

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, September 28, 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

Wednesday

11:00 AM

City and School District Select Committee

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

2nd and 4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Dufty

2nd and 4th Monday

10:30 AM

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

2nd and 4th Thursday

10:30 AM

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Monday

1:00 PM

Public Safety Committee

Supervisors Chiu, Mirkarimi, Elsbernd

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.

Volume 105 Number 32

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar and Sophie Maxwell

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, Supervisors Dufty and Mirkarimi were noted absent. There was a quorum.

Supervisor Dufty was noted present at 2:10 p.m.

Supervisor Mirkarimi Excused from Voting

Supervisor Maxwell, seconded by Supervisor Campos, moved that Supervisor Mirkarimi be excused from voting. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

AGENDA CHANGES

There were none.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor communicating the Mayor's Veto of legislation contained in File No. 100865 which would establish an alcohol cost recovery fee. See File Nos. 100865 and 101209 below. There were no other communications.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

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)

FINALLY PASSED

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.

FINALLY PASSED**Recommendation of the City Operations and Neighborhood Services Committee****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.

FINALLY PASSED**Recommendation of the Land Use and Economic Development Committee****101161 [Construction Agreement for 1150 Ocean Avenue]****Sponsor: Elsbernd**

Resolution approving an agreement and authorizing the Director of Planning to execute the agreement on behalf of the City and County of San Francisco in order to ensure the construction on-site of 26 inclusionary units in the mixed-use development proposed at 1150 Ocean Avenue (Lot No. 003 in Assessor's Block No. 3180).

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

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

Excused: 1 - Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Supervisor Alioto-Pier Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Dufty, previously moved that Supervisor Alioto-Pier be excused from voting on File No. 100865 at the Regular Meeting of September 21, 2010. The motion carried by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 2 - Alioto-Pier, Campos

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.

Pursuant to the tabling of File No. 101209, communication by Angela Calvillo, Clerk of the Board, above, and Board Rule 4.19, this Ordinance is CONTINUED to October 5, 2010. No further action was taken.

Recommendations of the Land Use and Economic Development Committee

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.

FINALLY PASSED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Excused: 1 - Mirkarimi

NEW BUSINESS

Recommendations of the Budget and Finance Committee

100832 [Contract with Institute on Aging for the Provision of Case Management, Community Living Fund and Linkages Program Services - Not to Exceed \$16,144,866]

Resolution retroactively approving the grant agreement between the City and County of San Francisco and the non-profit Institute on Aging to provide Case Management, Community Living Fund and Linkages Program services to seniors and adults with disabilities during the period of July 1, 2010, to June 30, 2014, for a total not to exceed amount of \$16,144,866. (Human Services Department)
(Fiscal Impact.)

ADOPTED by the following vote:

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

100894 [Increasing Contract with Xtech to \$41,000,000]

Resolution authorizing the Office of Contract Administration to enter in the First Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from \$24,000,000 to \$41,000,000 and update certain standard contractual clauses. (Office of Contract Administration)
(Fiscal Impact.)

ADOPTED by the following vote:

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

**100991 [Resolution of Intention to Form the Ocean Avenue Community Benefits District]
Sponsors: Avalos; Elsbernd**

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Ocean Avenue Community Benefits District," and levy a multi-year assessment on identified parcels in the district; (2) approving the management district plan and engineer's report and proposed boundaries map for the district; (3) ordering and setting a time and place for a public hearing thereon; (4) approving the form of the Notice of Public Hearing and Assessment Ballots; and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Supervisor Elsbernd requested to be added as a co-sponsor.

ADOPTED by the following vote:

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

101110 [Accept and Expend Grant - Airport Commission - U.S. Federal Aviation Administration Grant - Not to Exceed \$79,982,500]**Sponsor: Mayor**

Resolution authorizing the Airport Commission to execute an Other Transaction Agreement with the Federal Aviation Administration (FAA) for the Replacement Airport Traffic Control Tower and FAA Offices in the amount not to exceed \$79,982,500 and retroactively accept and expend federal funds.

ADOPTED by the following vote:

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

101152 [San Francisco International Airport Environment Review]**Sponsor: Mayor**

Resolution adopting California Environmental Quality Act findings related to the Courtyard 2 Air Traffic Control Tower Replacement Project and Integrated Facilities Project at San Francisco International Airport.

ADOPTED by the following vote:

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

Recommendation of the Government Audit and Oversight Committee**101131 [Board Response to the 2009-2010 Civil Grand Jury Report Entitled "Pension Tsunami: The Billion Dollar Bubble"]****Sponsor: Mar**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2009-2010 Civil Grand Jury Report entitled "Pension Tsunami: The Billion Dollar Bubble" and urging the Mayor to cause the implementation of accepted findings and recommendations through the department heads and through the development of the annual budget. (Clerk of the Board)

Supervisor Chu, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED on Page 8, Line 9, replacing 'finds that' with 'agrees with'; and Line 10, adding 'and acknowledges that it' before 'requires.' The motion carried by the following vote:

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

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 1 - Mirkarimi

Recommendations of the Land Use and Economic Development Committee**100757 [Public Works Code - Minor Encroachment Fee Waiver for Affordable Housing Projects]****Sponsor: Daly**

Ordinance amending Public Works Code, Article 15, Section 723.2, to provide for a waiver of the annual public right-of-way occupancy fee for minor sidewalk encroachment permits necessary for the development of 100% affordable housing projects and adopting environmental findings.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Mirkarimi

100918 [Mission Bay North - Blocks N3-N3A Public Infrastructure Improvements]**Sponsor: Daly**

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay North - Blocks N3-N3A, including acquisition facilities on portions of King Street, Berry Street, Fourth Street, and Fifth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; accepting a pedestrian access and utility easement relating to the project; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,752; and authorizing official acts in connection with this Ordinance. (Public Works Department)

*Supervisor Daly requested to be added as sponsor.***PASSED, ON FIRST READING by the following vote:**

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

Excused: 1 - Mirkarimi

100755 [Supporting Existing Area Plan Housing Requirements]**Sponsors: Chiu; Mirkarimi, Avalos and Campos**

Resolution supporting existing area plan housing requirements.

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Excused: 1 - Mirkarimi

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

Privilege of the Floor

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

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

Excused: 1 - Mirkarimi

Supervisor Maxwell introduced, welcomed, and presented a Certificate of Honor to Michael Cohen, Director of the Mayor's Office of Economic and Workforce Development, in recognition of his many accomplishments and for his 15 years of dedicated service to the City and County of San Francisco.

Supervisors Avalos and Mar introduced, welcomed, and presented Certificates of Honor to Aaron Barbieri-Aghib, Ariel Barbieri-Aghib, Brenda Picazo, Breonna Frierson, Derek Morrell, Esmerelda Mancilla, Helena Chow, Irene Taylor, Isaiah Spikes, Jadeshia Hui, Jessie Chen, Lona Kwan, Mayra Perez, Nancy Li, Ramon Gomez, Rashon Armstrong, Rayshawnda Madison, Rochelle Chan, Stephanie Huang, Taylor Cato, TJ Smith, Wendy Wong, and Zoe Santos of the San Francisco Peer Court in recognition of their accomplishments and National Youth Court Month.

SPECIAL ORDER 4:00 P.M.

Supervisor Avalos was noted absent at 4:03 p.m.; was noted present at 4:11 p.m.

101041 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 10 Bernal Heights Boulevard]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Determination of Exemption from Environmental Review identified as Planning Case No. 2010.0306C, by its Motion No. 18131, which included the exemption determination, that a project located at 10 Bernal Heights Boulevard is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Sections 15301 Class (1), 15303 (Class 3), and 15311 (Class 11), to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park within an RH-1(D) (Residential, House, Single-Family, Detached) Zoning District and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Appellant: Erick Arguello on behalf of the Lower 24th Street Merchant Association.)

(Filed August 2, 2010; Companion Measure to File Nos. 101042, 101043, 101044.)

Supervisor Campos, seconded by Supervisor Duffy, moved that this Hearing be CONTINUED to October 19, 2010. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Supervisor Duffy, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 19, 2010. There were no speakers. The President continued the public hearing open to October 19, 2010.

Supervisor Campos, seconded by Supervisor Duffy, moved that this Hearing be CONTINUED to October 19, 2010. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101042 [Affirming the Exemption Determination for 10 Bernal Heights Boulevard]

Motion affirming the determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Supervisor Dufty, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 19, 2010. There were no speakers. The President continued the public hearing open to October 19, 2010.

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101043 [Reversing the Exemption Determination Issued for 10 Bernal Heights Boulevard]

Motion reversing the determination by the Planning Commission that the 10 Bernal Heights Boulevard project is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Supervisor Dufty, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 19, 2010. There were no speakers. The President continued the public hearing open to October 19, 2010.

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101044 [Preparation of Findings to Reverse the Exemption Determination for the 10 Bernal Heights Boulevard Project]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Commission that the project located at 10 Bernal Heights Boulevard is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Supervisor Dufty, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 19, 2010. There were no speakers. The President continued the public hearing open to October 19, 2010.

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

SPECIAL ORDER 4:00 P.M.**101045 [Public Hearing - Conditional Use Appeal for 10 Bernal Heights Boulevard]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 1, 2010, Conditional Use Permit identified as Planning Case No. 2010.0306C, by its Motion No. 18131, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50-foot tall communications tower at the top of the hill in Bernal Heights Park and to modify the Conditional Use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within the RH-1(D) (Residential, House, Single-Family, Detached) Zoning District, and a 40-X Height and Bulk District, on property located at 10 Bernal Heights Boulevard, Lot No. 003, in Assessor's Block No. 5548. (District 9) (Filed by Erick Arguello on behalf of the Lower 24th Street Merchant Association, and subscribed by Supervisors Campos, Mar, Chiu, Chu, Mirkarimi, and Avalos.)

(Filed August 2, 2010; Companion Measure to File Nos. 101046, 101047, 101048.)

Supervisor Campos, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Supervisor Dufty, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 19, 2010. There were no speakers. The President continued the public hearing open to October 19, 2010.

Supervisor Campos, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101046 [Approving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]

Motion approving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Supervisor Dufty, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 19, 2010. There were no speakers. The President continued the public hearing open to October 19, 2010.

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101047 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 10 Bernal Heights Boulevard]

Motion disapproving the decision of the Planning Commission, by its Motion No. 18131, approving Conditional Use Application 2010.0306C on property located at 10 Bernal Heights Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Supervisor Dufty, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 19, 2010. There were no speakers. The President continued the public hearing open to October 19, 2010.

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101048 [Preparation of Findings Related to the Conditional Use Appeal for 10 Bernal Heights Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Application No. 2010.0306C on property located at 10 Bernal Heights Boulevard. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Supervisor Dufty, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 19, 2010. There were no speakers. The President continued the public hearing open to October 19, 2010.

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 19, 2010. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

SPECIAL ORDER 4:00 P.M.**101031 [Public Hearing - Appeal of Final Environmental Impact Report for 222-2nd Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's August 12, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2006.1106E, through its Motion No. 18166, for a proposed office project located at 222-2nd Street with 430,650 gross square feet of office space, approximately 4,963 square feet of ground-floor retail space; and approximately 27,932 square feet of parking area located on two below ground parking levels, with approximately 54 parking spaces, with the capacity for 80 vehicles with valet parking within the C-3-O (SD) Downtown Office (Special Development) District and 350-S/150-S Height and Bulk Districts, Lot No. 063, in Assessor's Block No. 3735. (District 6) (Appellant: Sue C. Hestor, on behalf of 246-2nd Street Owners Association) (Filed September 1, 2010; Companion to File Nos. 101032, 101033, 101034.)

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to October 5, 2010, at 2:30 p.m. There were no speakers. The President continued the public hearing open to October 5, 2010, at 2:30 p.m.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED to October 5, 2010, at 2:30 p.m. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101032 [Affirming the Certification of the 222-2nd Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 222-2nd Street Project.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 5, 2010, at 2:30 p.m. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101033 [Reversing the Certification of the 222-2nd Street Project Final Environmental Impact Report]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 222-2nd Street Project.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 5, 2010, at 2:30 p.m. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

101034 [Preparation of Findings to Reverse Certification of the 222-2nd Street Project Final Environmental Impact Report]

Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 222-2nd Street Project.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Motion be CONTINUED to October 5, 2010, at 2:30 p.m. The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

Absent: 1 - Avalos

Board of Supervisors Sitting as a Committee of the Whole

101182 [Public Hearing - Certification of Appropriateness for Alterations to the Board of Supervisors' Legislative Chamber]

Hearing on the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0677A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the Certificate of Appropriateness referenced in File Nos. 101182, 101183, 101184. See File No. 101181. Susan Mizner, Director of the Mayor's Office on Disability, and Ed Reiskin, Director of Public Works, provided an overview of the project and responded to questions raised throughout the discussion. Ellen Schumer (City Hall Preservation Advisory Commission); Jessie Lorenz; Francisco DaCosta; spoke expressing various concerns relating to the project. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

101183 [Approving the Historic Preservation Commission's Approval for Certificate of Appropriateness Regarding the Alterations of the Board of Supervisors' Legislative Chamber]

Motion approving the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0677A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

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

Noes: 1 - Daly

Excused: 1 - Mirkarimi

101184 [Disapproving the Historic Preservation Commission's Approval for Certificate of Appropriateness Regarding the Alterations of the Board of Supervisors' Legislative Chamber]

Motion disapproving the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0677A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

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

Noes: 1 - Daly

Excused: 1 - Mirkarimi

COMMITTEE REPORTS

Recommendation of the Land Use and Economic Development Committee

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)

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Mirkarimi

101200 [Planning Code - Preservation, Rehabilitation and Maintenance of Preservation Lots; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]

Sponsors: Chiu and 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 preservation and rehabilitation of the Transfer Lot property, to establish reporting procedures regarding the preservation and rehabilitation, 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.

This item was not sent as a Committee Report.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Maxwell was noted absent at 4:07 p.m.; was noted present at 4:42 p.m.

Supervisor Dufty was noted absent at 4:07 p.m.; was noted present at 4:38 p.m.

Supervisor Chiu was noted absent at 4:28 p.m.; was noted present at 4:41 p.m.

Supervisor Chu was noted absent at 4:28 p.m.; was noted present at 4:42 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

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

Female Speaker; expressed support for compassionate care legislation.

Douglas Yep; expressed concerns relating to crimes against the Asian community.

Rev. Randi Webster; expressed support for compassionate care legislation.

Catherine Smith; expressed support for compassionate care legislation.

Gavin Gene; expressed support for compassionate care legislation.

Steve Hanley; expressed support for compassionate care legislation.

Female Speaker; expressed support for compassionate care legislation.

Bob Smith; expressed support for compassionate care legislation.

Male Speaker; expressed support for compassionate care legislation.

Ray Ledbetter; expressed support for compassionate care legislation.

Lance Williams; expressed support for compassionate care legislation.

Theresa Cooper; expressed support for compassionate care legislation.

Stewart Russ; expressed support for compassionate care legislation.

Michael Boldman; expressed support for compassionate care legislation.

Floyd Rory; expressed support for compassionate care legislation.

Al Lopez; expressed gratitude for recent in memoriam.

John Martinelli; expressed support for compassionate care legislation.

Yvette Hernandez; expressed support for compassionate care legislation.

Male Speaker; expressed support for compassionate care legislation.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**101203 [Ensuring Safe, Affordable, and Quality Patient Care]****Sponsor: Daly**

Resolution urging all relevant City agencies to uphold and strengthen current medical cannabis laws, and regulatory procedures that ensures quality care of patients, protects residents, and provides a true benefit to the community, and discourages business practices that threaten local permitted medical cannabis dispensary operators.

ADOPTED**101204 [Declaring October 6, 2010, as Walk to School Day to Promote the Safety and Health of Children]****Sponsors: Duffy; Chu**

Resolution declaring October 6, 2010, as Walk to School Day to promote the safety and health of children in the City and County of San Francisco.

ADOPTED**101205 [Affordable Child Care Facilities and Teacher's Housing - 1155 Page Street]****Sponsor: Mirkarimi**

Resolution urging the San Francisco Unified School District to consider developing both affordable child care facilities and affordable teacher's housing on the surplus property located at 1155 Page Street.

ADOPTED**101206 [Proposition 23 - California Global Warming Solutions Act of 2006]****Sponsors: Mayor; Chiu, Mirkarimi, Alioto-Pier, Duffy, Mar, Chu, Elsbernd, Maxwell and Avalos**

Resolution opposing Proposition 23, an initiative constitutional amendment suspending the California Global Warming Solutions Act of 2006, until California's unemployment rate drops to 5.5 percent or less for four consecutive quarters.

ADOPTED**101207 [Committee of the Whole - October 5, 2010 - Public Hearing to Renew/Re-Establish the 2500 Block of Mission Street Business Improvement District, to be Known as the Mission Miracle Mile Business Improvement District]****Sponsor: Campos**

Motion to sit as a Committee of the Whole to hold a public hearing on October 5, 2010, to consider adopting a Resolution to renew and re-establish the 2500 Block of Mission Street Business Improvement District, to now be known as the Mission Miracle Mile Business Improvement District.

APPROVED

101210 [Supporting the LGBT Marchers and Their Supporters in the October 10, 2010, Gay Pride Parade in Belgrade, Serbia]

Sponsor: Dufty

Resolution supporting the Lesbian, Gay, Bisexual, and Transgender marchers and their supporters as they peacefully exercise their human right to be visible in the streets, free from violence and fear, during the Gay Pride Parade in Belgrade, Serbia on October 10, 2010.

ADOPTED

101189 [Final Map 5679: 531 - 545 Octavia Street]

Motion approving Final Map 5679, a five Lot Airspace Subdivision Project, located at 531 - 545 Octavia Street being a subdivision of Lot No. 001B in Assessors Block No. 0807 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Mirkarimi

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Avalos requested that File No. 101209 be severed so that it may be considered separately.

Supervisor Alioto-Pier Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Dufty, previously moved that Supervisor Alioto-Pier be excused from voting on related File No. 100865 at the Regular Meeting of September 21, 2010. The motion carried by the following vote:

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

Excused: 2 - Alioto-Pier, Campos

101209 [Directing the Clerk of the Board to Agendize Consideration to Override Alcohol Cost Recovery Fee Veto]

Sponsor: Avalos

Motion directing the Clerk of the Board to agendize consideration to override veto pursuant to Charter Section 2.016 of an ordinance which would establish an Alcohol Cost Recovery Fee (File No. 100865) at the Regular Meeting of September 28, 2010.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 101209. There were no speakers. The President declared public comment closed.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be TABLED. The motion carried by the following vote:

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

Excused: 2 - Alioto-Pier, Mirkarimi

Supervisor Chiu requested that File No. 101181 be severed so that it may be considered separately.

101181 [Committee of the Whole - September 28, 2010 - Hearing on the Historic Preservation Commission's Certificate of Appropriateness for Alterations to the Board of Supervisors' Legislative Chamber]

Motion to sit as a Committee of the Whole for a hearing on the Historic Preservation Commission's approval of Motion No. 0079 (Case No. 2010.0667A), Certificate of Appropriateness, pursuant to Planning Code Section 1006.8(e), in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot No. 001 in Assessor's Block No. 0787 (City Hall) - 1 Dr. Carlton B. Goodlett Place, to be held on September 28, 2010. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to File No. 101181. Female Speaker spoke expressing various concerns relating to the project. There were no other speakers. The President declared public comment closed.

APPROVED by the following vote:

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

Excused: 1 - Mirkarimi

IMPERATIVE AGENDA

[Purely Commendatory Finding]

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

Supervisor Daly, seconded by Supervisor Maxwell, moved ADOPTION of the commendatory finding.

The motion carried by the following vote:

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

Excused: 1 - Mirkarimi

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

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

Excused: 1 - Mirkarimi

101245 [Commending Bob Hart]

Sponsor: Daly

Resolution commending Bob Hart, Executive Director of the General Assistance Advocacy Project (GAAP), for his advocacy and leadership on behalf of the poor and homeless in San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 101245. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

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

Excused: 1 - Mirkarimi

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

101246 [Administrative Code - Medical Cannabis Task Force Membership, Powers, and Duties]

Sponsor: Campos

Ordinance amending San Francisco Administrative Code by amending Sections 5.2-3 and 5.2-5 to: (1) increase the number of members of the San Francisco Medical Cannabis Task Force (Task Force) from 13 to 15; (2) establish qualifications for the two members added to the Task Force; and (3) expand powers and duties of the Task Force to include developing and making recommendations to the Board of Supervisors about local regulation of medical cannabis in the event that State Proposition 19 is approved by the voters in the election held on November 2, 2010.

09/28/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/21/2010.

101247 [Planning Code - Update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund]

Sponsor: Maxwell

Ordinance amending the San Francisco Planning Code by amending Sections 420.1 through 420.5 to update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund and to conform the program with other Area Plan fee programs; making conforming changes to Sections 401 (definitions) and 406 (waiver, reduction, or adjustment of development project requirements); and making findings, including environmental findings.

09/28/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/28/2010.

101248 [Appropriating \$85,000,000 of General Obligation Bonds for the Department of Public Works and the Public Utilities Commission for FY2010-2011]

Sponsors: Mayor; Chiu

Ordinance appropriating \$85,000,000 of the 2010 Series 1 Earthquake Safety and Emergency Response General Obligation Bond proceeds including \$76,603,071 to the Department of Public Works, and \$8,396,929 to the Public Utilities Commission for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster for FY2010-2011, and placing these funds on Controller's Reserve pending the sale of the bonds.

09/28/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

101250 [Resolution to Establish (Renew) the 2500 Block of Mission Street Business Improvement District, to Now be Known as the Mission Miracle Mile Business Improvement District]

Sponsor: Campos

Resolution establishing a property-based Business Improvement District to now be known as the "Mission Miracle Mile Business Improvement District," by: (1) renewing the previously established 2500 Block of Mission Street Business Improvement District for a period of five years and six months; (2) approving the management district plan and engineer's report and boundaries map; (3) ordering the levy and collection of assessments against the property located in the Mission Miracle Mile Business Improvement District for five years, for FYs2010-2011 through 2014-2015 (each FY begins on July 1 and ends the following June 30), subject to conditions as specified; (4) approving services, improvements, and activities to be provided through December 31, 2015; and (5) making environmental findings.

09/28/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

101251 [Accept and Expend Grant - Youth Stewardship Program - \$165,000]

Sponsor: Maxwell

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a grant in the amount of \$165,000 to support the San Francisco Recreation and Park Department's Youth Stewardship Program for the period of October 1, 2010, through October 1, 2015.

09/28/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101252 [Amendment to the Redevelopment Agency Budget - Not to Exceed \$520,743]

Sponsor: Mayor

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011 by authorizing expenditures in an amount not to exceed \$520,743 for personnel positions associated with the implementation of the Candlestick Point - Hunters Point Shipyard Phase 2 Project.

09/28/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101253 [Grant Application - Department of Public Health - Ryan White HIV Emergency Relief Program - \$36,118,233]

Sponsors: Mayor; Dufty and Campos

Resolution authorizing the San Francisco Department of Public Health to submit an application to continue to receive funding for the "HIV/AIDS Emergency Relief Grant Programs (Ryan White Programs, Part A)" Grant from the Health Resources Services Administration, requesting \$36,118,233 in HIV Emergency Relief Program funding for the San Francisco Eligible Metropolitan Area from March 1, 2011, through February 28, 2012.

09/28/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101254 [Affirmation of Support of San Francisco's Bid for the 34th America's Cup and Endorsement of Host City]**Sponsors: Mayor; Chiu, Mirkarimi, Dufty, Alioto-Pier, Maxwell and Chu**

Resolution supporting the efforts of the City and the San Francisco America's Cup Organizing Committee to bring the 34th America's Cup to the San Francisco Bay and encouraging BMW Oracle Racing and the Golden Gate Yacht Club to select San Francisco as the official Host City for the 34th America's Cup in 2013 and endorsing the Term Sheet for hosting the 34th America's Cup in San Francisco.

09/28/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101255 [Issuance of General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010) - Not to Exceed \$412,300,000]**Sponsors: Mayor; Chiu**

Resolution providing for the issuance of not to exceed \$412,300,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010); authorizing the execution, authentication, and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; ratifying certain actions previously taken; adopting certain CEQA findings and determinations; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

09/28/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101256 [Sale of General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010) - Not to Exceed \$85,000,000]**Sponsors: Mayor; Chiu**

Resolution authorizing and directing the sale of not to exceed \$85,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2010E (Tax-Exempt), and City and County of San Francisco General Obligation Bonds (Earthquake Safety and Emergency Response Bonds, 2010), Series 2010F (Federally Taxable Build America Bonds); prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; adopting certain CEQA findings and determinations; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

09/28/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101257 [Condemning the September 24, 2010, FBI Raids]**Sponsors: Mar; Daly, Campos and Avalos**

Resolution condemning the September 24, 2010, FBI raids on Trade Union, Anti-War, and Solidarity Activists.

09/28/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

101249 [Public Hearing - Resolution to Establish (Renew) the 2500 Block of Mission Street Business Improvement District, to Now be Known as the Mission Miracle Mile Business Improvement District]

Sponsor: Campos

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Business Improvement District to now be known as the "Mission Miracle Mile Business Improvement District," by: (1) renewing the previously established 2500 Block of Mission Street Business Improvement District for a period of five years and six months; (2) approving the management district plan and engineer's report and boundaries map; (3) ordering the levy and collection of assessments against the property located in the Mission Miracle Mile Business Improvement District for five years, for FYs2010-2011 through 2014-2015 (each FY begins on July 1 and ends the following June 30), subject to conditions as specified; (4) approving services, improvements, and activities to be provided through December 31, 2015; and (5) making environmental findings. (Clerk of the Board)

09/28/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

101216 [Mission Bay South - Fourth Street, Channel Street, and Third Street Public Infrastructure Improvements]

Ordinance accepting the irrevocable offers of property along portions of Channel Street and Third Street and the irrevocable offers of improvements of public infrastructure improvements, including acquisition facilities on Channel Street, Fourth Street, and Third Street; dedicating such improvements for public use; declaring such areas as shown on Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,869; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/20/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101217 [Mission Bay South - Blocks 10-10A Public Infrastructure Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 10-10A including acquisition facilities on China Basin Street, Terry A. Francois Boulevard and Mission Bay Boulevard North; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,870; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/20/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101218 [Mission Bay South - Storm Water Pump Station No. 6 Public Infrastructure Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 6 including acquisition facilities located on and under Bayfront Park along Terry A. Francois Boulevard; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,871; and authorizing official acts in connection with this Ordinance. (Public Works Department)

09/20/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101219 [Relocation Impact Study and Last Resort Housing Plan for Central Subway Project]

Ordinance approving the San Francisco Municipal Transportation Agency's Relocation Impact Study and Last Resort Housing Plan for the Central Subway Project. (Municipal Transportation Agency)

09/20/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/28/2010.

PROPOSED RESOLUTIONS

101213 [Airline/Airport 2011 Lease and Use Agreement with Various Airlines]

Resolution approving six new Airline/Airport 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 San Francisco International Airport. (Airport Commission)

09/15/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101214 [Airline/Airport Lease and Use Agreement and Lease and Operating Agreement Modifications with Alaska Airlines, Inc., and Continental Airlines, Inc.]

Resolution approving modifications to the terms of two Airline/Airport Lease and Use Agreements between the City and County of San Francisco and Alaska Airlines, Inc., and Continental Airlines, Inc., to allow such Airlines to modify the rental of Terminal Space. (Airport Commission)

09/15/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101215 [Leases of Real Property at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street]

Resolution authorizing the amendment of four existing leases (at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street) to reduce the rent and extend the lease term for the Department of Public Health, Human Services Agency, and the Department of Child Support Services. (Real Estate Department)

09/20/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisors Chu & Avalos

To: SFMTA

Requesting/Inquiring: Requesting the SFMTA to provide information and statistics on the frequency and number of times the MTA has "short turned" MUNI LRV lines over the last two years. Please provide data specific to the west bound L Taraval and N Judah lines and outbound M Line. Please clarify MTA's policy of notification to MUNI riders of these disruptions, including plans to minimize impacts.

In Memoriams

Shirley Barisone – Supervisor Chu

William J. Patterson – Supervisor Duffy

Campbell Ross Ehrlich – Full Board

Kathleen Cecil – Supervisors Avalos & Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:45 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 2, 2010.

Angela Calvillo, Clerk of the Board