

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - FINAL

Tuesday, April 6, 2010 - 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

#### Meeting Days

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

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Wednesday

1:30 PM

##### **Budget and Finance Sub-Committee**

Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday

11:00 AM

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

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

1st and 3rd Thursday

3:30 PM

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

Supervisors Chu, Avalos, Elsbernd

2nd and 4th Monday

10:30 AM

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

Supervisors Mar, Chu, Maxwell

2nd and 4th Thursday

1:00 PM

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

Supervisors Maxwell, Mar, Chiu

Monday

1:00 PM

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

Supervisors Chiu, Mirkarimi, Dufty

1st and 3rd Monday

10:00 AM

##### **Rules Committee**

Supervisors Campos, Alioto-Pier, Mar

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:** John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:03 p.m. On the call of the roll, Supervisor Alioto-Pier was noted absent. There was a quorum.*

### Supervisor Alioto-Pier Excused from Voting

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that Supervisor Alioto-Pier be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of March 9, 2010. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### 100185 [Airport Lease and Operating Agreement]

Resolution approving the exercise of the fourth of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

**ADOPTED**

**Recommendations of the Land Use and Economic Development Committee****091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach, and Chinatown]****Sponsors: Chiu; Mar**

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811, and 812, to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 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 mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Mason Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; 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 of four or more units without prior authorization by the Planning Commission; 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.  
(Fiscal Impact.)

**FINALLY PASSED****100231 [Accept and Expend Grant - Buena Vista Park Project, Phase II - \$115,025]****Sponsor: Dufty**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant for the Buena Vista Park Project, Phase II, in the amount of \$115,025 available under the Federal Land and Water Conservation Fund Program administered by the California Department of Parks and Recreation under the provisions of the Land and Water Conservation Fund Act of 1965.

**ADOPTED**

**Recommendations of the Rules Committee****091444 [Creating an Energy Efficiency Steering Committee]****Sponsors: Mar; Campos and Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: (1) create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; (2) provide for the Committee's membership, organization, and duties; and (3) set a sunset date for the Committee.

**FINALLY PASSED****100178 [Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - \$25,750]**

Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc., against the City and County of San Francisco for \$25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)

**FINALLY PASSED****100179 [Settlement of Lawsuit - Vincente V. Vista - \$35,000]**

Ordinance authorizing settlement of the lawsuit filed by Vincente V. Vista against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001; entitled Vista v. City and County of San Francisco, et al. (City Attorney)

**FINALLY PASSED****100180 [Settlement of Lawsuit - Thomas Barnes - \$135,000]**

Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)

**FINALLY PASSED****100181 [Settlement of Lawsuit - Elbert Harris - \$100,000]**

Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for \$100,000 plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)

**FINALLY PASSED**

**100182 [Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]**

Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)

**FINALLY PASSED**

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

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

**100206 [Appropriating \$157,500 of General Fund Reserve for a Loan to the Community Center Project of San Francisco in the City Administrator's Budget for FY2009-2010]**

**Sponsors: Dufty; Campos**

Ordinance appropriating \$157,500 of General Fund Reserve for a loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, in the City Administrator's Budget for FY2009-2010.

(Fiscal Impact.)

(Supervisor Elsbernd dissented in Committee.)

**FINALLY PASSED by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi  
Noes: 1 - Elsbernd  
Excused: 1 - Alioto-Pier

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **100269 [Approving Commercial Paper Reimbursement Agreement and Dealer Agreements]**

**Sponsor: Mayor**

Resolution of the City and County of San Francisco approving the form of Reimbursement Agreement or Reimbursement Agreements and the form of Dealer Agreement in connection with its Tax-Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation, authorizing the execution and delivery of one or more of such Reimbursement Agreement and the execution and delivery of one or more Dealer Agreements and authorizing other related actions. (Fiscal Impact.)

(Supervisor Mirkarimi dissented in Committee.)

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell

Noes: 1 - Mirkarimi

Excused: 1 - Alioto-Pier

#### **100329 [Off-Site Budget and Finance Committee Meeting on April 14, 2010, 4:00 p.m. at Horace Mann Middle School]**

**Sponsor: Avalos**

Motion ordering the April 14, 2010, meeting of the Budget and Finance Committee be held at Horace Mann Middle School, 3351 - 23rd Street, auditorium in the Mission district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

**APPROVED by the following vote:**

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

Excused: 1 - Alioto-Pier

#### **100368 [Off-Site Budget and Finance Committee Meeting on April 21, 2010, 4:00 p.m. at the Hall of Flowers]**

**Sponsor: Avalos**

Motion ordering the April 21, 2010, meeting of the Budget and Finance Committee be held at the Hall of Flowers, 9th Avenue at Lincoln Way, in the Inner Sunset district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

**APPROVED by the following vote:**

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

Excused: 1 - Alioto-Pier

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

### **091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]**

Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase, decrease, or retain the heights of certain parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing or decreasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets) and decreasing heights on two parcels at the corner of Guerrero and Duboce Streets (also known as Assessors block and lot numbers 3501004 and 3501003); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

### **100093 [Housing Code – Residential Hotel Notice Posting Requirement] Sponsors: Campos; Chiu and Maxwell**

Ordinance amending the San Francisco Housing Code by amending Section 1002 to add subsection (f) requiring residential hotel owners/operators to post a notice advising hotel occupants that they may telephone the City's Customer Service Center at 311 to report alleged violations of the Housing Code; adopting findings, including environmental findings.

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

### **100102 [Requiring the Development and Maintenance of Stormwater Management Controls]**

**Sponsors: Mayor; Maxwell, Mar, Chiu, Dufty and Mirkarimi**

Ordinance amending the San Francisco Public Works Code by repealing Article 4.2, Sections 140 - 149.4, and adding Article 4.2, Sections 147 - 147.6, requiring the development and maintenance of stormwater management controls for specified activities that disturb 5,000 square feet or more of the ground surface, and are subject to building, planning and subdivision approvals.

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

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

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

*See Imperative Item, File No. 100425 below.*

## COMMITTEE REPORTS

### Recommendations of the Rules Committee

#### **100303 [Reappointment, Small Business Commission – Luke O'Brien]**

Motion approving the Mayor's reappointment of Luke O'Brien to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)  
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date - March 12, 2010.)

**APPROVED by the following vote:**

Ayes: 6 - Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell  
Noes: 4 - Avalos, Campos, Daly, Mirkarimi  
Excused: 1 - Alioto-Pier

#### **100305 [Reappointment, Small Business Commission – Richard Ventura]**

Motion approving the Mayor's reappointment of Richard Ventura to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)

**APPROVED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

#### **100307 [Reappointment, Juvenile Probation Commission – Dirk Beijen]**

Motion approving the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014. (Clerk of the Board)

**APPROVED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

#### **100308 [Reappointment, Juvenile Probation Commission – Dirk Beijen]**

Motion rejecting the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014. (Clerk of the Board)

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

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

**091453 [Planning Code Amendment – Green Landscaping Ordinance]****Sponsors: Mayor; Chu, Dufty, Mar and Maxwell**

Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for “vehicle use area,” “ornamental fencing,” and “permeable surface;” amending the Public Works Code Sections 805, 806 and 807 to create requirements for the establishment of new street trees, replacement of dead street trees, and removal of street trees and adding Section 802.1 to define climate appropriate standards for plantings in the public right-of-way; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

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

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

Excused: 1 - Alioto-Pier

**ROLL CALL FOR INTRODUCTIONS***See Legislation Introduced below.***PUBLIC COMMENT***Abdullah Megaheed; expressed various concerns in Arabic and English.**James Chaffee; expressed concerns relating to the SF Public Library.**Phillip Gary; spoke in support of meat free and cage-free egg legislation.**Hope Kelly; spoke in support of meat free and cage-free egg legislation.**Female Speaker; spoke in support of meat free and cage-free egg legislation.**Richard McRee; expressed concerns relating to technology, inventions and patents.**Christopher Dahl; expressed concerns relating to redevelopment of Treasure Island.**Walker Phillips; spoke in support of meat free and cage-free egg legislation.**Dave Morman; expressed various concerns.**David Spencer; spoke in support of meat free and cage-free egg legislation.**Laura Beck; spoke in support of meat free and cage-free egg legislation.**Abigail Wick; spoke in support of meat free and cage-free egg legislation.**Colleen Holland; spoke in support of meat free and cage-free egg legislation.**Female Speaker; expressed various concerns.**Walter Paulson; shared in song certain concerns with the Board.**Emil Lawrence; expressed various concerns.**Male Speaker; spoke in support of meat free and cage-free egg legislation.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*Supervisor Daly was noted absent at 3:09 p.m.*

**100402 [Accept and Expend Grant - China MSM Technical Assistance - \$52,803]**

**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$52,803 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "China MSM Technical Assistance" for the period of January 1, 2010, through December 31, 2010.

**ADOPTED**

**100409 [Intent to Install a Commemorative Plaque at 575 Castro Street Recognizing Harvey Milk]**

**Sponsors: Dufty; Campos, Mirkarimi and Chiu**

Resolution to provide for the installation of a second plaque at 575 Castro Street, the location of Harvey Milk's former camera shop in the Castro Neighborhood, to identify his significant contributions to San Francisco and to the Lesbian, Gay, Bisexual, and Transgender Community.

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

**ADOPTED**

**100410 [Accept and Expend Grant - Pesticide Use Reporting - \$2,880]**

**Sponsor: Chu**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$2,880 from California Department of Pesticide Regulation to assist with a project entitled "Pesticide Use Reporting" for the period of July 1, 2010, through June 30, 2011.

**ADOPTED**

**100411 [Supporting Senate Bill 677 Regarding Human Trafficking]**

**Sponsors: Chu; Chiu**

Resolution supporting Senate Bill 677 regarding Human Trafficking, allowing courts to seize any property used in the commission of human trafficking and adding civil penalties.

**ADOPTED**

**100412 [Supporting Senate Bill 1108 Regarding Annual Small Business Participation Goal for State Funded Contracts]**

**Sponsor: Chiu**

Resolution supporting Senate Bill 1108 to codify Governor Schwarzenegger's Executive Order S-02-06 to ensure that the State continues to meet or exceed the 25 percent overall annual small business participation goal for state funded contracts.

**ADOPTED**

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

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Absent: 1 - Daly

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

*Supervisor Mirkarimi requested that File No. 100408 be severed so that it may be considered separately.*

#### **100408 [MUNI Youth Lifeline Discount Pass]**

**Sponsors: Mirkarimi; Maxwell, Chiu, Dufty and Mar**

Resolution requesting the San Francisco Municipal Transportation Agency to create a Youth Lifeline Discount Fast Pass for qualified low-income youth.

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

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Absent: 1 - Daly

*Supervisor Maxwell requested that File Nos. 100413 and 100414 be severed so that they may be considered separately.*

#### **100413 [Meat-Free Mondays]**

**Sponsors: Maxwell; Mar**

Resolution declaring every Monday as "Vegetarian Day" to urge all restaurants, grocery stores, and schools to offer a variety of plant based options to improve the health of San Francisco residents.

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

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Absent: 1 - Daly

#### **100414 [Commending San Francisco Businesses that Use Only Cage-Free Eggs]**

**Sponsors: Maxwell; Mar**

Resolution commending businesses in San Francisco that use only cage-free eggs, and encouraging all businesses to join them in going cage-free.

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

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Excused: 1 - Alioto-Pier

Absent: 1 - Daly

### **IMPERATIVE AGENDA**

*Supervisor Daly was noted present at 3:20 p.m.*

*[Purely Commendatory Finding]*

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

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

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

Excused: 1 - Alioto-Pier

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

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

Excused: 1 - Alioto-Pier

### **100425 [Declaring April 6, 2010, as Laura Spanjian Day in the City and County of San Francisco]**

**Sponsor: Dufty**

Resolution declaring April 6, 2010, as Laura Spanjian Day in the City and County of San Francisco and congratulating Laura Spanjian for her service and dedication to the City and County of San Francisco.

*The President inquired as to whether any member of the public wished to address the Board relating to Laura Spanjian Day referenced in File No. 100425. Ed Harrington, General Manager of the San Francisco Public Utilities Commission, shared in congratulating Laura for her service to the City and County of San Francisco. Abdullah Megaheed, shared in congratulating Laura for her dedication. There were no other speakers. The President declared public comment closed.*

**ADOPTED by the following vote:**

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

Excused: 1 - Alioto-Pier

## **LEGISLATION INTRODUCED AT ROLL CALL**

### **Introduced by Supervisors or Mayor**

#### **Ordinances**

### **100427 [Barring the Use of Certain Pesticides for Weed Abatement]**

**Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Environment Code by amending Section 307, to bar the Department of Environment from granting exemptions from the ban on the use of certain pesticides by City departments, where the intended use of the pesticide is solely or primarily for weed abatement, and making environmental findings.

04/06/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/5/2010.

**100434 [Castro Street Neighborhood Commercial District – Conditional Use Requirements for Restaurants and Self-Service Specialty Food Establishments]****Sponsor: Dufty**

Ordinance amending the San Francisco Planning Code by amending Section 715.1 and Sections 715.42, 715.43, 715.44, and 715.69A of the Zoning Control Table to allow new full-service and small self-service restaurants with a conditional use authorization, to permit self-service specialty food establishments as of right, and to prohibit all large fast food establishments; adopting findings, including environmental findings; amending Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

04/06/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/6/2010.

**100437 [Standards of Care for City Shelters and Powers and Duties of the Shelter Monitoring Committee]****Sponsors: Mar; Campos**

Ordinance amending the San Francisco Administrative Code by amending Chapter 20, Sections 20.304, 20.401, 20.403, 20.404, and 20.405, to: 1) amend City requirements in the delivery of shelter services to, among other things, expand reservation capability at shelters; 2) provide additional training to shelter staff; and ensure case management services for shelter clients in need; and 3) require the Shelter Monitoring Committee to track refusals of shelter beds and authorize the Committee to initiate investigations into alleged violations of contractual obligations imposed by Chapter 20.

04/06/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 5/5/2010.

**100455 [San Francisco Safe Drug Disposal Ordinance]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2210, to require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources, and to provide for implementation, enforcement, fees, and penalties, and making environmental findings.

04/06/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 5/6/2010.

**Resolutions****100425 [Declaring April 6, 2010, as Laura Spanjian Day in the City and County of San Francisco]****Sponsor: Dufty**

Resolution declaring April 6, 2010, as Laura Spanjian Day in the City and County of San Francisco and congratulating Laura Spanjian for her service and dedication to the City and County of San Francisco.

04/06/10; RECEIVED AND ASSIGNED to Board of Supervisors.

04/06/10; ADOPTED.

**100428 [Endorsement of Term Sheet with the Treasure Island Homeless Development Initiative]****Sponsors: Mayor; Daly, Chiu and Dufty**

Resolution endorsing the Term Sheet for the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative.

04/06/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100429 [Endorsement of Terms of Economic Development Conveyance Memorandum of Agreement for Treasure Island]****Sponsors: Mayor; Daly, Chiu and Dufty**

Resolution endorsing the Terms of Economic Development Conveyance Memorandum of Agreement for the Transfer of Former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority.

04/06/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100430 [Ten Year Capital Expenditure Plan - FYs2011-2020]****Sponsors: Mayor; Chiu**

Resolution adopting the City's ten year capital expenditure plan for FYs2011-2020.

04/06/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**100431 [Accept and Expend Grant - Recovery Act Justice Assistance Grant - \$963,198]****Sponsors: Mayor; Dufty and Mirkarimi**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$963,198 from the California Emergency Management Agency, to assist with a project entitled "Recovery Act Justice Assistance Grant" for the period of October 1, 2009, through March 31, 2011.

04/06/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100433 [Accept and Expend Grant - San Francisco Drug Elimination Team - \$533,810]****Sponsor: Chu**

Resolution authorizing the Department of Children, Youth &amp; Their Families, to retroactively accept and expend grant funding in the amount of \$533,810 from the California Emergency Management Agency to fund the San Francisco Drug Elimination Team, a multi-disciplinary partnership, comprised of the San Francisco Police Department, the District Attorney's Office, and the Adult Probation Department for the period of July 1, 2009, through June 30, 2010.

04/06/10; RECEIVED AND ASSIGNED to Public Safety Committee.

**100432 [Endorsement of Update to Development Plan and Term Sheet for the Redevelopment of Treasure Island]****Sponsors: Mayor; Daly, Chiu and Dufty**

Resolution endorsing the Update to Development Plan and Term Sheet for the Redevelopment of Former Naval Station Treasure Island with Treasure Island Community Development, LLC.

04/06/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**100435 [Accept and Expend Grant - Substance Abuse Offender Treatment Program - \$370,182]****Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Alcohol and Drug Programs in the amount of \$370,182 to fund the Substance Abuse Offender Treatment Program for the period July 1, 2009, through June 30, 2010.

04/06/10; RECEIVED AND ASSIGNED to Public Safety Committee.

**100436 [Amendment to the Design Agreement for the Laguna Honda Hospital Replacement Program - \$50,799,281]****Sponsor: Elsbernd**

Resolution authorizing the Director of Public Works to execute an amendment to the design agreement for the Laguna Honda Hospital Replacement Program increasing the contract amount from \$44,633,529 to \$50,799,281.

(Fiscal Impact.)

04/06/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**100459 [Supporting Senate Bill 1140 Regarding Allowing Voters to Register and Vote Up to and Including Election Day]****Sponsors: Campos; Mar**

Resolution supporting Senate Bill 1140 to delete the arbitrary timelines which prevent eligible citizens from voting in elections by allowing voters to register and vote up to and including election day.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100460 [Urging the California Department of Corrections and Rehabilitations to Implement Guidelines to Ensure Voting Access for Eligible Offenders]****Sponsor: Mirkarimi**

Resolution urging the California Department of Corrections and Rehabilitation's Corrections Standard Authority to adopt specific guidelines for County Sheriff's and Department of Corrections, in order to facilitate voting among eligible incarcerated individuals.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100461 [Commending the Golden Gate Yacht Club and BMW ORACLE Racing Team on Winning the 33rd America's Cup and Urging the City to Host the 34th America's Cup]****Sponsors: Mirkarimi; Dufty, Maxwell, Chiu, Mar, Chu, Elsbernd and Alioto-Pier**

Resolution commending San Francisco's Golden Gate Yacht Club and BMW ORACLE Racing team, directing the Clerk of the Board to send a congratulatory letter regarding their significant achievement of winning the 33rd America's Cup, and urging the City to work diligently on a plan for a San Francisco waterfront venue to host the 34th America's Cup.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100462 [Regulations to Ensure that Reusable Bags are Suitably Durable and Do Not Contribute to the Landfill Waste Stream]**

**Sponsor: Mirkarimi**

Resolution requesting the Director of Department of Environment, under the authority of Section 1704, of Chapter 17, of the San Francisco Municipal Environment Code, to promulgate new, or amend existing, regulations to ensure that reusable bags are suitably durable and do not contribute to the landfill waste stream.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**100464 [Supporting Assembly Bill 2511 Regarding Limiting Annual Percentage Rate of Payday Loans]**

**Sponsors: Chiu; Campos**

Resolution supporting Assembly Bill 2511 regarding limiting the annual percentage rate of payday loans to customers receiving unemployment benefits.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Request for Hearing****100457 [Comprehensive Annual Financial Report, Single Audit, and Management Letters Related to the City Audit for FY2008-2009]****Sponsor: Mar**

Hearing for the City's external auditors, Macias Gini and O'Connell and KPMG, to present the Comprehensive Annual Financial Report, Single Audit, and their management letters related to the City audit for FY2008-2009.

04/06/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Introduced by President at Request of Department****PROPOSED RESOLUTIONS****100351 [Airport 2011 Lease and Use Agreements with Various Airlines]**

Resolution approving a term of twenty five (25) new Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such airlines to conduct domestic and international flight operations at the San Francisco International Airport. (Airport Commission)  
(Fiscal Impact.)

03/31/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100352 [Airline and Airport Lease and Use Agreement Modifications and Lease and Operating Agreement Modifications with Various Airlines]**

Resolution approving modifications to the terms of eight (8) Airline and Airport Lease and Use Agreements and eleven (11) Lease and Operating Agreements between the City and County of San Francisco and various airlines to allow such airlines to modify the rental of terminal space and modify the terms of one (1) Airline and Airport Lease and Use Agreement to allow for early termination of said Lease and Use Agreement. (Airport Commission)

03/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100386 [Approval to Award Restaurant Lease Between the Port of San Francisco and D & G Company, LLC, Doing Business as Lou's Pier 47]**

Resolution approving Port Commission Restaurant Lease No. L-14630 with D & G Company, LLC, doing business as Lou's Pier 47, for certain real property at 300 Jefferson Street located in Fisherman's Wharf in the City and County of San Francisco for a term of fifteen and one half (15 1/2) years, plus a five (5) year extension option. (Port)

02/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100387 [Contract Amendment with G4S Justice Services, LLC, for Electronic Monitoring Services - Not to Exceed \$1,425,000]**

Resolution authorizing the Sheriff's Department to enter into a First Amendment to the Agreement between the City and County and G4S Justice Services, LLC, (formerly known as G4S Justice Services, Inc.) to increase the contract amount from \$750,000 to an amount not to exceed \$1,425,000. (Sheriff)

03/29/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**100388 [Approving County Refugee Services Plan for Federal FY2009-2010]**

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2009-2010. (Human Services Department)

03/29/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**100389 [Professional Services Agreement - Energy Efficiency, Renewable Energy and Climate Change with ICF International - \$19,000,000]**

**Sponsor: Mirkarimi**

Resolution approving a Professional Services Agreement with ICF International for Energy Efficiency, Renewable Energy, and Climate Professional Services at a total cost of \$19,000,000. (Environment)

03/29/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor Chiu*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation permitting the City to revoke permits for entertainment venues when those venues have been proven to be associated with violence.*

*From: Supervisor Chiu*

*To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation requiring entertainment event promoters to register with the City and meet certain regulatory requirements.*

*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 newsstands.*

*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  
Irvine 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 Masonic*

*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 public property locations:*

*Utility Boxes  
Northeast corner Oak & Scott  
Southeast corner Divisadero & Fell*

Southeast corner Hayes & Shrader  
Southeast corner Central & Hayes  
Southeast corner Divisadero & Fulton  
Southwest corner Oak & Divisadero  
Southwest corner Steiner & Haight

*Bus Shelters*

Southeast corner Stanyan & Oak  
Southeast corner Masonic & Hayes  
Northeast corner Pierce & Hayes  
Southwest corner McAllister & Haight  
Northwest corner Haight & Baker  
Fillmore and Haight (all 4 bus stops, graffiti and grime)  
Southwest corner Buchanan & Oak

*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:*

*Wood Pole*

*Northwest corner Ivy & Gough*

*Metal Pole*

*Southeast corner Clayton & Hayes  
Northeast corner Divisadero & Haight  
In front of 244 Fillmore  
In front of 332 Haight  
Northwest corner Fillmore & Waller*

*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*

*Northeast corner Lyon & Hayes  
Southeast corner Haight & Buena Vista East  
Southwest corner Haight & Buchanan  
Southeast corner Buena Vista West & Haight  
Southeast corner Hayes & Buchanan  
Southwest corner Cole & Haight*

*Mailboxes*

*Northwest Baker & Haight  
Southeast Cole & Hayes*

*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:*

*312 Divisadero  
428 Haight  
295 Laguna  
333 Haight  
221 Oak*

1369 Haight  
670 Stanyan  
1964 Hayes  
442 Haight

### **In Memoriams**

Vince Tringali – Supervisor Elsbernd  
August J.P. Longo – Entire Board  
Al Ross – Supervisor Chu

### **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 3:46 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 May 4, 2010.*

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Angela Calvillo, Clerk of the Board