



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, September 21, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Avalos, Mirkarimi, Elsbernd

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

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

Government Audit and Oversight Committee
Supervisors Mar, Chu, Maxwell

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

Public Safety Committee
Supervisors Chiu, Mirkarimi, Elsbernd

Rules Committee
Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
11:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
10:30 AM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

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**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

Agenda Item Information

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

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

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 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. **101058** **[Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2010-2011]**

Sponsor: Avalos

Ordinance providing revenue and levying property taxes for City and County purposes and establishing a pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the FY ending June 30, 2011.

(Fiscal Impact)

Attachments: [Legislation_Ver1](#)

[Comm_Packet_090810](#)

[Board_Packet_091410](#)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **101059** **[Setting San Francisco Community College District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**

Sponsor: Avalos

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

Attachments: [Legislation_Ver1](#)

[Comm_Packet_090810](#)

[Board_Packet_091410](#)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [101060](#) **[Setting San Francisco Unified School District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**

Sponsor: Avalos

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 090810](#)

[Board Packet 091410](#)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [101061](#) **[Setting San Francisco Bay Area Rapid Transit District's Property Tax Rate to be Included in the City's Overall Property Tax Rate - FY2010-2011]**

Sponsor: Avalos

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the FY ending June 30, 2011.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 090810](#)

[Board Packet 091410](#)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [101102](#) **[Accept and Expend Grant - 2010 Disaster Corps Grant and Amendment to the Annual Salary Ordinance FY2010-2011 - \$231,000]**

Sponsor: Mayor

Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of \$231,000 from California Volunteers for the grant period of 18 months following passage of the FY2010-2011 California State Budget for volunteer management and training; amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one Class 5277 Planner I at the San Francisco Fire Department.

Attachments: [Legislation VER1](#)

[Comm Packet 090810](#)

[Board Packet 091410](#)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

6. [100294](#) **[Liquor License Transfer - 715 Market Street]**
Resolution determining that the transfer of a Type 21 off-sale general license from 50-3rd Street to 715 Market Street (District 6) to Zain H. Azzghayer for Zain's Fine Wine & Spirits will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Attachments: [Response PLN 051810](#)
[Comm Packet 092310](#)
[Board Packet 092110](#)

Question: Shall this Resolution be ADOPTED?

7. [100685](#) **[Liquor License - 450-460 Powell Street]**
Resolution determining that the issuance of a Type 21 off-sale general license to Dean Zain Azzghayer for Dean's, located at 450-460 Powell Street (District 3), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Attachments: [Comm Packet 091310](#)
[Board Packet 092110](#)

Question: Shall this Resolution be ADOPTED?

8. [100834](#) **[Liquor License Transfer - 101-6th Street]**
Resolution determining that the premise to premise transfer of a Type 48 on-sale general public premises liquor license from 101-6th Street to expansion of public occupancy into basement storage at 101-6th Street (District 6), to Mark E. Rennie for Playbar, Inc., dba The Room, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Attachments: [100834 planning response](#)
[Comm Packet 091310](#)
[Board Packet 092110](#)

Question: Shall this Resolution be ADOPTED?

9. [100915](#) **[Liquor License Transfer - 1530 Haight Street]**
Resolution determining that the transfer of a Type 20 off-sale beer and wine liquor license from 2 Harrison Street to 1530 Haight Street (District 5) to Bobby Vardakastanis for Haight Street Market, Inc., dba Haight Street Market, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Attachments: [Response PLN 072110](#)
[Comm Packet 091310](#)
[Board Packet 092110](#)

Question: Shall this Resolution be ADOPTED?

10. [100916](#) **[Liquor License Transfer - 447 Battery Street]**
Resolution determining that the transfer of a Type 42 on-sale beer and wine public premises liquor license from 620 Post Street to 447 Battery Street (District 3) to Alberto De Almeida, Jr., for Magellan Wine, LLC, dba The Hidden Vine Wine Bar, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Attachments: [Comm Packet 091310](#)
[Board Packet 092110](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

11. [100880](#) **[Landmark Tree Designation of Redwood Tree Located at 46 Stillings Avenue]**
Sponsors: Dufty; Daly
Ordinance designating the redwood tree (sequoia sempervirens) located at 46 Stillings Avenue (Assessor's Block No. 6734, Lot No. 023) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Attachments: [Legislation_Ver1](#)
[Comm Packet_080910](#)
[Board Packet_09-07-10](#)
[Board Packet_091410](#)

09/14/2010; PASSED, ON FIRST READING. Supervisor Daly requested to be added as co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

12. [101005](#) **[Exceptions to Seismic Safety Loan Program Requirements to Allow for a \$15,000,000 Loan to Arlington Residence - 480 Ellis Street]**

Sponsors: Chu; Alioto-Pier

Ordinance approving exceptions to requirements of the Seismic Safety Loan Program pursuant to San Francisco Administrative Code Sections 66 and 66A and the Program Regulations, dated May 2006, adopted by the Board of Supervisors through Ordinance No. 122-06, to allow for a \$15,000,000 Seismic Safety Loan Program loan for an existing affordable housing project at the Arlington Residence, 480 Ellis Street, San Francisco, California.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 080910](#)

[Board Packet 09-07-10](#)

[Board Packet 091410](#)

09/14/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

13. [101004](#) **[Lease and License of Real Property at 1 Dr. Carlton B. Goodlett Place, Ground Floor Café and North Light Court]**
Resolution authorizing the lease of 1,426 square feet of space, a license of 2,400 square feet and the shared use space of 1,360 square feet to the Elias M. Nasra and Family Partnership, a California general partnership, in City Hall located at 1 Dr. Carlton B. Goodlett Place. (Real Estate Department)

Attachments: [Legislation VER1](#)

[Comm Packet 090810](#)

[Board Packet 091410](#)

09/14/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

14. [100865](#)

[Establishing an Alcohol Cost Recovery Fee]

Sponsors: Avalos; Mirkarimi, Maxwell, Mar, Daly and Campos

Ordinance amending the San Francisco Administrative Code, Chapter 106, by adding Sections 106 through 106.28, to impose a fee on alcoholic beverage wholesalers and certain other persons who distribute or sell alcoholic beverages in San Francisco to: 1) recover a portion of San Francisco's alcohol-attributable unreimbursed health costs, and; 2) fund administration costs.

Attachments: [Legislation Ver1](#)

[Comm Packet 080410](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 080910](#)

[Board Packet 09-07-10](#)

[100865 sbc response 8-30](#)

[Board Packet 091410](#)

[Legislation Ver3](#)

[Board Packet 092110](#)

09/14/2010; AMENDED. Supervisors Daly and Campos requested to be added as a co-sponsor.

09/14/2010; AMENDED.

09/14/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Elsbernd

15. [101051](#) **[Approval to Implement Alternative Bid Process for Construction Trade Packages for the Renovation and Construction of the George S. Moscone Convention Center]**

Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process for construction trade packages and to award contracts for construction services, for the renovation of and capital improvements to the Moscone Convention Center. (Public Works Department)

Attachments: [Legislation VER1](#)
[Leg Digest Ver1](#)
[Comm Packet 091510](#)
[Budget Analyst 091510](#)
[Legislation Ver2](#)
[Board Packet 092110](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [101140](#) **[Cigarette Litter Abatement Fee - Timing and Standards for Controller's Review and Adjustment]**

Sponsor: Mayor

Ordinance amending Section 105.3 of the San Francisco Administrative Code to change the timelines and standards under which the Controller is directed to review and adjust the Cigarette Litter Abatement Fee.

Attachments: [Legislation Ver1](#)
[Leg Digest 091410](#)
[Committee Packet 091510](#)
[Legislation Ver2](#)
[Board Packet 092110](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Elsbernd, Maxwell

17. [101107](#) **[Management Agreement for the Harding Park Golf Course]**

Sponsor: Elsbernd

Resolution authorizing the Recreation and Park Department General Manager to enter into an agreement with Tournament Players Club of California, Inc., for management of clubhouse and golf operations at the Harding Park and Fleming Golf Courses, excluding course maintenance operations (Management Agreement), from October 1, 2010, to December 31, 2019, pursuant to San Francisco Charter Section 9.118, with the right to extend the term to coincide with any extension of the Master Tournament Agreement between the City and County of San Francisco and PGA Tour, Inc.

(Fiscal Impact.)

Attachments: [Legislation VER1](#)

[Comm Packet 091510](#)

[Budget Analyst 091510](#)

[Board Packet 092110](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Duffy

18. [100922](#) **[Authorizing the Department of Public Health to Enter Into Contracts for Out-of-County Behavioral Health Services in the Foster Care System]**
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code by amending Section 21.42 to authorize the Department of Public Health to contract for behavioral health services to children in the foster care system under the jurisdiction of the City and County of San Francisco and located outside of San Francisco, utilizing contracting language and forms mandated by the State of California under California Welfare and Institutions Code Section 5777.7.
- Attachments:** [Legislation_VER1](#)
[Comm_Packet_091310](#)
[Board_Packet_092110](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

19. [100851](#) **[Planning Code - Rehabilitation and Maintenance of Transfer Lots After Sale of Transferable Development Rights; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**
Sponsors: Chiu; Maxwell
Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on rehabilitation and maintenance of the Transfer Lot property, to establish reporting procedures regarding the rehabilitation and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)
- Attachments:** [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Comm_Packet_091310](#)
[Legislation_Ver2](#)
[Board_Packet_092110](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. [101056](#) **[Banning the Sale of Tobacco Products in Pharmacies]**
Sponsors: Mar; Dufty and Maxwell
Ordinance amending the San Francisco Health Code by amending Sections 1009.91 and 1009.92, by repealing Section 1009.93, and by re-numbering Sections 1009.94, 1009.95, 1009.96, 1009.97, 1009.98, and 1009.99, as Sections 1009.93, 1009.94, 1009.95, 1009.96, 1009.97, and 1009.98, respectively, all to eliminate the exemptions for general grocery stores and big box stores from the general ban on the sale of tobacco products in pharmacies.

Attachments: [Legislation Ver1](#)
[Leg_Digest Ver1](#)
[Comm Packet 091310](#)
[Board Packet 092110](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. [101070](#) **[Gift Acceptance - Building Bocce Courts in Justin Herman Plaza - \$61,000]**
Sponsor: Chiu
Resolution authorizing the Recreation and Park Department to accept a gift of labor and construction materials with a value of \$61,000 from the Laborers Local 261 Community and Training Foundation to build two bocce courts on the lawn in Justin Herman Plaza.

Attachments: [Board Packet 081010](#)
[Legislation Ver1](#)
[Comm Packet 091310](#)
[Legislation Ver2](#)
[Board Packet 092110](#)

08/10/2010; REFERRED to the Land Use and Economic Development Committee.

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.

22. [101083](#) [Appeal of Determination of Exemption from Environmental Review for a Project Located at 2514-23rd Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department's May 5, 2010, Determination of Exemption from Environmental Review, Building Permit No. 2010/05/05/1781, that a project located at 2514-23rd Avenue is exempt from environmental review under Categorical Exemption, Class 3. The proposal would involve structural work to the foundation, roof framing, and the addition of roof dormers, window replacement, and interior work to the building, which is a single-family residence, Lot No. 37, in Assessor's Block No. 2423. (District 4) (Appellant: Nancy Wuerfel, on behalf of the Sunset Parkside Education and Action Committee (SPEAK)).

Attachments: [Board Packet 092110](#)

Action: _____

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.)

23. [101084](#) **[Affirming the Exemption Determination for 2514-23rd Avenue]**
Motion affirming the determination by the Planning Department that the project located at 2514-23rd Avenue is exempt from environmental review.
Attachments: [101084.doc](#)
[Board Packet 092110](#)

Question: Shall this Motion be APPROVED?

24. [101085](#) **[Reversing the Exemption Determination Issued for 2514-23rd Avenue]**
Motion reversing the determination by the Planning Department that the 2514-23rd Avenue project is exempt from environmental review.
Attachments: [Legislation Ver1](#)
[Board Packet 092110](#)

Question: Shall this Motion be APPROVED?

25. [101086](#) **[Preparation of Findings to Reverse the Exemption Determination for the 2514-23rd Avenue Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 2514-23rd Avenue is exempt from environmental review.
Attachments: [Legislation Ver1](#)
[Board Packet 092110](#)

Question: Shall this Motion be APPROVED?

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 26 through 31

26. [101153](#) **[Commending Caesar Caiati]**
Sponsor: Alioto-Pier
Resolution commending Caesar Caiati on his 100th Birthday and declaring September 19, 2010, "Caesar Caiati Day" in San Francisco.
Attachments: [Board Packet 092110](#)

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
27. [101168](#) **[Urging Pacific Gas and Electric to Cooperate with the City's Request for Infrastructure Information]**
Sponsors: Chu; Maxwell and Mirkarimi
Resolution urging Pacific Gas and Electric Company to cooperate completely and swiftly with all requests from the City Administrator and Fire Chief in a Utility Infrastructure Safety Review, and to provide all relevant City Departments with risk level and maintenance plan information for existing pipelines in San Francisco.
Attachments: [Legislation Ver1](#)
[Board Packet 092110](#)

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
28. [101169](#) **[Recognizing September 22, 2010, as "Please Don't Jump" Day to Promote Suicide Prevention]**
Sponsors: Campos; Chiu and Dufty
Resolution recognizing September 22, 2010, as "Please Don't Jump" Day and urging the Golden Gate Bridge, Highway, and Transportation District staff and Board of Directors to continue its efforts to expeditiously construct a suicide barrier on the Golden Gate Bridge.
Attachments: [Legislation Ver1](#)
[Board Packet 092110](#)

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. [101170](#) [Accept and Expend Grant - Susceptibility to Smoking Among Migrants in China - \$4,901]

Sponsor: Mar

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$4,901 from the San Diego State University Research Foundation to support a project that will establish a Handheld Assisted Personal Interview system, including training and consultation for the period of September 17, 2009, through June 30, 2010. (Public Health Department)

Attachments: [Legislation Ver1](#)
[Board Packet 092110](#)

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. [101171](#) [Local Support for Congestion Management Agency Block Grant Projects]

Sponsor: Mayor

Resolution of local support for four projects to be funded by \$11,553,000 in federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement funds through the Metropolitan Transportation Commission's Congestion Management Agency Block Grant Program; committing the necessary non-federal match of \$1,876,000; and stating assurance to complete the projects.

Attachments: [Board Packet 092110](#)

09/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. [101172](#) [Apply for Strategic Growth Council Sustainable Communities Planning Grant]

Sponsor: Mayor

Resolution authorizing the San Francisco Planning Department, in cooperation with the Mayor's Office of Housing, the San Francisco Municipal Transportation Agency, the San Francisco County Transportation Authority, and other Bay Area entities, to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to develop a Multi-City Bay Area Core Regional Growth and Investment Strategy.

Attachments: [Board Packet 092110](#)

09/14/2010; 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: _____

32. 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 RESOLUTION

Proposed resolution received from September 7, 2010, to September 13, 2010, for reference by President to appropriate committee on September 21, 2010.

101150 [Agreement to Exchange Easements in Connection with the Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel]

Resolution approving and authorizing an Agreement to Exchange Interests in Real Property to obtain an exclusive, subsurface easement from the Midpeninsula Regional Open Space District in exchange for a non-exclusive open space easement over real property owned by the City and County of San Francisco, for the purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications, and take certain actions in furtherance of this resolution. (Real Estate Department)

09/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101141 [Petitions and Communications]

Petitions and Communications received from September 7, 2010, through September 13, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 21, 2010.

From Planning Department, regarding the initial study notice of availability for the Broadway Sansome Family Housing project located at 235 Broadway. (1)

From Local Homeless Coordinating Board, regarding the San Francisco Rental Subsidy Program for Families. Copy: Each Supervisor (2)

From concerned citizens, submitting opposition to proposed legislation concerning the alcohol mitigation fee. File No. 100865, 70 letters and postcards (3)

From Health Commission, submitting resolution in support of the alcohol mitigation fee program. File No. 100865 (4)

From Ethics Commission, submitting their annual report for FY2009-2010. (5)

From Office of the City Attorney, submitting memorandum entitled "Political Activity by City Employees" from City Attorney Dennis Herrera. (6)

From Abdalla Megahed, submitting copy of letter sent to the In-Home Supportive Services Consortium. Copy: Each Supervisor (7)

From Abdalla Megahed, concerning Terry Jones and his plans to burn 200 Korans at an anti-Muslim rally to remember 9-11. (8)

From Dr. Amos Brown, regarding the San Francisco Branch of the NAACP looking forward to collaborating with California Pacific Medical Center's community-based programs and clinics to provide health care services to the whole community, with an emphasis on disadvantaged residents. (9)

From James Chaffee, regarding the North Beach branch public library. (10)

From Planning Department, regarding the Westside Recycled Water Project. Copy: Each Supervisor (11)

From Verizon Wireless, submitting notification of three cellular antennas to be installed at 1600 El Camino Real. (12)

From Robin Mackey, Bernal Heights Community Action, agreeing to Clearwire's request for a continuance of the public hearing on the appeal for property located at 10 Bernal Heights Boulevard. File Nos. 101041 and 101045, Copy: Each Supervisor (13)

From SPCA, commenting that Pet Food Express has been an eager and loyal supporter of the animal welfare community in San Francisco. File No. 101087, Copy: Each Supervisor (14)

From Office of the Controller, submitting an audit report of San Francisco's Public Utilities Commission Wastewater Enterprise warehouse and inventory controls. (15)

From Office of the Controller, submitting an audit report of the Police Department's need to improve its controls over premium pay and overtime. (16)

From Office of the Controller, submitting a compliance audit report of JetBlue Airways Corporation. (17)

From Office of the Controller, submitting a report on the procedures and internal controls over operations and protection of assets held as part of the Asset Forfeiture Program. (18)

From concerned citizens, submitting opposition to the decision of the Planning Commission by its Motion No. 18139, approving Conditional Use Application 2010.0357C for Pet Food Express located at 3150 California Street. File No. 101087, Copy: Each Supervisor, 5 letters (19)

From Employees' Retirement System, regarding the 2009-2010 Civil Grand Jury Report entitled Pension Tsunami, The Billion Dollar Bubble. Copy: Government Audit and Oversight Committee Clerk (20)

From Municipal Transportation Agency, submitting an update on SFMTA's fare collection initiatives. (21)

From Arthur Evans, regarding the McDonald's store in the Haight-Ashbury District increasing prices of some of their food items. (22)

From Kim Malcheski, regarding MUNI reform. Copy: Each Supervisor (23)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 4 letters (24)

From Bob Larive, commenting on the "street people" that hang out in the Fisherman's Wharf and North Beach areas day and night. (25)

From Mary Bull, regarding several issues in the Haight-Ashbury District. (26)

From Jennifer Henerlau, thanking the Board of Supervisors for the great exhibition at the State Fair in Sacramento. (27)

From Nick Pasquariello, urging the Board of Supervisors to reject the allocation and transfer of \$375,000 in the Comcast settlement to the Bay Area Video Coalition. File No. 091408, Copy: Each Supervisor, 3 letters (28)

From Office of the Controller, submitting a corrected audit report of the agreement between TEGSCO, LLC, dba San Francisco Auto Return and the Municipal Transportation Agency. (29)

From Coalition of Agencies Serving the Elderly, submitting petition urging the Board of Supervisors to restore the \$2,100,000 cut from senior services in the Department of Aging and Adult Services budget. (30)

From Jay Sath, regarding panhandling in the downtown area of San Francisco. (31)

From Kimo Crossman, concerning web posting requirements for all city departments of the City and County of San Francisco. 4 letters (32)

From State Office of Historic Preservation, regarding the nomination of the Rialto Building to the National Register of Historic Places. Copy: Each Supervisor (33)

From State Office of Historic Preservation, regarding the nomination of San Francisco Juvenile Court and Detention Home to the National Register of Historic Places. Copy: Each Supervisor (34)

From Department of Public Health, submitting the quarterly AIDS surveillance report for cases reported through June 2010. (35)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to recreational and commercial fishing regulations for federal groundfish and associated species for consistency with federal rules. (36)

ADJOURNMENT