

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - FINAL

Tuesday, January 4, 2011 - 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, Commissioners Fewer, Kim, Mendoza

2nd and 4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Dufty

2nd and 4th Monday

10:00 AM

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

2nd and 4th Thursday

10:00 AM

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Monday

1:00 PM

Public Safety Committee

Supervisors Chiu, Elsbernd

1st and 3rd Monday

10:30 AM

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:30 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Chu, moved to approve the Board Meeting Minutes of November 23, 2010, December 7, 2010, and December 14, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

101148 [Visitacion Valley Infrastructure Fee Revenue Appropriation - Public Library and Department of Public Works for FY2010-2011- \$2,385,068]

Sponsor: Maxwell

Ordinance appropriating \$2,385,068 of Visitacion Valley Infrastructure Fee revenue from the Visitacion Valley Infrastructure Fund, including \$2,169,200 in the Public Library for the Visitacion Valley Branch Library Project and \$215,868 in the Department of Public Works, for the planning and design of utility undergrounding on Leland Avenue for FY2010-2011, and placing \$1,156,304 on Controller's reserve in the Public Library pending receipt of Visitacion Valley Infrastructure Fee revenue.

(Fiscal Impact.)

Ordinance No. 4-11

FINALLY PASSED

101444 [Accept and Expend Grant - Chinatown Broadway Streetscape Improvement Design Plan - \$250,000]**Sponsor: Chiu**

Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of \$250,000 from the California Department of Transportation, Division of Transportation Planning for the FY 2010-2011 Environmental Justice Grant for the Chinatown Broadway Streetscape Improvement Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.06 FTE), in the Planning Department.

Ordinance No. 11-11**FINALLY PASSED****101446 [Accept and Expend Grant - Central Corridor Growth Strategy and Design Plan - \$250,000]****Sponsor: Mayor**

Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of \$250,000 from the California Department of Transportation, Division of Transportation Planning, for the CalTrans Community-Based Transportation Grant for the Central Corridor Growth Strategy and Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.15 FTE), in the Planning Department.

Ordinance No. 2-11**FINALLY PASSED****101463 [Settlement of Lawsuit - Lexington Insurance - City to Receive \$2,750,000; Appropriating Settlement Proceeds]**

Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. Lexington Insurance Company, San Francisco County Superior Court Case No: CGC-10-498967 (Action), removed to United States District Court, N.D. Cal., Case No: 3:10-CV1-02188-SI, arising from an insurance coverage dispute involving a claims-made Designers and Construction (i.e., professional liability) Project Specific Professional Liability and Pollution Liability Policy issued by Lexington Insurance Company (Lexington) to the San Francisco Public Utilities Commission for the period February 1, 2002, to February 1, 2006, policy number 1152114 (Lexington Policy), calling for payment of \$2,750,000 from Lexington to the City and County of San Francisco and including other material terms of said settlement: (1) Lexington will have no further obligations under the Lexington Policy and said policy shall be considered null and void and of no further force and effect; (2) San Francisco will defend and hold harmless and indemnify Lexington from and against any demand against Lexington made under the Lexington Policy; (3) all parties will execute a mutual release; (4) San Francisco will execute and file a dismissal of all claims with prejudice; (5) the City and Lexington each shall bear its own legal costs and fees arising from this action; and appropriating the full proceeds from the settlement to fund the San Francisco Public Utilities Commission's attorney fees and legal expenses related to certain pending litigation matters. (City Attorney)

Ordinance No. 10-11**FINALLY PASSED**

Recommendations of the City Operations and Neighborhood Services Committee**100761 [Environment Code - Restrictions on Pesticide Use]****Sponsors: Mayor; Alioto-Pier**

Ordinance amending the San Francisco Environment Code by amending Sections 300, 301, 302, 303, 304, 305, 306, and 308, adding Section 310, and repealing Section 307, all to strengthen restrictions on the use of pesticides on City property, and making environmental findings.

Ordinance No. 7-11**FINALLY PASSED****101419 [Environment Code - Cell Phones; Retailers' Duty to Disclose Specific Absorption Rate Values]****Sponsor: Mar**

Ordinance amending the San Francisco Environment Code by amending Sections 1103 and 1105, to require cell phone retailers to provide customers upon request with factsheets regarding Specific Absorption Rate values for cell phones and the use of cell phones, and to delay the enforcement date for certain provisions of the Chapter 11, the "Cell Phone Right-to-Know Ordinance," and making environmental findings.

Ordinance No. 6-11**FINALLY PASSED****101151 [Liquor License Transfer, 1092 Post Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 1028 Geary Street to 1092 Post Street (District 6) to Mark Aloiau for M K Aloiau LLC, dba Mark's Bar, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 5-11**ADOPTED****101286 [Liquor License, 821 Divisadero Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license (to upgrade current license Type 42 on-sale beer and wine) to Khaled Dajani for Bar 821, located at 821 Divisadero Street (District 5), 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.

Resolution No. 6-11**ADOPTED**

101484 [Accept and Expend Grant - Bayview Hunters Point Healthy Homes Project - \$249,555]**Sponsor: Maxwell**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$249,555 from the United States Department of Health and Human Services, Centers for Disease Control and Prevention to support the Bayview Hunters Point Healthy Homes Project by developing policies and services to improve indoor air quality in public housing.

Resolution No. 13-11**ADOPTED****Recommendations of the Land Use and Economic Development Committee****100041 [Public Works Code, Administrative Code - Personal Wireless Service Facility Site Permits and Associated Fees]****Sponsors: Avalos; Campos, Mar, Chiu and Chu**

Ordinance amending the San Francisco Public Works Code by: (1) adding Article 25, Sections 1500 through 1528, to establish new requirements for Personal Wireless Service Facility Site Permits and to increase certain fees for obtaining such permits, (2) amending the San Francisco Administrative Code by amending Chapter 11, Article 1, Section 11.9, to eliminate obsolete provisions related to such permits, (3) making the provisions of the ordinance retroactive, and (4) making environmental findings.

Ordinance No. 12-11**FINALLY PASSED****101007 [Administrative Code - Revising Requirements for Purchasing Goods and Services]****Sponsors: Chu; Chiu**

Ordinance amending Administrative Code Chapters 21 and 21C to conform Purchasing requirements to Administrative Code Chapter 14B by defining minimum competitive amounts of \$100,000 for professional services and commodities contracts and \$400,000 for general services contracts, clarify "bid-splitting," and make miscellaneous changes to City procurement requirements; to clarify information technology purchases; to update and conform references to Administrative Code Chapter 14B; to rescind the Sealer of Weights and Measures' authority under Section 21.32 to donate food purchases; to rescind the local tax adjustment set forth in Administrative Code Chapter 21C; to enact a new Section 21.32 to adjust bids likely to result in local sales tax revenue; to reenact and renumber Administrative Code Sections 21.25, 21.25-1, 21.25-2, 21.25-3, 21.25-4, and 21.25-x regarding prevailing wage requirements as Chapter 21C; and to make certain technical corrections.

Ordinance No. 9-11**FINALLY PASSED**

101091 [Planning Code - Notice Requirement for "Other Entertainment Uses" in the Van Ness Avenue Special Use District]**Sponsors: Alioto-Pier; Chiu**

Ordinance amending the San Francisco Planning Code by amending Section 243 to require notice for "Other Entertainment Uses" in the Van Ness Avenue Special Use District; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 5-11**FINALLY PASSED****101247 [Planning Code - Update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund]****Sponsor: Maxwell**

Ordinance amending Planning Code 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.

Ordinance No. 3-11**FINALLY PASSED****101447 [Accept and Expend Grant - Market and Octavia Historic Resource Preservation Project - \$83,529]****Sponsor: Chiu**

Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of \$83,529 from the National Park Service for the period August 1, 2010, through August 31, 2012, in order to conduct the Market and Octavia Historic Resource Preservation Project.

Resolution No. 12-11**ADOPTED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

101609 [Findings Disapproving Conditional Use for Property Located at 10 Bernal Heights Boulevard]

Motion adopting findings disapproving the Planning Commission's approval of Conditional Use Authorization No. 2010.0306C (which approved the installation of wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50 foot tall communications tower and to modify the conditional use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within a RH-1(D) zoning district and a 40-X height and bulk district).

Motion No. M11-1

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendations of the Land Use and Economic Development Committee

101006 [Administrative Code - Revisions to Local Business Enterprise Ordinance]

Sponsors: Chu; Chiu

Ordinance amending Administrative Code Chapter 14B to increase minimum competitive amount for general services contracts to \$400,000; to clarify ownership requirements for certification of local businesses with no single majority owner and make other clarifications to address certification of businesses under common ownership or with multiple locations; to clarify requirements for setting aside contracts under the mandatory Micro-LBE Set-Aside program; to exclude contracts under the threshold amount or minimum competitive amount from good faith efforts outreach and documentation requirements; to simplify and coordinate reporting requirements; to re-authorize the Treasurer to negotiate financial instruments in support of the Surety Bond and Financial Assistance Program after these provisions were inadvertently rescinded; and to make technical corrections.

Ordinance No. 8-11

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101094 [Administrative Code - Child Care Centers for City Projects and City-Funded Private Projects]**Sponsors: Duffy; Alioto-Pier, Chiu, Mar, Maxwell and Campos**

Ordinance amending the San Francisco Administrative Code by adding Chapter 29B to require a City agency, or a private developer that receives City funds for a development project, as defined, to prepare a feasibility study for providing an on-site child care center whenever it plans to construct or purchase a building, lease more than 50 percent of space in a private building for an initial term of more than one year, or alter more than 50 percent of the space in an existing building; adopting findings, including environmental findings.

Ordinance No. 1-11**FINALLY PASSED by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

100495 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]**Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents.

Supervisor Alioto-Pier, seconded by Supervisor Duffy, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendation of the Public Safety Committee**100455 [Environment Code - San Francisco Safe Drug Disposal Ordinance]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2211, to: require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; provide for implementation, enforcement, fees, and penalties; and phase-in the application of the Chapter to non-prescription drugs and controlled substances; and making environmental findings.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to January 18, 2011. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

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

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Mirkarimi, seconded by Supervisor Duffy, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell, Mirkarimi

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

101482 [Annual Reports - Castro/Upper Market Community Benefit District]

Sponsor: Dufty

Resolution regarding Castro/Upper Market Community Benefit District annual reports to the City: receiving and approving the District's Annual Reports for FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

Resolution No. 16-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

From the City Operations and Neighborhood Services Committee Without Recommendation

101445 [Public Works Code - Banners on the Path of Gold]

Sponsor: Dufty

Ordinance amending Public Works Code Section 184.78 to allow city neighborhood banners, as defined in Section 184.78, to be posted on the Path of Gold lamp posts lining Market Street, and adopting environmental findings.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

091365 [Supporting the Report of the Declining Fossil Fuel Supplies]**Sponsors: Mirkarimi; Mar**

Resolution in support of the measures and actions to mitigate the effects of declining fossil fuel supplies recommended in the report of the San Francisco Peak Oil Preparedness Task Force.

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Noes: 3 - Alioto-Pier, Chu, Elsbernd

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

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Resolution No. 23-11**ADOPTED by the following vote:**

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

Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

Recommendations of the Government Audit and Oversight Committee**101358 [Annual Reports - Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District]****Sponsor: Chiu**

Resolution approving annual reports to the City for Fisherman's Wharf Community Benefit District and for Fisherman's Wharf Portside Community Benefit District, receiving and approving the Districts' Annual Reports for FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the Districts' management contracts with the City.

Resolution No. 15-11**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101361 [Annual Reports - Noe Valley Community Benefit District]**Sponsor: Dufty**

Resolution regarding Noe Valley Community Benefit District annual reports to the City, receiving and approving the District's annual reports for District FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

Resolution No. 14-11**ADOPTED by the following vote:**

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

101466 [Public Hearing - Appointment of a Successor Mayor]

Sponsor: Daly

Hearing to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 101467. Abdallah Megahed; Male Speaker; Velma Herrera; Juana Villeneuve; Male Speaker; Paulette Browne; Clemintina Graciela; Jorge Garcia; Female Speaker; Carl Stark; Edmund Juicye; Jose Morales; Otto Duffy; expressed various concerns relating to the appointment of a Successor Mayor. There were no other speakers. The President declared public comment closed.

HEARD AT PUBLIC HEARING

101467 [Selection of a Successor Mayor - Edwin Lee]**Sponsor: Daly**

Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

NOMINATIONS

Supervisor Campos nominated Sherriff Michael Hennessy.

Supervisor Mirkarimi nominated Former Mayor Art Agnos.

Supervisor Elsbernd nominated City Administrator Edwin Lee.

Supervisor Daly nominated Former Supervisor Aaron Peskin.

President Chiu asked if there were any further nominations. There being no response, the nominations for Successor Mayor were then closed.

SELECTION OF THE SUCCESSOR MAYOR

The roll was called on the nominations of Supervisors Campos, Mirkarimi, Elsbernd, and Daly.

ROUND 1

Motion to select Sherriff Michael Hennessy as Successor Mayor failed by the following vote:

Ayes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

Noes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Motion to select Former Mayor Art Agnos as Successor Mayor failed by the following vote:

Ayes: 4 - Campos, Daly, Mar, Mirkarimi

Noes: 7 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Maxwell

Motion to select City Administrator Edwin Lee failed by the following vote:

Ayes: 4 - Alioto-Pier, Chiu, Chu, Elsbernd

Noes: 7 - Avalos, Campos, Daly, Dufty, Mar, Maxwell, Mirkarimi

Motion to select Former Supervisor Aaron Peskin failed by the following vote:

Ayes: 3 - Campos, Daly, Mirkarimi

Noes: 8 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

RECESS

Supervisor Dufty, seconded by Supervisor Alioto-Pier to recess until 8:45 p.m. passed by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ROUND 2

Motion to select Sherriff Michael Hennessy as Successor Mayor failed by the following vote:

Ayes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

Noes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Motion to select Former Mayor Art Agnos as Successor Mayor failed by the following vote:

Ayes: 3 - Campos, Daly, Mirkarimi

Noes: 8 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell

Motion to select City Administrator Edwin Lee failed by the following vote:

Ayes: 5 - Alioto-Pier, Chiu, Chu, Elsbernd, Maxwell

Noes: 6 - Avalos, Campos, Daly, Dufty, Mar, Mirkarimi

Motion to select Former Supervisor Aaron Peskin failed by the following vote:

Ayes: 3 - Campos, Daly, Mirkarimi

Noes: 8 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

WITHDRAWAL

Supervisor Mirkarimi withdrew his nomination of Former Mayor Art Agnos.

RECESS

Supervisor Avalos, seconded by Supervisor Mirkarimi to recess until 9:45 p.m. passed by the following vote:

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

Noes: 2 - Alioto-Pier, Chu

Supervisor Avalos, seconded by Supervisor Campos, moved that this Motion be RECESSED to January 7, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Daly, Mar, Maxwell, Mirkarimi

Noes: 5 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd

The President recessed File No. 101467 as the Committee of the Whole to January 7, 2011, at 3:00 p.m.

Committee of the Whole Adjourn and Report

SPECIAL ORDER 3:00 P.M

Board of Supervisors Sitting as a Committee of the Whole

101526 [Public Hearing - Establish the Civic Center Community Benefit District]

Sponsor: Mayor

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Civic Center Community Benefit District," ordering the levy and collection of assessments against property located in that district for ten years commencing with FY2011-2012, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 101527. Lisa Pagan (OEWD) provided an overview and responded to questions raised throughout the discussion. Karen Eckland; Tim Haas; Ernestine Weiss; Debra Newman; Jennifer Norris; Martin Reed; Jim Chapel; spoke in support of the assessment district. Gio Wiederhold; James Chaffee; David Gisam; Peter Warfield; Jim Curran; Bob Stewart; Male Speaker; Edmund Juicye; Male Speaker; Nancy Cross; spoke in opposition of the assessment district. 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

101527 [Resolution to Establish the Civic Center Community Benefit District]**Sponsor: Mayor**

Resolution establishing a property-based business improvement district to be known as the "Civic Center Community Benefit District," ordering the levy and collection of assessments against property located in that district for ten years commencing with FY2011-2012, subject to conditions as specified, and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Civic Center Community Benefit District Report No. 1 was 86.50%, and the returned weighted ballots voting against the Civic Center Community Benefit District was 13.50%, further indicating there was no majority protest. Ms. Calvillo continued by informing the Board of Supervisors that the returned weighted ballots voting for the Civic Center Community Benefit District Report No. 2, which was amended to remove the residential parcels at 601 Van Ness Avenue "Opera Plaza" was 89.89%, and the returned weighted ballots voting against the Civic Center Community Benefit District was 10.11%, further indicating there was no majority protest.

Privilege of the floor was granted to Lisa Pagan (OEWD) who provided an overview of the results and the amended report which removed the residential parcels at 601 Van Ness Avenue "Opera Plaza."

Resolution No. 21-11**ADOPTED by the following vote:**

Ayes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Noes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

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

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Dufty, 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: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Alioto-Pier introduced, welcomed, and presented a Certificate of Honor to Allison Davis in recognition of her accomplishments and continued community support.

President Chiu presented a Certificate of Honor to Supervisor Alioto-Pier in recognition for her distinguished service as Member of the San Francisco Board of Supervisors. Supervisors Elsbernd, Chu, Maxwell, Campos, Mirkarimi, Avalos, and Mar shared in her commendation.

President Chiu presented a Certificate of Honor to Supervisor Daly in recognition for his distinguished service as Member of the San Francisco Board of Supervisors. Supervisors Avalos, Mar, Campos, Mirkarimi, Chu, and Maxwell shared in his commendation.

President Chiu presented a Certificate of Honor to Supervisor Dufty in recognition for his distinguished service as Member of the San Francisco Board of Supervisors. Supervisors Campos, Alioto-Pier, Maxwell, Mar, Chu, Avalos, Mirkarimi, and Elsbernd shared in his commendation.

President Chiu presented a Certificate of Honor to Supervisor Maxwell in recognition for her distinguished service as Member of the San Francisco Board of Supervisors. Supervisors Dufty, Alioto-Pier, Elsbernd, Campos, Mar, Avalos, Mirkarimi, and Chu shared in her commendation.

Privilege of the floor was granted to Dennis Herrera, City Attorney, who shared in the commendations for the departing Supervisors.

SPECIAL ORDER 4:00 P.M.

101551 [Public Hearing - Appeal of Tentative Parcel Map for 74-76 Castro Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated November 30, 2010, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 74-76 Castro Street, Lot No. 013, in Assessor's Block No. 2611. (District 8) (Appellant: James Coy Driscoll on behalf of Martin Hyland) (Clerk of the Board) (Filed December 10, 2010; Companion Measure to File Nos. 101552, 101553 and 101554.)

The President inquired as to whether any member of the public wished to address the Board relating to a continuance. Martin Hyland (Appellant) spoke in support of a continuance. There were no other speakers. The President continued the public hearing open to January 25, 2011.

Supervisor Dufty, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101552 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map for 74-76 Castro Street]

Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013.

Supervisor Dufty, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101553 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map for 74-76 Castro Street]

Motion disapproving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and disapproving the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101554 [Findings Related to the Tentative Parcel Map Disapproval for 74-76 Castro Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMITTEE REPORTS

Recommendations of the Rules Committee

101507 [Appointment, Public Utilities Commission - Vince Courtney]

Motion approving the Mayor's appointment of Vince Courtney to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2012. (Clerk of the Board)

Motion No. M11-2

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101508 [Appointment, Public Utilities Commission - Vince Courtney]

Motion rejecting the Mayor's appointment of Vince Courtney to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2012. (Clerk of the Board)

This item was not sent as a Committee Report.

101509 [Reappointment, Historic Preservation Commission - Andrew Wolfram]

Motion approving the Mayor's nomination for reappointment of Andrew Wolfram to the Historic Preservation Commission, Seat No. 2, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 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; companion measure to File No. 101510. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101510 [Reappointment, Historic Preservation Commission - Andrew Wolfram]

Motion rejecting the Mayor's nomination for reappointment of Andrew Wolfram to the Historic Preservation Commission, Seat No. 2, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 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; companion measure to File No. 101509. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101511 [Appointment, Historic Preservation Commission - Richard Johns]

Motion approving the Mayor's nomination for appointment of Richard Johns to the Historic Preservation Commission, Seat No. 4, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 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; companion measure to File No. 101512. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101512 [Appointment, Historic Preservation Commission - Richard Johns]

Motion rejecting the Mayor's nomination for appointment of Richard Johns to the Historic Preservation Commission, Seat No. 4, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 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; companion measure to File No. 101511. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101513 [Reappointment, Historic Preservation Commission - Karl Hasz]

Motion approving the Mayor's nomination for reappointment of Karl Hasz to the Historic Preservation Commission, Seat No. 6, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 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; companion measure to File No. 101514. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101514 [Reappointment, Historic Preservation Commission - Karl Hasz]

Motion rejecting the Mayor's nomination for reappointment of Karl Hasz to the Historic Preservation Commission, Seat No. 6, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 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; companion measure to File No. 101513. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101516 [Confirming Appointments, San Francisco Relocation Appeals Board - Harry Kim and Herb Cohn]

Sponsor: Mayor

Resolution confirming the appointments of Harry Kim and Herb Cohn to the San Francisco Relocation Appeals Board, terms ending January 2, 2012.

This item was not sent as a Committee Report.

101517 [Confirming Appointment, City Hall Preservation Advisory Commission - Florence Kong]

Sponsor: Mayor

Resolution confirming the appointment of Florence Kong to the City Hall Preservation Advisory Commission, term ending January 13, 2012.

This item was not sent as a Committee Report.

101518 [Confirming Appointment, Municipal Transportation Agency Board of Directors - Leona Bridges]

Sponsor: Mayor

Resolution confirming the appointment of Leona Bridges to the Municipal Transportation Agency Board of Directors, term ending March 1, 2014.

Resolution No. 20-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101296 [Confirming Appointment, Port Commission - Michael Kim]

Sponsor: Mayor

Motion confirming the appointment of Michael Kim to the Port Commission, term ending May 1, 2014.

This item was not sent as a Committee Report.

101515 [Confirming Appointment, Port Commission - Leslie Katz]

Sponsor: Mayor

Motion confirming the appointment of Leslie Katz to the Port Commission, term ending May 1, 2014.

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Male Speaker; expressed various concerns.
Alan Jones; expressed concerns relating to treatment of homosexuals.
Reynaldo and Ernesto; expressed concerns relating to the motion to sit as a Committee of the Whole to appoint a Successor Mayor.
Michele Flowers; expressed concerns relating to due process.
Ruthanne Shpiner; spoke in opposition to KPFA legislation.
David Warstrom; spoke in opposition to KPFA legislation.
Laura Rivera; spoke in opposition to KPFA legislation.
Stan Woods; spoke in opposition to KPFA legislation.
Gio Wiederhold; expressed concerns relating to community benefit districts.
Ace Washington; expressed various concerns.
Peter Warfield; spoke regarding departing Supervisors.
Tomas Picanelli; spoke regarding departing Supervisors.
Francisco DaCosta; expressed concerns relating to the motion to sit as a Committee of the Whole to appoint a Successor Mayor.
Ray Hartz; expressed concerns relating to government.
Cathy Grimmer; expressed concerns relating to community benefit districts.
Male Speaker; expressed concerns relating to community benefit districts.
Ernestine Weiss; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

101566 [Accept and Expend Grant - Integrating I-Tech International AIDS Education & Training Center - \$13,001]

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$13,001 from the University of California San Francisco, to participate in a program entitled "Integrating I-Tech International AIDS Education and Training Center" for the period of April 1, 2010, through March 31, 2011.

Resolution No. 11-11

ADOPTED

101567 [Accept and Expend Grant - Oil Spill Response Planning - \$31,000]

Sponsor: Chu

Resolution retroactively authorizing the Department of Emergency Management to accept and expend a grant in the amount of \$31,000 from the California Department of Fish and Game for oil spill response planning for the period July 1, 2010, through June 30, 2011.

Resolution No. 9-11

ADOPTED

101569 [Accept and Expend Gift - Golden Gate Park Irrigation - \$73,146]**Sponsor: Mar**

Resolution authorizing the Recreation and Park Department to accept and expend a gift from Warren Hellman and the Hardly Strictly Bluegrass Festival of \$73,146 to improve the irrigation systems in Speedway, Lindley, and Marx Meadows in Golden Gate Park. (Recreation and Park Department)

Resolution No. 8-11**ADOPTED****101570 [Accept and Expend Grant - Sudden Oak Death - \$896]****Sponsor: Mar**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant (Agreement #10-0511) from the California Department of Food and Agriculture in the amount of \$896 to fund the project "Sudden Oak Death" for the period of July 1, 2010, through June 30, 2011. (Public Health Department)

Resolution No. 10-11**ADOPTED****101571 [Amending Public Hearing Date Relating to Infrastructure Financing District - Rincon Hill - from January 25, 2011, at 3:00 p.m., to February 8, 2011, at 3:00 p.m.]****Sponsors: Mayor; Maxwell**

Resolution amending Resolution No. 496.10 to reschedule the public hearing date relating to the formation of Infrastructure Financing District No. 1 (Rincon Hill Area), from January 25, 2011, at 3:00 p.m., to February 8, 2011, at 3:00 p.m.

Resolution No. 17-11**ADOPTED****101573 [Extending the Term of Service for the Power Plant Task Force]****Sponsor: Maxwell**

Resolution extending the termination date of the Power Plant Task Force to December 31, 2011.

Resolution No. 19-11**ADOPTED****101596 [Commending Supervisor Michela Alioto-Pier]****Sponsor: Chiu**

Resolution Commending and Honoring Supervisor Michela Alioto-Pier for her distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 4-11**ADOPTED**

101597 [Commending Supervisor Chris Daly]**Sponsor: Chiu**

Resolution Commending and Honoring Supervisor Chris Daly for his distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 2-11**ADOPTED****101598 [Commending Supervisor Bevan Dufty]****Sponsor: Chiu**

Resolution Commending and Honoring Supervisor Bevan Dufty for his distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 3-11**ADOPTED****101599 [Commending Supervisor Sophie Maxwell]****Sponsor: Chiu**

Resolution Commending and Honoring Supervisor Sophie Maxwell for her distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 1-11**ADOPTED****101568 [Directing the Budget and Legislative Analyst's to Conduct Three Audits in FY2010-2011 and Set the Priority for These Three Audits]****Sponsor: Mar**

Motion directing the Budget and Legislative Analyst to conduct three audits to evaluate (a) the City's policies and revenues for advertising on public property; (b) the financial impact to the City of the provisions for Standby Pay, Lead Pay, and other related premium pay in the fiscal provisions of the City's Memoranda of Understanding with Labor Unions; and (c) the impact of hiring five new positions in the Assessor's Office on the property assessment backlog and property tax revenue.

Motion No. M11-4**APPROVED****101580 [Final Map 5871: 1597 - 1599 Haight Street and 612 Clayton Street]**

Motion approving Final Map 5871, a Six Unit Mixed-Use Condominium Project (4 Unit Residential and 2 Unit Commercial), located at 1597 - 1599 Haight Street and 612 Clayton Street being a subdivision of Lot 023 in Assessors Block No. 1245 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-5**APPROVED**

101581 [Final Map 6004: 121-9th Street]

Motion approving Final Map 6004, a 21 Unit Mixed-Use Condominium Project (20 Unit Residential and 1 Unit Commercial), located at 121-9th Street being a subdivision of Lot 069 in Assessors Block No. 3728 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-6

APPROVED

101582 [Final Map 5691: 995 - 999 Sutter Street]

Motion approving Final Map 5691, a Two Lot Subdivision, Parcel "B" being a Three Residential Unit and One Commercial Unit Condominium Project, located at 995 - 999 Sutter Street being a subdivision of Lot 012 in Assessors Block No. 0300 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-7

APPROVED

101583 [Final Map 5955: 1816 Eddy Street]

Motion approving Final Map 5955, a 19 Residential Unit Condominium Project, located at 1816 Eddy Street being a subdivision of Lot 064 in Assessors Block No. 1127 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-8

APPROVED

101584 [Final Map 4169: 660 King Street]

Motion approving Final Map 4169, a 21 Commercial Unit and 148 Residential Unit Mixed-Use Condominium Project, located at 660 King Street being a subdivision of Lot 007 in Assessors Block No. 3799 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-9

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Severed from the For Adoption Without Committee Reference Agenda

The President requested that File No. 101465 be severed so that it may be considered separately.

101465 [Committee of the Whole - Public Hearing to Take Nominations and Appoint a Successor Mayor in the Event of a Vacancy in the Office of the Mayor]

Sponsor: Daly

Motion that the Board of Supervisors convene as a Committee of the Whole on January 4, 2011, at 3:00 p.m., to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 101465. See general public comment. Orry P. Korb, Nancy J. Clark, and James Williams, Outside Counsel from Santa Clara County, responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed.

Motion No. M11-3

APPROVED by the following vote:

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

Noes: 2 - Alioto-Pier, Dufty

Supervisor Alioto-Pier requested that File No. 101529 be severed so that it may be considered separately.

101529 [Supporting the KPFA Morning Show]

Sponsors: Avalos; Campos, Mar and Mirkarimi

Resolution expressing concern about recent layoffs of the KPFA Morning Show staff and urging Pacific Radio, KPFA's Local Board, the staff members and their union to find a solution to the current programming crisis.

Resolution No. 22-11

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Elsbernd, Mar, Mirkarimi

Noes: 4 - Alioto-Pier, Chu, Dufty, Maxwell

IMPERATIVE AGENDA

[Purely Commendatory Finding]

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

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, 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 Alioto-Pier, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

110005 [Family Service Agency Day - February 17, 2011]

Sponsor: Dufty

Resolution declaring February 17, 2011, as Family Service Agency Day to recognize its 121 year legacy of reform, innovation and concern for the most vulnerable of San Francisco's residents.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 110005. There were no speakers. The President declared public comment closed.

Resolution No. 7-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

110006 [Suzy Loftus Day - January 4, 2011]

Sponsor: Alioto-Pier

Resolution declaring January 4, 2011, as Suzy Loftus Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 110006. There were no speakers. The President declared public comment closed.

Resolution No. 18-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110008 [Planning Code - Amending Inclusionary Housing Ordinance to Add New Alternative in Market and Octavia Plan Area]

Sponsor: Dufty

Ordinance amending the San Francisco Planning Code by amending Section 415.5 to provide for a new land dedication alternative in the Market and Octavia Plan Area in lieu of payment of the Affordable Housing Fee; and adding Section 415.10 to provide for the requirements of such land dedication; making findings including environmental findings and findings of consistency with the Priority Policies and the General Plan.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011.

110009 [Planning Code - Amending Area Plan Fee Waiver Criteria for Affordable Housing]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code by amending Section 406 to revise the criteria for waiver of Area Plan fees, including the Rincon Hill Community Infrastructure Impact Fee, the Market and Octavia Community Improvements Impact Fee, the Eastern Neighborhoods Infrastructure Impact Fee, the Balboa Park Impact Fee, and the Visitacion Valley Community Facilities and Infrastructure Impact Fee, for affordable housing projects; and making findings, including environmental findings.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011.

110010 [Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister Streets]

Sponsor: Mirkarimi

Ordinance (1) amending Section 145.4 of the San Francisco Planning Code to require active ground-floor commercial uses in properties fronting on Fillmore Street between Bush and McAllister Streets in the NC-3 District; and (2) adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011.

110011 [Administrative Code - Composition - Justice Tracking Information System Committee Governance Council]

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code Section 2A.85 to add the City Administrator as a member of the Justice Tracking Information System (JUSTIS) Committee Governance Council and to designate the City Administrator as the Chair of the Council.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 2/3/2011.

110012 [Accept and Expend Grant - Clean Energy Workforce Training Program and Amendment to the Annual Salary Ordinance for FY2010-2011 - \$603,888]**Sponsors: Mayor; Mar**

Ordinance authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$603,888 from the California Employment Development Department to support the Clean Energy Workforce Training Program, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one (1) grant funded 9772 Community Development Specialist position at 0.6 FTE in FY2010-2011 in the Mayor's Office of Economic and Workforce Development.

01/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100495 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]**Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents.

04/20/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/21/2010.

04/27/10; REFERRED TO DEPARTMENT.

05/04/10; RESPONSE RECEIVED.

07/14/10; RESPONSE RECEIVED.

07/20/10; SUBSTITUTED.

07/20/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

07/26/10; REFERRED TO DEPARTMENT.

09/21/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

09/23/10; REFERRED TO DEPARTMENT.

11/16/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/14/10; CONTINUED ON FIRST READING.

01/04/11; RE-REFERRED to Land Use and Economic Development Committee.

Resolutions**110005 [Family Service Agency Day - February 17, 2011]****Sponsor: Dufty**

Resolution declaring February 17, 2011, as Family Service Agency Day to recognize its 121 year legacy of reform, innovation and concern for the most vulnerable of San Francisco's residents.

01/04/11; ADOPTED.

110006 [Suzy Loftus Day - January 4, 2011]**Sponsor: Alioto-Pier**

Resolution declaring January 4, 2011, as Suzy Loftus Day in the City and County of San Francisco.

01/04/11; ADOPTED.

110013 [Accept and Expend Grant - Community Services Block Grant - \$750,000]**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a Community Services Block Grant in the amount of \$750,000 from the California State Department of Community Services and Development, through the Economic Opportunity Council, to support CityBuild, the Summer Youth Employment Program, and RAMP SF.

01/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110015 [Accept and Expend Grant - With Open Arms - \$12,500]**Sponsor: Mirkarimi**

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$12,500 from van Löben Sels/RembeRock Foundation for mentoring and enrichment programming for participants in the With Open Arms initiative.

01/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110016 [Authorization to Apply for CalFire State Grant - Urban Forest Enhancement]**Sponsor: Mayor**

Resolution authorizing the Department of the Environment for the City and County of San Francisco to apply for funding from the Department of Forestry and Fire Protection (CalFire) for a project to plant fruit bearing trees on appropriate City land.

01/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**101601 [Appointment, Health Officer - Tomás Javier Aragón]****Sponsor: Chiu**

Motion appointing Tomás Javier Aragón, effective on December 15, 2010, to the position of Health Officer for the City and County of San Francisco.

12/29/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110007 [Appointment of a Successor Mayor - Edwin Lee]

Motion to ratify the appointment of a successor Mayor due to the occurrence of a vacancy in the Office of the Mayor for a term expiring January 8, 2012. (Clerk of the Board)

01/04/11; ASSIGNED to Board of Supervisors.

101515 [Confirming Appointment, Port Commission - Leslie Katz]**Sponsor: Mayor**

Motion confirming the appointment of Leslie Katz to the Port Commission, term ending May 1, 2014.

12/01/10; RECEIVED AND ASSIGNED to Rules Committee.

01/04/11; RE-REFERRED to Rules Committee.

Request for Hearing

110014 [Hearing - Use of Segways in Golden Gate Park Safety Regulations]

Sponsor: Mar

Hearing to discuss the safety regulations regarding the use of Segways in Golden Gate Park.

01/04/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

101576 [Settlement of Lawsuit - CCSF v. Alexander A. Deanda, et al. - City to Receive \$75,000]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against Alexander A. Deanda, Gerald T. Lyons, and Sheldon Morris for \$45,000 from defendant Alexander A. Deanda and \$30,000 from Gerald T. Lyons; the lawsuit was filed on November 24, 2008, in San Mateo Superior Court, Case No. Civ 482-183; entitled City and County of San Francisco, et al. v. Alexander A. Deanda, et al.; the City has not yet settled with defendant Sheldon Morris. (City Attorney)

12/06/10; RECEIVED AND ASSIGNED to Rules Committee.

101577 [Settlement of Lawsuit - Gang Hao O'Neil/James O'Neil - \$270,000]

Ordinance authorizing settlement of the lawsuit filed by Gang Hao O'Neil and James O'Neil against the City and County of San Francisco for \$270,000; the lawsuit was filed on October 5, 2009, in the San Francisco Superior Court, Case No. CGC 09-491579, entitled Gang Hao O'Neil and James O'Neil v. City and County of San Francisco. (City Attorney)

12/06/10; RECEIVED AND ASSIGNED to Rules Committee.

101585 [Settlement of Lawsuit - Kevin Montague - \$60,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Kevin Montague against the City and County of San Francisco for \$60,000; 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)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101586 [Settlement of Lawsuit - Vladimar Belfor/Victor Kanevsky - \$34,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Vladimar Belfor and Victor Kanevsky against the City and County of San Francisco for \$34,000; 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)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101587 [Settlement of Lawsuit - David Cheung dba Kwok Shing Hong - \$350,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually and dba Kwok Shing Hong against the City and County of San Francisco for \$350,000; 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)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101588 [Settlement of Lawsuit - KLW, LLC - \$210,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC against the City and County of San Francisco for \$210,000; 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)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101589 [Settlement of Lawsuit - Sunday Bazaar/2170 Folsom, LLC - \$127,372]

Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folsom, LLC, against the City and County of San Francisco for \$127,372; 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)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101590 [Settlement of Lawsuit - Kroll Furniture - \$65,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Kroll Furniture against the City and County of San Francisco for \$65,000; 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)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101591 [Settlement of Lawsuit - Alphonso Oliphant/Bruce Woodard - \$55,000]

Ordinance authorizing settlement of the claims made by Alphonso Oliphant and Bruce Woodard in a lawsuit filed against the City and County of San Francisco and William Siffermann for \$55,000; the lawsuit was filed on November 5, 2008, in the United States District Court, Case No. CV08-5048 MMC; entitled Alphonso Oliphant, Roger Gainey and Bruce Woodard v. City and County of San Francisco, Juvenile Probation Department and William Siffermann. (City Attorney)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101592 [Settlement of Lawsuit - Mackin, et al. - City to Pay \$63,020 for Easement]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against Kenneth Paul Mackin and Janice Mackin; Pacific Gas & Electric Company; Fremont Bank; and Does 1 through 100, to condemn and take by right of eminent domain a temporary construction easement over portions of real property located in Sunol, California, APN 096-0001-020-03; filed May 24, 2010, in Alameda County Superior Court, Case No. RG-10516566; entitled City of San Francisco v. Kenneth Paul Mackin and Janice Mackin; Pacific Gas & Electric Company; Fremont Bank; and Does 1 through 100. (City Attorney)

12/21/10; RECEIVED AND ASSIGNED to Rules Committee.

101600 [Settlement of Lawsuit - National Union - City to Receive \$925,000; Appropriating Settlement Proceeds]

Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. National Union, etc., et al., United States District Court, N.D. Cal., Case No: CV-103385-SI, arising from an insurance dispute involving policies issued by National Union Fire Insurance Company of Pittsburgh and sister company Chartis Specialty Insurance Company to the San Francisco Public Utilities Commission, calling for payment of \$925,000 from National Union to the City and County of San Francisco and including other material terms of said settlement; and appropriating settlement proceeds. (City Attorney)

12/22/10; RECEIVED AND ASSIGNED to Rules Committee.

101608 [Settlement of Lawsuit - AboveNet Communications, Inc. - \$183,479.00]

Ordinance authorizing settlement of the lawsuit filed by AboveNet Communications, Inc., formerly known as Metromedia Fiber Network Services, Inc., a Delaware corporation, against the City and County of San Francisco for \$183,479.00; the lawsuit was filed on December 10, 2007 in Sacramento Superior Court, Case No. 34-2007-00882854; entitled Metromedia Fiber Network Services, Inc., a Delaware corporation, v. City and County of San Francisco, et al.; the complaint was amended on August 20, 2009 to correct the plaintiff's name to AboveNet Communications, Inc. (City Attorney)

12/23/10; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

101578 [Agreement - Olin Corporation - Sodium Hypochlorite - Estimated to Exceed \$10,000,000]

Resolution approving the Agreement between the City and Olin Corporation, dba Olin Chlor Alkali, for Sodium Hypochlorite, which is estimated to exceed \$10,000,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)

12/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101579 [Airport Commission Bond-Related Authorizations - Not to Exceed \$1,600,000,000]

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

12/17/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101593 [Settlement of Unlitigated Claim - California Capital Insurance Company - \$57,892.75]

Resolution approving the settlement of the unlitigated claim filed by California Capital Insurance Company as subrogee for Michelle Azevedo against the City and County of San Francisco for \$57,892.75; claim was filed on January 13, 2009. (City Attorney)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101595 [Sale Agreement - Permanent and Temporary Easements for Highway 84 Improvement Project in Alameda County - \$6,000]

Resolution approving and authorizing an agreement for the sale and conveyance of property rights in fee interest, two nonexclusive permanent easements and three temporary easements over portions of Assessor's Parcel Numbers 85A-5400-2-3 and 507-762-005-00 located in Alameda County under the jurisdiction of the San Francisco Public Utilities Commission to State of California acting through its California Department of Transportation for a purchase price of \$6,000 which includes \$2,500 payment for City and County of San Francisco's administration and legal fees; adopting SFPUC's Resolution 10-0094; further adopting findings that the conveyance is in conformity with the City's General Plan Referral as required by Section 4.105 of the Charter and Section 2A.53 of the Administrative Code; is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting that the sale/conveyance is "Categorically Exempt" from environmental review under Class 12-Surplus Government Property Sales under CEQA Guidelines; and authorizing City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

12/22/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Avalos

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to submit a report on the baseline of services they provide to District 11. Report should include, but not be limited to:

- Pressure washing of sidewalks*
- Tree and landscape maintenance*
- Graffiti abatement*
- Trash pickup*
- Sidewalk sweeping*
- A budgetary and service allocation comparison by legislative district.*

Please specify which services are permanent and which are considered temporary. Please include an analysis of unmet service needs in District 11, whether there are existing resources to meet these needs, and the amount of additional resources needed to address shortfalls in service provision in District 11.

From: Supervisor Mirkarimi

To: Treasurer

To: Assessor-Recorder

To: City Attorney

To: District Attorney

Requesting/Inquiring: Requesting that the Treasurer, Assessor-Recorder, City Attorney, and District Attorney provide any relevant information and resources for San Franciscans to seek assistance with the impacts of foreclosures, including the following situations:

- For property owners seeking help in avoiding foreclosure or in renegotiating or modifying their loan.*
- For property owners who believe they are victims of mortgage fraud.*
- For tenants who rent residential or commercial space in a property that is being foreclosed.*

From: Supervisor Mirkarimi

To: City Services Auditor

Requesting/Inquiring: Requesting the City Services Auditor to conduct a cost-benefit analysis of supportive housing, including evaluation of the following questions:

- Does the cost of supportive housing for the homeless ultimately save money over time in the overall use of public funded services?*
- Is the cost of supportive housing for the homeless justified by cost savings in comparison to those homeless persons in non-supportive housing?*

The study should include an examination of the cost of all Supportive Housing that is funded by the Human Services Agency and Department of Public Health (master leased, Care Not Cash and Non-Profited owned), compared to the cost that a homeless individual incurs while they are on the street and in emergency shelter.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes, Lights and Sidewalk issues

Near 1150 Scott

Near 175 Carl

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:*

Garbage Cans

*Northwest corner Webster & Haight
Southeast corner Divisadero & Haight
Northeast corner Scott & Fulton
Northeast corner Golden Gate & Lyon*

Mailboxes

*Northwest corner Laguna & Hermann
Northwest corner Belvedere & Clayton
Southwest corner Parnassus & Clayton*

Street Wall Medians and Overpasses

Eastern median of Divisadero & Geary; metal pole

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes

*Southwest corner Clayton & Fulton
Northeast corner Baker & Oak
Northeast corner McAllister & Scott
Northeast corner Geary & Baker
Northwest corner Baker & Fulton*

Bus Shelter

*Southwest corner Buchanan & Haight
Southeast corner Buchanan & Hayes
Northwest corner Hayes & Scott
Southeast corner Stanyan & Oak
Northwest corner Divisadero & Hayes
In front 1838 Eddy
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies also have graffiti).*

Fire Hydrant

Southeast corner Scott & Fell

Emergency Boxes

Northeast corner Divisadero & Geary

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

*In front 552 Haight
Southeast corner Central & Page
Northeast corner Central & Haight
In front 508 Haight
In front 1151 Laguna*

In front 1169 Scott
In front 1186 Fulton
1223 Laguna
1234 Divisadero

Wood Poles
In front 30 Fillmore
Opposite 1221 Shrader
Opposite 120 Shrader

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1067 Oak
890 Page
250 Scott
418 Haight
537 Haight
901 Haight
1305 Haight

682 Haight
553 Haight
418 Haight
122 Webster
399 Haight, on the Webster side
100 Scott, on the Waller side
784 Stanyan
798 Stanyan
8 Shrader
980 Scott
410 Scott
610 Waller
617 Ivy
2190 Fell
2721 California
2787 California
2731 California
1445 Laguna
820 Scott

*From: Supervisor Elsbernd
To: City Attorney*

Requesting/Inquiring: Supervisor Elsbernd inquires as to the possibility that the City and County of San Francisco may seek civil penalties against Deborah Madden, former technician at the San Francisco Police Department Crime Lab. Furthermore, Supervisor Elsbernd requests an estimate of the costs incurred by the City and County including, but not limited to the regular, overtime and premium pay associated with the investigation into Ms. Madden's conduct.

*From: Supervisor Mirkarimi
To: City Attorney*

Requesting/Inquiring: Requesting the City Attorney to draft Planning Code Amendment, Self Serve Restaurant. Please see the attached Draft Planning Code Amendment.

In Memoriams

*Timothy D. Findley – Supervisor Dufty
Pamela J. Hickox – Supervisor Dufty
Shirley Weiner – Supervisor Dufty
Doug Kapovich – Supervisor Elsbernd*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 10:32 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 February 8, 2011.

Angela Calvillo, Clerk of the Board