

10/6/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**091171 [Accept and Expend State Grant - District Attorney - \$100,000]**  
**Supervisor Chiu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$100,000 through the California Department of Insurance, Life and Annuity Consumer Protection Fund, for a program entitled "Life and Annuity Consumer Protection" for FY 2009-2010.

10/6/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091172 [Accept and Expend Federal Grant - Back on Track Re-entry Program Infrastructure and Replication Grant - \$400,000]**  
**Supervisor Chiu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$400,000 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Back On Track Re-entry Program Infrastructure and Replication Grant" for FY 2009-2012.

10/6/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**091173 [Urging the United States federal government to end the U.S. military occupation of Afghanistan]**  
**Supervisors Avalos, Campos, Daly, Mar, Mirkarimi**

Resolution urging the United States federal government to end the U.S. military occupation of Afghanistan while providing humanitarian aid to support the recovery of the country from the effects of war.

10/6/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091174 [Accept and Expend State Grants - Department of Public Health - \$18,699.38]  
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively three grants totaling \$18,699.38, from the California Department of Food and Agriculture; for the periods of July 1, 2009, through June 30, 2010, and January 1, 2010, through December 31, 2010.

10/6/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091175 [Issuance and Sale of Revenue Bonds - Crescent Manor - 467 Turk Street - NTE \$11,000,000]  
Supervisor Daly**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$11,000,000 for financing the acquisition, construction and rehabilitation of Crescent Manor - 467 Turk Street, subject to the requirements of Article IX of Chapter 43 of the Administrative Code.

10/6/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091176 [Accept and Expend Grant - Department of Public Health - \$20,059]  
Supervisors Dufty, Campos**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$20,059 from the University of California San Francisco, to assist with a project entitled "Monitoring and Evaluation Framework for Improved Health Sustainability in the Philippines;" for the period of July 1, 2009, through November 15, 2009.

10/6/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091177 [Urging San Francisco businesses and community members to contribute to the relief efforts in Samoa, American Samoa, Indonesia and the Philippines to help the islands cope with the effects of the devastating earthquake, tsunami, storms and typhoons]  
Supervisors Dufty, Daly, Campos**

Resolution urging San Francisco businesses and community members to contribute to the relief efforts in Samoa, American Samoa, Philippines and Indonesia to help the islands cope with the effects from the devastating earthquake, tsunami, storms and typhoons that have occurred over the past 10 days.

10/6/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091178 [Approval of Lease for Pier 15 and a portion of Pier 17, a related Parking Agreement and Licenses]  
Mayor**

Resolution approving and authorizing a 66-year Lease of Pier 15 and a portion of Pier 17 and related Parking Agreement at Seawall Lot No. 321, two Curb Indent Licenses in front of Piers 15 and 17 and a Curb Space License at Green Street between the Exploratorium and the City and County of San Francisco acting by and through the San Francisco Port Commission.

(Fiscal Impact.)

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091179 [CEQA Findings in Connection with the Exploratorium Relocation Project]  
Mayor, Supervisor Chiu**

Resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) and Administrative Code Chapter 31 in connection with the Exploratorium Relocation Project proposed to be located on Pier 15 and a portion of Pier 17 in the Port of San Francisco, City and County of San Francisco.

(Fiscal Impact.)

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091180 [Declaring November 1 - 8, 2009, Community College Week]  
Supervisors Mar, Avalos, Maxwell, Mirkarimi, Chiu, Campos**

Resolution declaring November 1 – 8, 2009, Community College Week and urging the Governor to work together to come up with a budget for FY 2010-2011 that does not increase student fees and that uses a combination of new revenue generation, delayed payments, and other creative mechanisms in lieu of cuts to education.

10/6/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Requests for Hearing

**091002 [Presidio Boulevard temporary road closure]  
Supervisors Alioto-Pier, Mar**

Hearing on the Presidio Boulevard temporary road closure and traffic calming study and the Presidio Trust has recently undertaken a month-long traffic management study (from September 29, 2009, to October 27, 2009) to examine how various traffic calming measures, including some short-term road closures, will affect traffic conditions on the major streets and gateways in the park and in surrounding City neighborhoods and to (1) examine the impacts of the Presidio Boulevard closure on the Presidio and City streets, (2) what the Presidio Trust and the Department of Parking and Traffic learned from the study, and (3) the Presidio Trust's future plans for Presidio Boulevard.

10/6/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**091003 [Mayor's mid-year budget adjustments]  
Supervisor Avalos**

Hearing to consider the Mayor's mid-year budget adjustments due to General Fund State budget reductions.

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091155 [City Controller's first quarter report]  
Supervisor Avalos**

Hearing to consider first quarter report from the City Controller, preliminary plans for Mayor's formal budget instructions and status of Board of Supervisors restorations.

10/6/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**091156 [Status of the San Francisco Unified School District's student assignment system]  
Supervisors Elsbernd, Chu**

Hearing on the status of the San Francisco Unified School District's student assignment system and the proposed redesign of that system scheduled to be in place for the 2011-2012 school year.  
10/6/09, RECEIVED AND ASSIGNED to City and School District Select Committee.

**091157 [Budget Analyst Management Audit of the San Francisco First Offender Prostitution Program]  
Supervisor Mirkarimi**

Hearing before the Government Audits and Oversight Committee to receive and hear Management Audit reports prepared by the Budget Analyst of the First Offender Prostitution Program and the Municipal Transportation Agency proof of payment audit.  
10/6/09, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Introduced by the President at the Request of Departments**

**PROPOSED ORDINANCES**

**091075 [Settlement of Lawsuit - Bernard and Mildred Bolton - \$650,000]**

Ordinance authorizing settlement of the lawsuit filed by Bernard and Mildred Bolton against the City and County of San Francisco for \$650,000; the lawsuit was filed on October 15, 2008, in San Francisco Superior Court, Case No. 480-896; entitled Bernard and Mildred Bolton, et al., v. City and County of San Francisco, et al. (City Attorney)  
9/17/09, RECEIVED AND ASSIGNED to Rules Committee.

**091076 [Settlement of Lawsuit - Segundo Malvar Tiongco, Maretas B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco - \$1,750,000]**

Ordinance authorizing settlement of the lawsuit filed by Segundo Malvar Tiongco, Maretas B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco against the City and County of San Francisco for \$1,750,000; the lawsuit was filed on January 16, 2009, in San Francisco Superior Court, Case No. 484-171; entitled Segundo Malvar Tiongco, Maretas B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County of San Francisco, et al. (City Attorney)  
9/17/09, RECEIVED AND ASSIGNED to Rules Committee.

**091080 [Settlement of Lawsuit - Duncan Briggs - \$65,000]**

Ordinance authorizing settlement of the lawsuit filed by Duncan Briggs against the City and County of San Francisco for \$65,000; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. 478-836; entitled Duncan Briggs, et al. v. City and County of San Francisco, et al. (City Attorney)  
9/22/09, RECEIVED AND ASSIGNED to Rules Committee.



- 091086 [Settlement of Lawsuit - Jeanne Schoenstein - \$225,000]**  
Ordinance authorizing settlement of the lawsuit filed by Jeanne Schoenstein against the City and County of San Francisco and Marcelo Samame for \$225,000 inclusive of attorneys' fees and costs; the lawsuit was filed on July 14, 2008, in San Francisco Superior Court, Case No. CGC-08-477472; entitled Schoenstein, et al., v. City and County of San Francisco, et al. (City Attorney)  
9/22/09, RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

- 091124 [Amendment to Treasure Island Land and Structures Master Lease]**  
Resolution approving the Thirty Third Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)  
9/18/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091125 [Amendment to Treasure Island South Waterfront Master Lease]**  
Resolution approving the Twenty Fifth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)  
9/18/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091126 [Amendment to Treasure Island Marina Master Lease]**  
Resolution approving the Thirteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)  
9/18/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091127 [Amendment to Event Venues Master Lease]**  
Resolution approving the Twenty First Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)  
9/18/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor Elsbernd*

*To: City Attorney*

*To: Director, Health Service System*

*To: Director, Department of Public Health*

*Requesting/Inquiring: Requesting the City Attorney, Health Service System, and Department of Public Health to provide an analysis of proposed Federal legislation and the possible impact on access to and delivery of health care in San Francisco. In particular:*

*1. If a mandate for health insurance remains in the final legislation, does Healthy San Francisco qualify as an acceptable insurance plan for those uninsured San Franciscans who now must get insurance?*

*1a. If a federal "public option" is created, how does it work with and/or conflict with Healthy San Francisco?*

*2. Would an excise tax on high cost health plans affect any health benefits afforded to City employees and/or retirees?*

*3. What, if any, will be the impact on City retirees who receive Medicare?*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Potholes and Sidewalk issues*

*On Broderick, between McAllister and Fulton*

*Sidewalk on Geary, north side, holes in sidewalks from copper plates being removed.*

*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:*

*Northwest corner Masonic and Haight*

*Southeast corner Buena Vista West and Haight*

*Southeast corner Hayes and Scott*

*Wood Poles:*

*In front of 505 Waller*

*In front of 118 Fillmore*

*In front of 920 Broderick*

*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 O'Farrell and Scott*

*Southeast corner Buena Vista East and Haight*

*Northeast corner Lyon and Haight, (can is turned over on its side)*

*Northeast corner Buchanan and Haight*

*Mailbox*

*Northeast corner Divisadero and Haight*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*San Francisco Bay Guardian*

*Southeast corner of Fillmore and Post*

*Southwest corner of Divisadero and Sutter*

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

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

*Northwest corner of Hayes and Fillmore*

*Southeast corner of Fillmore and Haight*

*San Francisco Chronicle*

*Northwest corner of Fillmore and Hayes*

*Southeast corner of Haight and Fillmore*

*Irving and 9th Avenue*

*Irving and 7th Avenue*

*Southwest corner of Haight and Clayton*

*Southeast corner of Haight and Masonic*

*Examiner*

*Northwest corner of Fillmore and Hayes*

*Southeast corner of Haight and Fillmore*

*SF Daily*

*Northwest corner of Hayes and Gough*

*City Star*

*Northwest corner of Hayes and Gough*

*Southeast corner of Fillmore and Haight*

*SF Weekly*

*Southeast corner of Masonic and Haight and southeast corner of Haight and Fillmore*

*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:*

*1880 Turk*

*423 Laguna*

*870 Turk*

*507 Haight*

*703 Webster*

*198 Haight*

*898 Page*

*456 Haight*

*2001 Haight*

*508 Grove*

*832 Page*

*55 Laguna*

*1667 Haight*

1559 Haight  
1364 Haight  
509 Haight  
506 Lyon  
1429 Fulton  
1240 Hayes  
800 Haight, on the Scott Street side  
769 Haight  
325 Webster  
482-484 Haight

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Utility Boxes*

*Southeast corner Lilly and Octavia  
Northeast corner of O'Farrell and Scott  
Southeast corner Webster and Fell  
Southeast corner Divisadero and Hayes  
Southwest corner Page and Steiner  
Southeast corner Stanyan and Haight  
Southeast corner Hayes and Broderick  
Northeast corner Broderick and Oak  
Southeast corner Scott and Fell  
Northeast corner Oak and Webster*

*Bus Shelters*

*Southeast corner Scott and Haight  
Fillmore and Haight (all 4 bus stops, graffiti and grime)*

*Emergency Boxes*

*Northwest corner Ellis and Pierce*

## **In Memoriams**

*Jan Melichar - Board President Chiu  
Keith Goldstein - Supervisors Dufty and Alioto-Pier  
Michael "Lucas" Rebston - Supervisor Dufty  
Don Fisher - Entire Board  
Amy Hon Chan - Board President Chiu*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 5:00 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 November 3, 2009.*



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Angela Calvillo  
Clerk of the Board