



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, February 1, 2011 - 2:00 PM

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

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee
Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Murase, Norton

City Operations and Neighborhood Services Committee
Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee
Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Public Safety Committee
Supervisors Mirkarimi, Cohen, Campos

Rules Committee
Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday
11:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
10:00 AM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

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

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

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

Items 1 through 3

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

1. [101410](#) **[Airport Promotion and Event Fund]**
Sponsor: Mayor
Ordinance establishing a special fund to receive donations and authorizing expenditures for the purpose of holding events to promote the opening of the newly renovated Terminal 2 of the San Francisco International Airport; and deleting obsolete provisions.
Attachments: [Board_Packet_012511](#)
[Comm_Packet_011211](#)
[Board_Packet_012511](#)
[Board_Packet_020111.pdf](#)

01/25/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [101499](#) **[Payment of Reward to John Doe - \$10,000]**

Sponsor: Wiener

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

Attachments: [101499](#)

[Comm Packet 011211](#)

[Board Packet 012511](#)

[Board Packet 020111.pdf](#)

01/25/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Avalos, Mar, Elsbernd

3. **110028** **[Accept and Expend Grant - San Francisco Renewable Energy Plan - \$250,000]**
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$250,000 from the Sidney E. Frank Foundation to initiate the San Francisco Renewable Energy Plan which will lay out actionable steps to source 100% of San Francisco's electrical demand from renewable energy sources.

Attachments: [Legislation Ver1](#)
[Comm Packet 012411](#)
[Board Packet 020111.pdf](#)

Question: Shall this Resolution be ADOPTED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

There are no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Mirkarimi, Mar

4. [101416](#) **[Management Agreement/Lease - Stow Lake Boathouse, LLC - Operation of the Stow Lake Boathouse Concession]**

Sponsor: Mar

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

(Supervisor Mirkarimi dissented in committee.)

Attachments:

[Comm Packet 012611](#)

[Legislation Ver2](#)

[Board Packet 020111.pdf](#)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Mirkarimi

5. [101503](#) **[Airport Concession Lease - Books, Inc.]**
Resolution retroactively approving Amendment No. 2 to North Terminal Bookstore Lease No. 00-0176 between Books, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Attachments: [Legislation VER1](#)
[Comm Packet 012611](#)
[Board Packet 020111.pdf](#)

Question: Shall this Resolution be ADOPTED?

6. [101579](#) **[Airport Commission Bond-Related Authorizations - Not to Exceed \$1,600,000,000]**
Resolution approving the issuance of not to exceed \$1,600,000,000 aggregate principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds to refinance Airport Bonds and Subordinate Bonds; Approving the issuance of not to exceed \$125,000,000 aggregate principal amount of San Francisco International Airport Special Facilities Bonds to finance and refinance fuel storage and delivery facilities; Approving the maximum interest rates, maturity dates and number of issues of such Refunding Bonds, Subordinate Bonds and Special Facilities Bonds; Approving certain resolutions of the Airport Commission; Approving the forms of certain agreements related to such Bonds and authorizing the execution and delivery thereof; Approving certain amendments to the 1991 Resolution; and Approving certain other related matters. (Airport Commission)

(Fiscal Impact.)

Attachments: [Board Packet 020111.pdf](#)
[Comm Packet 012611](#)
[Legislation Ver2](#)
[Board Packet 020111.pdf](#)

Question: Shall this Resolution be ADOPTED?

7. [110027](#) **[Settlement of Potential Litigation - Asian Art Museum Foundation Bonds - City Assurance to Seek Appropriation for Bonds - \$120,400,000]**

Sponsors: Mayor; Chiu, Chu and Mar

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

(Fiscal Impact.)

Attachments: [Legislation Ver1](#)

[Comm Packet 012611](#)

[Board Packet 020111.pdf](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Avalos, Mar, Elsbernd

8. [101147](#) **[Public Works Code - Establishment of Regulatory Controls for the Discharge of Fats, Oils, and Grease Into Sewers]**

Sponsor: Mar

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

Attachments: [Legislation VER1](#)

[Comm Packet 012411](#)

[Board Packet 020111.pdf](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [110004](#) **[Mental Health Services Act Contract - Statewide Prevention and Early Intervention - \$3,020,400]**

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

Attachments: [Legislation Ver 1](#)

[Comm Packet 012411](#)

[Board Packet 020111.pdf](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

10. [101105](#) **[Environment Code - Existing Commercial Buildings Energy Performance]**
Sponsors: Mayor; Chiu, Wiener and Mar

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

Attachments: [Legislation Ver1](#)

[Response Small 091710](#)

[Response PLN 092810](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 120610](#)

[Comm Packet 121310](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Comm Packet 012411](#)

[Board Packet 020111.pdf](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. [101522](#) **[Public Works Code - Handbill Distribution]**

Sponsor: Chiu

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

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 122210](#)

[Response SBC 011811](#)

[Comm Packet 012411](#)

[Legislation Ver2](#)

[Board Packet 020111.pdf](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. [110002](#) **[Exchange of Quitclaim Deeds - San Francisco Unified School District]**
Resolution (1) authorizing and directing execution of a quitclaim deed from the City and County of San Francisco to the San Francisco Unified School District, a political subdivision of the State of California, for 110 public school properties; (2) authorizing and directing the acceptance of a quitclaim deed by the City and County of San Francisco from the San Francisco Unified School District for five properties owned in fee by the City and County of San Francisco; and (3) adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

Attachments: [Legislation Ver1](#)
[Comm Packet 012411](#)
[Board Packet 020111.pdf](#)

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

13. [101603](#) **[Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1269 Lombard Street]**

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

(Filed December 23, 2010; Companion Measure to File Nos. 101604, 101605, 101605.)

Attachments: [Board Packet 020111.pdf](#)

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

14. [101604](#) **[Affirming the Exemption Determination - 1269 Lombard Street]**
Motion affirming the determination by the Planning Department and Commission that the project located at 1269 Lombard Street is exempt from environmental review.
Attachments: [Legislation Ver1](#)
[Board Packet 020111.pdf](#)

Question: Shall this Motion be APPROVED?

15. [101605](#) **[Reversing the Exemption Determination - 1269 Lombard Street]**
Motion reversing the determination by the Planning Department and Commission that the 1269 Lombard Street project is exempt from environmental review.
Attachments: [Legislation Ver1](#)
[Board Packet 020111.pdf](#)

Question: Shall this Motion be APPROVED?

16. [101606](#) **[Preparation of Findings to Reverse the Exemption Determination - 1269 Lombard Street]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department and Commission that the project located at 1269 Lombard Street is exempt from environmental review.
Attachments: [Board Packet 020111.pdf](#)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORT

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, January 31, 2011, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 1, 2011.

17. [110017](#) **[Street Vacation - Resolution of Intention - Transbay Transit Center]**
Resolution declaring the intention of the Board of Supervisors to vacate portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way areas and public service easements. (Real Estate Department)

Attachments: [Legislation Ver1](#)
[Comm Packet 013111](#)
[Legislation Ver2](#)
[Board Packet 020111](#)

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

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

PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 18 through 22

18. [110077](#) **[Accept and Expend Grant - Incarcerated and Formerly Incarcerated Women - \$12,500]**

Sponsor: Mirkarimi

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

Attachments: [Legislation_Ver1](#)
[Board Packet 020111.pdf](#)

01/25/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

19. [110098](#) **[Approval of TEFRA Hearing for Proposed Loan - Asian Art Museum Foundation - Not to Exceed \$98,400,000]**

Sponsor: Chiu

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

Attachments: [Legislation_Ver1](#)
[Board Packet 020111.pdf](#)

01/25/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

20. [110099](#) **[Urging the California State Legislature to Pass the California Dream Act]**

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

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

Attachments: [Legislation_Ver1](#)
[Board Packet 020111.pdf](#)

01/25/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 21. [110100](#) **[Opposing the Sale of KUSF’s FCC License to Broadcast on 90.3 FM]**
Sponsors: Mirkarimi; Mar
 Resolution recognizing the long and valuable public service of radio station KUSF, opposing the sale of KUSF’s FCC license to broadcast on 90.3 FM, requesting the USF Board of Regents to rescind the decision to transfer KUSF’s license and reinstate KUSF programming, and urging San Francisco’s Federal representatives to express their opposition to KUSF’s sale to the Federal Communications Commission.

Attachments: [Legislation Ver1](#)
[Board Packet 020111.pdf](#)

01/25/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 22. [110102](#) **[Opposing Proposed Changes to the FY2011-2012 California State Budget to Eliminate Redevelopment Agencies]**
Sponsors: Cohen; Kim, Elsbernd, Campos, Avalos, Wiener, Farrell, Chiu and Chu
 Resolution opposing current proposed changes to the FY 2011-2012 California State Budget to eliminate Redevelopment Agencies, urging Governor Brown and the State Legislature to retain the existing authority of Redevelopment Agencies as needed to alleviate blight particularly in disadvantage neighborhoods, produce jobs, build public infrastructure, promote urban infill in furtherance of SB 375 and fund affordable housing development, and further urging Governor Brown and the State Legislature to work with local governments to explore other alternatives to solve the state’s fiscal crisis.

Attachments: [Board Packet 020111.pdf](#)
[Legislation Ver1](#)

01/25/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

23. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from January 18, 2011, through January 25, 2011, for reference by President to appropriate committee on February 1, 2011.

110054 **[Emergency Contract - Replacing Sewer on Polk Street from Bush Street to Pine Street - Not to Exceed \$421,071]**

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

Attachments: [Legislation Ver1](#)

01/21/2011; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

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

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

Attachments: [Legislation Ver1](#)

01/24/2011; RECEIVED AND ASSIGNED to the Rules Committee.

110104 [Petitions and Communications]

Petitions and Communications received from January 18, 2011, through January 25, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on February 1, 2011.

From Dr. Arash Babaki, requesting a street light be installed on Bernal Heights Boulevard, between Folsom and Bradford. (1)

From Port, submitting request for release of reserved funds (\$75,000) for the Youth Employment Program. Copy: Budget and Finance Committee Members and Committee Clerk (2)

From Office of the Controller, submitting the Development Impact Fee Report for FY2009-2010. (3)

From Office of the Mayor, submitting notice that Mayor Edwin Lee will be out of state from January 19, 2011, until January 21, 2011. Copy: Each Supervisor, City Attorney (4)

From Human Services Agency, regarding the 2011 Homeless Count. Copy: Each Supervisor (5)

From Kimo Crossman, regarding the Whistleblower Program. (6)

From Golden Gate Audubon Society, regarding the concession contract and changes at the Stow Lake Boathouse in Golden Gate Park. File No. 101416, Copy: Each Supervisor, Budget and Finance Committee Clerk (7)

From concerned citizens, submitting opposition to the appointment of Richard Johns to the HPC. File No. 101511, Copy: Each Supervisor, 5 letters (8)

From Department of Human Resources, submitting an overview of benefits for City employees. (9)

From Department of Human Resources, submitting an overview of the City's personnel structure. Copy: Each Supervisor (10)

From Anmarie Mabbutt, urging the Board of Supervisors to rescind the admission fee to the Botanical Gardens in Golden Gate Park. (11)

From Glen Chase, regarding PG&E's Wireless Smart Meters. (12)

From Cassandra, regarding Larry Ellison and America's Cup. (13)

From concerned citizens, regarding the sidewalk sitting ban. 40 letters (14)

From Aaron Goodman, regarding the Parkmerced Project. (15)

From Gateway tenants, regarding Kokkari Restaurant and Spare the Air Day. (16)

From James Corrigan, regarding San Francisco firefighters. 2 letters (17)

From Larry Caruso, regarding the Municipal Transportation Agency. (18)

From Howard Wong, regarding an appointment to the HPC. 2 letters (19)

From Planning Association for the Richmond, regarding the concession contract and changes at the Stow Lake Boathouse in Golden Gate Park. File No. 101416 (20)

From Lippe, Gaffney, Wagner, regarding the Living Rivers Council v. State Water Resources Control Board. Copy: Each Supervisor (21)

From State Fish and Game Commission, regarding petition to list the Cedars wild buckwheat as endangered under the California Endangered Species Act. (22)

ADJOURNMENT