



# 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, August 10, 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](http://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 [www.sfbos.org/meetings](http://www.sfbos.org/meetings) <<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](mailto: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](http://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 6

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Avalos, Mirkarimi, Elsbernd*

1. [100968](#) **[Accept and Expend Grant - Recreation and Park Department - Mission Dolores Park - \$1,500,000]**  
**Sponsor: Dufty**  
Resolution accepting and expending a gift, valued not less than \$1,500,000 from the Friends of Dolores Park Playground and the Mercer Fund to the Recreation and Park Department for the renovation of the children's playground at Mission Dolores Park.  
**Attachments:** [Legislation Ver1](#)  
[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

2. [100969](#) **[Approval of the Issuance of Tax-Exempt Revenue Obligations - Brandeis Hillel Day School - Not to Exceed \$11,500,000]**  
**Sponsor: Elsbernd**  
Resolution approving the issuance of tax-exempt revenue obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$11,500,000 among other things, to refinance various capital facilities owned by Brandeis Hillel Day School and to determine other matters related thereto.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 080410](#)  
[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

3. [100970](#) **[Approving the Issuance of Tax-Exempt Revenue Obligations - The Urban School of San Francisco - Not to Exceed \$8,000,000]**  
**Sponsor: Mirkarimi**  
Resolution approving the issuance of tax-exempt revenue obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$8,000,000 among other things, to refinance various capital facilities owned by The Urban School of San Francisco and to determine other matters related thereto.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 080410](#)  
[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

4. [101013](#) **[Accept and Expend Grant - The STOP Study - \$166,666]**  
**Sponsor: Dufty**  
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Centers for Disease Control and Prevention in the amount of \$166,666 to fund the STOP Study for the period June 15, 2010, through June 14, 2011.  
**Attachments:** [Comm Packet 080410](#)  
[Legislation Ver1](#)  
[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

- 5. [101014](#) **[Accept and Expend Grant - San Francisco Pedestrian Safety Project - \$200,000]**  
**Sponsor: Dufty**  
 Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant from the California Office of Traffic Safety in the amount of \$200,000 to fund the San Francisco Pedestrian Safety Project for the period of October 1, 2010, through September 30, 2011.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 080410](#)  
[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Maxwell, Mar, Chiu*

- 6. [101010](#) **[Accept and Expend Grant - American Recovery and Re-Investment Act and Amendment to the Annual Salary Ordinance, FY2010-2011 - \$1,670,000]**  
**Sponsor: Mayor**  
 Ordinance to retroactively accept and expect a grant in the amount of \$1,670,000 from the U.S. Department of Energy through the County of Los Angeles and the Association of Bay Area Governments, and amending the Annual Salary Ordinance FY2010-2011 to reflect the addition of three positions in the Department of the Environment.  
**Attachments:** [Legislation Ver1](#)  
[Comm Packet 080210](#)  
[board packet 080310](#)

08/03/2010; 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 City Operations and Neighborhood Services Committee

*Present: Supervisors Chu, Avalos*

7. [100641](#) **[Expend Grant - California Department of Toxic Substances Control and Amendment to the Annual Salary Ordinance, FY2010-2011 - \$74,500]**  
**Sponsor: Chu**  
Ordinance authorizing the Department of the Environment to expend a grant in the amount of \$74,500 from the California Department of Toxic Substances Control to coordinate the Green Business tracking and measurement tool and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 072610](#)  
[Legislation Ver2](#)  
[Board Packet 080310](#)

08/03/2010; AMENDED.

08/03/2010; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

#### Recommendation of the Public Safety Committee

*Present: Supervisors Chiu, Mirkarimi, Elsbernd*

8. [100879](#) **[Increasing Penalties for Certain Crimes Committed on Municipal Transportation Agency Vehicles, Platforms or in Bus Zones]**

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

Ordinance amending the San Francisco Police Code by consolidating Sections 122 and 123 and amending former Section 123 and Section 1291, to increase from \$500 to \$1,000 the maximum allowable fine for the crimes of aggressive pursuit and of loitering while carrying a concealed weapon, where the violation occurs on vehicles, platforms or bus zones of the Municipal Transportation Agency, and urging "non-custodial" dispositions for juvenile violators.

**Attachments:** [Legislation Ver1](#)

[Comm Packet 080210](#)

[Legislation Ver2](#)

[Committee Report 080310](#)

08/03/2010; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**



## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Avalos, Mirkarimi, Elsbernd*

9. [100919](#) **[Authorizing the Sheriff's Department to Amend its Contract with ARAMARK Correctional Services, LLC for Jail Food Services - Not to Exceed \$30,500,000]**  
Resolution authorizing the Sheriff's Department to retroactively enter into a Third Amendment to the Agreement between the City and County of San Francisco and ARAMARK Correctional Services, LLC, to increase the contract amount from \$22,885,229 to an amount not to exceed \$30,500,000 and to extend the contract term to June 30, 2012. (Sheriff)

**Attachments:** [Legislation VER1](#)

[Comm Packet 080410](#)

[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

10. [100924](#) **[Loan from the Metropolitan Transportation Commission to Expand the Scope of the SFpark Pilot Projects - \$22,000,000]**  
**Sponsor: Mirkarimi**  
Resolution approving a loan agreement between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and the Metropolitan Transportation Commission for \$22,000,000 of Congestion Mitigation and Air Quality Improvement funding to be repaid by the San Francisco Municipal Transportation Agency over a five year period with parking-related revenues.

(Fiscal Impact.)

**Attachments:** [Legislation VER1](#)

[Comm Packet 080410](#)

[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

11. [100930](#) **[Expend Grant - Adopting California Environmental Quality Act Findings and Authorizing Grant Expenditure for Cesar Chavez Sewer System Improvement Project - \$477,900]**

**Sponsor: Mayor**

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CENMSCIC11, Cesar Chavez Sewer System Improvement, directing the Clerk of the Board of Supervisors to notify the Controller of this action, and authorizing the San Francisco Public Utilities Commission to expend a grant in the amount of \$477,900 from the U.S. Environmental Protection Agency through the Department of the Interior, Environment, and Related Agencies Appropriation Act of 2006.

**Attachments:** [Legislation\\_VER1](#)

[Comm\\_Packet\\_080410](#)

[Board\\_Packet\\_081010](#)

**Question: Shall this Resolution be ADOPTED?**

12. [100964](#) **[Approval of Contract and Accept and Expend Grant - Fire and Emergency Medical Services to the Presidio Trust]**

**Sponsor: Alioto-Pier**

Resolution authorizing the San Francisco Fire Department to enter into a ten year agreement with the Presidio Trust to provide fire and emergency medical services to portions of the Presidio under the Trust's jurisdiction, with the Trust reimbursing the Fire Department for those services and to accept and expend funds provided to the Fire Department by the Trust as reimbursement for services provided under that agreement.

**Attachments:** [Legislation\\_Ver1](#)

[Comm\\_Packet\\_080410](#)

[Board\\_Packet\\_081010](#)

**Question: Shall this Resolution be ADOPTED?**

13. [100965](#) **[Approval of Contract and Accept and Expend Grant - Fire and Emergency Medical Services to National Park Service Managed Areas]**

**Sponsor: Alioto-Pier**

Resolution authorizing the San Francisco Fire Department to enter into a ten year agreement with the National Park Service to provide fire and emergency medical services to National Park Service managed areas within San Francisco, with National Park Service reimbursing the Fire Department for those services, and to accept and expend funds provided to the Fire Department by the National Park Service as reimbursement for services provided under that agreement.

**Attachments:** [Legislation\\_Ver1](#)

[Comm\\_Packet\\_080410](#)

[Board\\_Packet\\_081010](#)

**Question: Shall this Resolution be ADOPTED?**

14. [100966](#) **[Approving the Hiring of Displaced Federal Firefighters]**  
**Sponsor: Alioto-Pier**  
Resolution approving the hiring of permanent career civilian federal firefighters displaced by the closure of the National Park Service Fire Station in the Presidio, pursuant to the authority granted by California Government Code Section 53270.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 080410](#)  
[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Maxwell, Mar, Chiu*

15. [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.

**Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Response PLN 041510](#)  
[Response SBC 051210](#)  
[Response PLN 062110](#)  
[Committee Packet 080210](#)  
[Board Packet 081010](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

16. [101015](#) **[Sewer Line Relocation Agreement with San Francisco State University]**  
**Sponsor: Elsbernd**  
Resolution approving and authorizing the Sewer Line Relocation Agreement between the San Francisco Public Utilities Commission, on behalf of the City and County of San Francisco, and San Francisco State University to relocate an existing sanitary sewer and storm drain easement on Assessor's Block No. 7304-001 (part of the University campus) and portions of Font Boulevard and Lake Merced Boulevard in San Francisco; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Relocation Agreement is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

**Attachments:** [Board](#)  
[Board packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

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

### **COMMITTEE REPORTS**

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

*The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, August 5, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 10, 2010.*

17. [100954](#) **[Settlement of Lawsuit - Ricardo Rodriguez - \$30,000]**  
Ordinance authorizing settlement of the lawsuit filed by Ricardo Rodriguez against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 19, 2009, in Superior, Case No. CGC09-485133; entitled Ricardo Rodriguez v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Legislation\\_VER1](#)  
[Comm Packet\\_080510](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

18. [100955](#) **[Settlement of Lawsuit - Stanislaus Imports - \$245,000]**  
Ordinance authorizing settlement of the portion of the lawsuit filed by Stanislaus Imports against the City and County of San Francisco for \$245,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Legislation\\_VER1](#)  
[Comm Packet\\_080510](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

19. [100956](#) **[Settlement of Lawsuit - Monte & Joanne Stott and Stott & Associates, Inc. - \$32,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Monte & Joanne Stott and Stott & Associates, Inc. against the City and County of San Francisco for \$32,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Legislation\\_VER1](#)

[Comm\\_Packet\\_080510](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

20. [100957](#) **[Settlement of Lawsuit - Yannick Constant - \$32,500]**

Ordinance authorizing settlement of the lawsuit filed by Yannick Constant against the City and County of San Francisco for \$32,500; the lawsuit was filed on April 21, 2008, in San Francisco Superior Court, Case No. 474485; entitled Yanick Constant v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Legislation\\_VER1](#)

[Comm\\_Packet\\_080510](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

21. [100958](#) **[Settlement of Lawsuit - Icenogle IMR Joint Venture - \$1,330,000]**

Ordinance authorizing settlement of the lawsuit filed by Icenogle IMR Joint Venture against the City and County of San Francisco for \$1,330,000; the lawsuit was filed on September 24, 2007, in San Francisco County Superior Court, and subsequently transferred to Alameda County Superior Court, Case No. RG08391219; entitled Icenogle IMR Joint Venture v. City and County of San Francisco, et al.; other material terms of said settlement are: (1) mutual releases except for latent defects, (2) dismissal of all complaints and cross-complaints with prejudice, (3) each side to bear its own attorneys fees and costs, and (4) plaintiff to be responsible for resolving outstanding stop notices. (City Attorney)

**Attachments:** [Legislation\\_VER1](#)

[Comm\\_Packet\\_080510](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

22. [100960](#) **[Settlement of Lawsuit - CCSF v. Underground Construction Co., et al. - City to Receive \$29,000]**

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Underground Construction Co., et al. by accepting the payment of \$29,000 to the City and County of San Francisco; \$23,200 from Underground Construction Co. and \$5,800 from State Farm; the lawsuit was filed on February 24, 2009, in San Francisco Superior Court, Case No. CGC-09-485059; entitled City and County of San Francisco, et al., v. Underground Construction Co., et al. (City Attorney)

**Attachments:** [Legislation\\_VER1](#)

[Comm\\_Packet\\_080510](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

23. [100994](#) **[Appointment, Municipal Transportation Agency Board of Directors - Cheryl Brinkman]**

Resolution confirming the appointment of Cheryl Brinkman to the Municipal Transportation Agency Board of Directors, for the term ending March 1, 2014. (Mayor)

**Attachments:** [Legislation Ver1](#)

[Comm Packet 080510](#)

**Question: Shall this Resolution be ADOPTED?**

24. [100996](#) **[Reappointment, Board of Appeals - Michael Garcia]**

Motion approving the Mayor's reappointment of Michael Garcia to the Board of Appeals, for the term ending July 1, 2014. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 7/13/10.)

**Attachments:** [Legislation VER1](#)

[Comm Packet 080510](#)

**Question: Shall this Motion be APPROVED?**

25. [100998](#) **[Reappointment, Entertainment Commission - John Newlin]**

Motion approving the Mayor's nomination for reappointment of John Newlin to the Entertainment Commission, for the term ending July 1, 2014. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 7/20/10.)

**Attachments:** [Legislation VER1](#)

[Comm Packet 080510](#)

**Question: Shall this Motion be APPROVED?**

*The following items will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, August 9, 2010, at 10:30 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 10, 2010.*

26. [100155](#) **[Liquor License Transfer - 612 Kearny Street]**  
Resolution determining that the transfer of a Type 21 Off-Sale General Liquor License from 605 Kearny Street to 612 Kearny Street (District 3) to David C. Huang for David's Food Store 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:** [100155 Planning response II](#)  
[Comm Packet 080910](#)  
[Committee Report 081010](#)

**Question: Shall this Resolution be ADOPTED?**

27. [100914](#) **[Liquor License Transfer - 690 Stanyan Street]**  
Resolution determining that the transfer of a Type 20 Off-Sale Beer and Wine Liquor License from 880 Harrison Street to 690 Stanyan Street (District 5) to Joseph N. Rogoff for Whole Foods Market California Inc., dba Whole Foods 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 080910](#)  
[Committee Report 081010](#)

**Question: Shall this Resolution be ADOPTED?**

28. [101064](#) **[Accept and Expend Gift - Recreation and Park Department Buena Vista Park - \$164,760]**  
**Sponsor: Dufty**  
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift-in-place valued at \$164,760 from the San Francisco Conservation Corps to rehabilitate trails and retaining walls at Buena Vista Park.

**Attachments:** [Comm Packet 080910](#)  
[Legislation Ver1](#)  
[Committee Report 081010](#)

**Question: Shall this Resolution be ADOPTED?**

29. [101074](#) **[Accept and Expend Grant - Palace of Fine Arts Historical Landscape and Park Improvements - \$500,000]**

**Sponsor: Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant administered by the California State Library California Cultural and Historical Endowment in the amount of \$500,000 for the Palace of Fine Arts historical landscape and park improvement.

**Attachments:** [Comm Packet 080910](#)

[Legislation Ver1](#)

[Committee Report 081010](#)

**Question: Shall this Resolution be ADOPTED?**

*The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, August 9, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 10, 2010.*

30. [100971](#) **[Accept and Expend Grant - Lowe's Local Hiring Agreement - \$750,000]**

**Sponsor: Mayor**

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$750,000 from Lowe's HIW, Inc., to plan and manage an employment program.

**Attachments:** [Legislation Ver1](#)

[Comm Packet 080910](#)

[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

31. [100972](#) **[Accept and Expend Grant - Office of Economic and Workforce Development - Green Jobs - \$400,000]**

**Sponsor: Mayor**

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$400,000 from Wal-Mart Foundation to plan and manage an employment program.

**Attachments:** [Legislation Ver1](#)

[Comm Packet 080910](#)

[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**



32. [100973](#) **[Accept and Expend Grant - Office of Economic and Workforce Development - California's Low Income Energy Efficiency Program - \$100,000]**

**Sponsors: Mayor; Maxwell**

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$100,000 from the California Public Utilities Commission to support CityBuild's implementation of California's Low Income Energy Efficiency Program in San Francisco.

**Attachments:** [Legislation\\_Ver1](#)

[Comm Packet 080910](#)

[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

33. [100974](#) **[Accept and Expend Grant - Office of Economic and Workforce Development - CityBuild Program - \$200,000]**

**Sponsors: Mayor; Maxwell**

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$200,000 from the Evelyn and Walter Haas, Jr., Fund to support the CityBuild Program.

**Attachments:** [Legislation\\_Ver1](#)

[Comm Packet 080910](#)

[Board Packet 081010](#)

**Question: Shall this Resolution be ADOPTED?**

34. [101011](#) **[Accept and Expend Grant - Diesel Emissions Reduction Act - Pier 27 Shoreside Power - \$1,000,000]**

**Sponsors: Alioto-Pier; Chiu**

Resolution authorizing the San Francisco Port Commission to accept and expend a grant from the U.S. Environmental Protection Agency in the amount of \$1,000,000 under the Diesel Emissions Reduction Act, to assist in the installation of a shoreside power facility for cruise ships at Pier 27.

**Attachments:** [Legislation\\_Ver1](#)

[Comm Packet 080910](#)

[Board Packet 081010](#)

**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 35 through 43

35. [101067](#) **[Supporting Assembly Bill 2324 Regarding Public Transit Facilities]**  
**Sponsors: Chu; Chiu and Mar**  
Resolution supporting Assembly Bill 2324 regarding Public Transit Facilities, making it a misdemeanor for any person to knowingly possess specified weapons at a public transit vehicle facility.  
**Attachments:** [Board Packet 081010](#)  
[Legislation\\_Ver1](#)
- 08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
36. [101068](#) **[Declaring August 18, 2010, as San Francisco HIV Health Services Planning Council Day]**  
**Sponsors: Dufty; Campos**  
Resolution declaring August 18, 2010, as San Francisco HIV Health Services Planning Council Day in San Francisco.  
**Attachments:** [Board Packet 081010](#)  
[Legislation\\_Ver1](#)
- 08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

**37. [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](#)

08/03/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**38. [101076](#) [Apply For State Used Oil Payment Program]**  
**Sponsor: Mayor**

Resolution authorizing the Department of the Environment to apply for the annual Used Oil Payment Program from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling.

**Attachments:** [Board Packet 081010](#)  
[Legislation\\_Ver1](#)

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**39. [101077](#) [Federal Emergency Operations Center Grant Administered by California Emergency Management Agency]**

**Sponsor: Mayor**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance through the federal Emergency Operations Center grant administered by the California Emergency Management Agency.

**Attachments:** [Board Packet 081010](#)  
[Legislation\\_Ver1](#)

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**40. [101081](#) [Candlestick Point - Hunters Point Shipyard Phase II Development Project - Involvement of Ohlone and other Native American Peoples]**

**Sponsor: Maxwell**

Resolution urging the City Planning Department and Redevelopment Agency to establish specific protocols for ongoing collaboration with representatives of the Ohlone Peoples and other Native American groups for the redevelopment of Candlestick Point and the Hunters Point Shipyard.

**Attachments:** [Board Packet 081010](#)  
[Legislation Ver1](#)

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**41. [101069](#) [Waiving Board Rule 4.29 of the Rules of Order to Schedule Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. at the September 7, 2010, Board Meeting]**

Motion waiving Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m. at the September 7, 2010, Board meeting. (Clerk of the Board)

**Attachments:** [Board Packet 081010](#)  
[Legislation Ver1](#)

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

**42. [101078](#) [Final Map 3668 - 805 Rutland Street and 199 Leland Avenue]**

Motion approving Final Map 3668, a Six Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 805 Rutland Street and 199 Leland Avenue being a subdivision of Lot No. 016 in Assessors Block No. 6251 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

**Attachments:** [Board Packet 081010](#)

08/03/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

- 43. [101080](#) **[Final Map 5785 - 5800 Third Street]**  
 Motion approving Final Map 5785, a Three Lot Subdivision, Lot 1 being a 142 Unit Mixed-Use Condominium Project and Lot 2 being a 102 Unit Residential Condominium Project, located at 5800 Third Street being a subdivision of Lot No. 001 in Assessors Block No. 5431A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

**Attachments:** [Board Packet 081010](#)

08/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

Questions on the For Adoption Without Committee Reference Agenda: \_\_\_\_\_

#### 44. 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 ORDINANCE

*Proposed ordinance received from July 27, 2010, to August 2, 2010, for reference by President to appropriate committee on August 10, 2010.*

**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](#)

07/30/2010; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

**101082 [Petitions and Communications]**

Petitions and Communications received from July 27, 2010, through August 2, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on August 10, 2010.

From Human Services Agency, submitting their revised FY2009-2010 savings projections for the Human Services Care Fund. Copy: Each Supervisor (1)

From Recreation and Parks Department, submitting the Lead Poisoning Prevention Quarterly Report. (2)

From Office of Citizen Complaints, submitting their Quarterly Report for the Second Quarter of FY2010. Copy: Each Supervisor (3)

From Office of the Controller, submitting an audit report of contractor compliance with the Administrative Code, Local Business Enterprise, and Non-Discrimination in Contracting Ordinance. Copy: Each Supervisor (4)

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (5)

Arts Commission  
Controller  
Department of Elections

From the Ethics Commission, regarding the amount of funds in the Election Campaign Fund. Copy: Each Supervisor (6)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (7)

Airport Commission  
Building Inspection  
Fine Arts Museums  
Mayor's Office

From Office of the Mayor, submitting the reappointment of Anson B. Moran to the Public Utilities Commission. Copy: Each Supervisor and Clerk (8)

From Wolf Frommer, regarding Sunset Scavenger's rate increase. Copy: Each Supervisor (9)

From California Network of Mental Health Clients, regarding the cost to implement AB1421 (Laura's Law). File No. 100751, Copy: Each Supervisor (10)

From Office of the Controller, submitting the Government Barometer Report for June 2010. (11)

From Department of Elections, submitting notice of the deadline to submit disclaimer requirements for local ballot measures is 5:00 p.m. on Thursday, August 12, 2010. Copy: Each Supervisor (12)

From Barbara Gainer, submitting opposition to construction of 28 new-single family dwellings on 28 lots with 42 parking spaces at One Capitol Avenue. Copy: Each Supervisor (13)

From concerned citizens, submitting support for passage of Laura's Law in San Francisco. File No. 100751, Copy: Each Supervisor, 4 letters (14)

From Aaron Goodman, regarding the Bayview Hunters Point Shipyard Project. File No. 100861, Copy: Each Supervisor (15)

From Aaron Goodman, urging the Board of Supervisors to place proposed legislation regarding the sewer line relocation agreement with S.F. State University under the 30 Day Rule. File No. 101015, Copy: Land Use Committee Members, 2 letters (16)

From Gary Bowers, regarding the Arizona Boycott. (17)

From Department of Emergency Management, regarding Spanish and Cantonese added to the Tuesday Noon-Siren. (18)

From concerned citizens, submitting opposition to proposed legislation concerning alcohol tax. File No. 100865, Copy: Budget and Finance Committee, 15 letters (19)

From Courtney Vaudreuil, submitting support for the ban on animal sales in San Francisco. (20)

From concerned citizens, regarding proposed cell tower for the dome of Ner Tamid Synagogue. 2 letters (21)

From Kate Bernier, regarding the utilities new pulsed, wireless smart meters being part of a centralized smart grid. Copy: Each Supervisor (22)

From Arthur Evans, regarding the drug addicts and alcoholics in the Haight Ashbury district. Copy: Supervisor Mirkarimi (23)

From Bureau of Street & Sewer Repair, regarding potholes and sidewalk issues in District 5. (Reference No. 20100713-001) (24)

From concerned citizens, submitting opposition to any new taxes on small businesses in San Francisco. File No. 100759, Copy: Each Supervisor, 2 letters (25)

From Patrick Monette-Shaw, regarding Laguna Honda Hospital. 2 letters (26)

From Sandy Rothman, submitting opposition to proposed plan for a disc-golf course in McLaren Park. (27)

From concerned citizen, commenting that Sutter Health and California Pacific Medical Center has a long history of attempting to eliminate union representation for its employees. (28)

From National Council on Alcoholism and Drug Addictions-Bay Area, submitting opposition to granting liquor license to the owners of property located at 450 Powell Street. File No. 100685, Copy: City Operations and Neighborhood Services Committee Members (29)

From concerned citizens, submitting support for the construction of the proposed new St. Luke's Campus at Van Ness and Geary. 2 postcards (30)

From Clerk of the Board, submitting report of the Sole Source contracts entered into for FY2009-2010. (31)

## **ADJOURNMENT**