



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

Legislative Chamber, Room 250  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Tuesday, November 2, 2010 - 2:00 PM

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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

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#### BOARD COMMITTEES

##### Committee Membership

**Budget and Finance Committee**  
Supervisors Avalos, Mirkarimi, Elsbernd

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

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

**Government Audit and Oversight Committee**  
Supervisors Mar, Chu, Maxwell

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

**Public Safety Committee**  
Supervisors Chiu, Mirkarimi, Elsbernd

**Rules Committee**  
Supervisors Campos, Alioto-Pier, Mar

##### Meeting Days

Wednesday  
11:00 AM

2nd and 4th Thursday  
3:30 PM

2nd and 4th Monday  
10:30 AM

2nd and 4th Thursday  
10:30 AM

Monday  
1:00 PM

1st and 3rd Monday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

## Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

**LAPTOP COMPUTER FOR PRESENTATIONS:** Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

**AGENDA PACKET:** Available for review in Clerk's Office, Room 244, City Hall, and on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

**LANGUAGE INTERPRETERS:** Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

**AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求  
請電 (415) 554-7719**

## Disability Access

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

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

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

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

## **Know Your Rights Under The Sunshine Ordinance**

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

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

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

## **Lobbyist Registration and Reporting Requirements**

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

## **Agenda Item Information**

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

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

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

## ROLL CALL AND PLEDGE OF ALLEGIANCE

## AGENDA CHANGES

## APPROVAL OF MEETING MINUTES

*Approval of the the September 28, 2010, Board Meeting Minutes.*

## COMMUNICATIONS

## CONSENT AGENDA

*All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.*

### Items 1 through 18

### Recommendation of the Budget and Finance Committee

*Present: Supervisors Avalos, Mirkarimi*

1. [101282](#) **[Accept and Expend Grant - The ARTery Project - \$250,000]**  
**Sponsors: Mayor; Dufty**  
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$250,000 from the National Endowment for the Arts for the Mid Market Cultural District Partnership, now called The ARTery Project.  
**Attachments:** [Board Packet 110210](#)  
[Comm Packet 102710](#)  
[Board Packet 110210](#)

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

**Recommendations of the City Operations and Neighborhood Services Committee**

*Present: Supervisors Chu, Avalos, Dufty*

2. [100296](#) **[Liquor License - 2367-2371 Market Street]**  
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Pornchai Hutachinda for P H Holdings, Inc., dba the Cafe, located at 2367-2371 Market Street (District 8), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

**Attachments:** [Response PLN 042810](#)

[Comm Packet 102510](#)

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

3. [101196](#) **[Gift Acceptance - Equipment and Furnishings - \$155,013]**  
**Sponsors: Chiu; Elsbernd**  
Resolution authorizing the Recreation and Park Department to accept a gift of equipment and furnishings valued at \$155,013 from the San Francisco Parks Trust Gear-up Campaign to be used at Hamilton Recreation Center, Midtown Terrace Playground, Harvey Milk Center for the Recreational Arts, Sunnyside Conservatory, Sunnyside Clubhouse, and other Recreation and Park Department facilities.

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

[Comm Packet 102510](#)

[Board Packet 110210](#)

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

4. [101198](#) **[Accept and Expend Grant - Screening, Brief Intervention, and Referral to Treatment Project - \$25,331]**  
**Sponsor: Chu**  
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$25,331 from the University of California, San Francisco, to fund the Screening, Brief Intervention, and Referral to Treatment project, and to enter into an agreement for the use of these funds for the period of September 30, 2009, through September 29, 2010.

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

[Comm Packet 102510](#)

[Board Packet 110210](#)

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

5. [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.

**Attachments:** [Legislation VER1](#)  
[Comm Packet 102510](#)  
[Board Packet 110210](#)

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

6. [101275](#) **[Accept and Expend Grant - Illegal Dumping Abatement Project - Not to Exceed \$350,000]**  
**Sponsor: Maxwell**  
Resolution authorizing the Director of the Department of Public Works to apply for, accept and expend a grant in the amount of up to but not to exceed \$350,000 from the Solid Waste Disposal Clean-up Site Trust Fund for clean-up of illegal dumping sites in San Francisco.

**Attachments:** [Legislation VER1](#)  
[Comm Packet 102510](#)  
[Board Packet 110210](#)

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

7. [101298](#) **[Gift Acceptance - Two Automobiles from KKI Productions - \$31,239.30]**  
Resolution authorizing the San Francisco Police Department to accept as gifts from KKI Productions a 2007 Honda Accord with mileage of 33,681 valued at \$15,571.44 and a 2008 Toyota Corolla S-Type with mileage of 32,518 valued at \$15,667.86. These automobiles will be placed into the general fleet of vehicles assigned to the San Francisco Police Department.

**Attachments:** [Legislation VER1](#)  
[Comm Packet 102510](#)  
[Board Packet 110210](#)

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

### **Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Mar, Chu*

8. [101156](#) **[Memorandum of Understanding, Amendment No. 2 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by extending the term of the parties' agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

**Attachments:** [Comm Packet 101410](#)

[Legislation VER1](#)

[Board Packet 102610](#)

10/26/2010; PASSED, ON FIRST READING.

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

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

*Present: Supervisors Maxwell, Mar, Chiu*

9. [100878](#) **[Fire Code - Repealing and Replacing]**

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2010 San Francisco Fire Code consisting of the 2010 California Fire Code and portions of the 2009 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

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

[Leg Digest Ver1](#)

[Comm Packet 101810](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Board Packet 102610](#)

10/26/2010; PASSED, ON FIRST READING.

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

10. [100946](#) **[Building Code - Repealing and Replacing]**  
Ordinance repealing the 2007 San Francisco Building Code in its entirety and replacing that Code with a new 2010 San Francisco Building Code that consists of the 2010 California Building Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

**Attachments:** [Leg Digest Ver1](#)  
[Legislation Ver1](#)  
[Comm Packet 101810](#)  
[Board Packet 102610](#)

10/26/2010; PASSED, ON FIRST READING.

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

11. [100950](#) **[Building Code - Residential Building - Repealing and Replacing]**  
Ordinance incorporating the provisions of the 2010 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

**Attachments:** [Leg Digest Ver1](#)  
[Legislation Ver1](#)  
[Comm Packet 101810](#)  
[Board Packet 102610](#)

10/26/2010; PASSED, ON FIRST READING.

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

12. [100952](#) **[Electrical Code - Repealing and Replacing]**  
Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and replacing that code with a new 2010 San Francisco Electrical Code that consists of the 2010 California Electrical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

**Attachments:** [Leg Digest Ver1](#)  
[Legislation Ver1](#)  
[Comm Packet 101810](#)  
[Board Packet 102610](#)

10/26/2010; PASSED, ON FIRST READING.

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

13. [101126](#) **[Mechanical Code - Repealing and Replacing]**  
Ordinance repealing the 2007 San Francisco Mechanical Code in its entirety and replacing that code with a new 2010 San Francisco Mechanical Code that consists of the 2010 California Mechanical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

**Attachments:** [Leg Digest Ver1](#)  
[Legislation Ver1](#)  
[Comm Packet 101810](#)  
[Board Packet 102610](#)

10/26/2010; PASSED, ON FIRST READING.

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

14. [101127](#) **[Plumbing Code - Repealing and Replacing]**  
Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

**Attachments:** [Leg Digest Ver1](#)  
[Legislation Ver1](#)  
[Comm Packet 101810](#)  
[Board Packet 102610](#)

10/26/2010; PASSED, ON FIRST READING.

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

15. [101128](#) **[Building Code - Green Building - Repealing and Replacing]**  
Ordinance repealing Chapter 13C of the San Francisco Building Code in its entirety and enacting a new Chapter 13C that consists of the 2010 California Green Building Standards Code with local amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and Public Resources Code Section 25402.1(h)(2), and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

**Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Comm Packet 101810](#)  
[Board Packet 102610](#)

10/26/2010; PASSED, ON FIRST READING.

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

### **Recommendations of the Rules Committee**

*Present: Supervisors Campos, Alioto-Pier, Mar*

16. [100899](#) **[Appointment, Entertainment Commission - Timothy Benetti]**  
Motion appointing Timothy Benetti, term ending July 1, 2014, to the Entertainment Commission. (Clerk of the Board)

**Attachments:** [Comm Report 102110](#)  
[Legislation Ver1](#)  
[Board Packet 110210](#)

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

17. [101292](#) **[Appointments, Immigrant Rights Commission - Vera Haile, Samer Danfoura, Teresa Chee, and Elahe Enssani]**

Motion to appointing Vera Haile, Samer Danfoura, Teresa Chee, and Elahe Enssani, terms ending June 6, 2012, to the Immigrant Rights Commission. (Clerk of the Board)

**Attachments:** [Comm Report 102110](#)

[Legislation Ver1](#)

[Board Packet 110210](#)

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

18. [101293](#) **[Appointment, Commission on the Aging Advisory Council - Catherine Rose Russo]**

Motion appointing Catherine Rose Russo, term ending March 31, 2012, to the Commission on the Aging Advisory Council. (Clerk of the Board)

**Attachments:** [Comm Report 102110](#)

[Legislation Ver1](#)

[Board Packet 110210](#)

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

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

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

*Present: Supervisors Maxwell, Mar, Chiu*

19. [101096](#) **[Health Code - Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]**  
**Sponsors: Mar; Campos, Chiu and Avalos**  
Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.8, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

**Attachments:** [Legislation\\_Ver1](#)  
[Leg\\_Digest\\_Ver1](#)  
[Response\\_SBC\\_082610](#)  
[Comm\\_Packet\\_092710](#)  
[Legislation\\_Ver2](#)  
[Leg\\_Digest\\_Ver2](#)  
[Comm\\_Packet\\_100410](#)  
[Board\\_Packet\\_101910](#)

10/19/2010; CONTINUED ON FIRST READING.

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Avalos, Mirkarimi, Elsbernd*

20. [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.

**Attachments:** [Legislation\\_VER1](#)  
[Comm\\_Packet\\_102710](#)  
[Budget\\_Analyst\\_102710](#)  
[Board\\_Packet\\_110210](#)

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

Present: Supervisors Avalos, Mirkarimi

21. [101268](#) **[Waiver of Street Encroachment Inspection Fee for Golden Gate Transportation District]**  
**Sponsor: Elsbernd**  
Ordinance waiving the Street Encroachment Permit Inspection Fee established through Public Works Code Section 2.1.1 for signs related to bus service for the Golden Gate Bridge, Highway, and Transportation District.  
**Attachments:** [Legislation\\_VER1](#)  
[Comm\\_Packet\\_102710](#)  
[Board\\_Packet\\_110210](#)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
22. [101269](#) **[Accept and Expend Grant - Probation Specialized Supervision Program and Amendment to the Annual Salary Ordinance for FY2010-2011 - \$300,000]**  
**Sponsor: Maxwell**  
Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of \$300,000 from the California Emergency Management Agency for Probation Specialized Supervision Program federally funded through the Violence Against Women Act and amend Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of three (3) grant-funded positions (.75 FTE) in Class 8444 Deputy Probation Officer, (.50 FTE) in Class 9920 Public Service Aide/Probation Aide, and (.50 FTE) in Class 9920 Public Service Aide/Probation Aide at the Department of Adult Probation.  
**Attachments:** [Legislation\\_VER1](#)  
[Comm\\_Packet\\_102710](#)  
[Board\\_Packet\\_110210](#)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
23. [101270](#) **[Accept and Expend Grant - San Francisco Reentry Courts and Amendment to the Annual Salary Ordinance for FY2010-2011 - \$500,000]**  
**Sponsor: Mirkarimi**  
Ordinance authorizing the Adult Probation Department to retroactively accept and expend a grant in the amount of \$500,000 from the Office of Justice Programs for funding under the Second Chance Act State, Local and Tribal Reentry Courts, and amend Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of (4) four grant funded positions; (.20 FTE) in Class 8138 Court Reporter at the Adult Probation Department, (.20 FTE) in Class 8113 Court Clerk at the Adult Probation Department, (.40 FTE) in Class 8177 Attorney at the Office of the Public Defender (PDR) and (.75 FTE) in Class 2912 Sr. Social Worker at the Department of Public Health.  
**Attachments:** [Legislation\\_VER1](#)  
[Comm\\_Packet\\_102710](#)  
[Board\\_Packet\\_110210](#)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

24. [101228](#)

**[Contract Modification - Hamilton Family Center - \$180,000]**

Resolution concurring with the Human Services Agency's Declaration of Emergency to modify the contract between the City and County of San Francisco and Hamilton Family Center to provide emergency elevator repairs for the family shelter in the amount of \$180,000. (Human Services Department)

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

[Comm Packet 102710](#)

[Budget Analyst 102710](#)

[Board Packet 110210](#)

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

Present: Supervisors Avalos, Mirkarimi, Elsbernd

25. [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.

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

[Comm Packet 102710](#)

[Budget Analyst 102710](#)

[Board Packet 110210](#)

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

26. [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.

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

[Comm Packet 102710](#)

[Board Packet 110210](#)

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

27. [101316](#) **[Board Review and Approval of 2010 United States Department of Housing and Urban Development Continuum of Care Programs Application]**

**Sponsor: Mayor**

Resolution approving the City and County of San Francisco 2010 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors' review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more.

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

[Comm Packet 102710](#)

[Board Packet 110210](#)

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

28. [101318](#) **[Resolution of Intention to Form the Civic Center Community Benefit District]**

**Sponsor: Mayor**

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 "Civic Center Community Benefit 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; (5) directing environmental findings; and (6) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law.

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

[Comm Packet 102710](#)

[Legislation Ver2](#)

[Board Packet 110210](#)

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

**Recommendation of the City Operations and Neighborhood Services Committee**

*Present: Supervisors Chu, Avalos, Duffy*

**29. [101009](#) [Environment Code - Healthy Air and Clean Transportation Program]**

**Sponsors: Mayor; Dufty**

Ordinance (1) amending the San Francisco Environment Code by repealing current Sections 400 through 409, and adopting new Sections 400 through 424; (2) amending the San Francisco Environment Code by amending current Sections 410, 411, and 421 and re-numbering them as Sections 425, 426, and 427 respectively; and (3) amending the San Francisco Administrative Code by amending Section 4.10-1, all to establish and implement a new Healthy Air and Clean Transportation Program, providing for the gradual conversion of the City's vehicle fleet to clean air vehicles and the gradual reduction of the overall number of passenger vehicles and light duty trucks in the City's vehicle fleet by 20 percent; and making environmental findings.

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

[Comm Packet 102510](#)

[Board Packet 110210](#)

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

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

*Present: Supervisors Maxwell, Mar, Chiu*

**30. 100046 [Planning Code, Administrative Code - Amending Inclusionary Housing Ordinance]**

**Sponsors: Mayor; Chiu**

Ordinance amending the Planning Code and Administrative Code by amending the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (formerly Code Section 315, et seq.) (Program) and to require all project applicants to pay the Affordable Housing Fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Sections 416 and 417 to make conforming amendments to the Inclusionary Affordable Housing Program; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act.

- Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Response PLN 012010](#)  
[Legislation Ver2](#)  
[Leg Digest Ver2](#)  
[Response PLN 040210](#)  
[Comm Packet 100410](#)  
[Comm Packet 101810](#)  
[Legislation Ver3](#)  
[Legislation Ver4](#)  
[Leg Digest Ver4](#)  
[Comm Packet 102510](#)  
[Legislation Ver5](#)  
[Leg Digest Ver5](#)  
[Board Packet 110210](#)

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

**31. [100829](#) [Planning Code - Car-Share Controls]****Sponsors: Chiu; Mar and Maxwell**

Ordinance amending the San Francisco Planning Code, including Section 151.1 to enable the Planning Commission to require the provision of annual memberships to certified car-share organizations to residents of certain new development projects when certain findings are made; Section 163 to promote car-share services as a component of transportation management programs and transportation brokerage services; and Section 166 to permit car-share spaces in the same manner as residential accessory parking and require that car-sharing requirements for non-residential uses apply to all zoning districts; 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. (Planning Department)

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

[Leg Digest Ver1](#)

[Comm Packet 102510](#)

[Board Packet 110210](#)

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

**32. [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)

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

[Comm Packet 102510](#)

[Board Packet 110210](#)

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

33. [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)

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

[Comm Packet 102510](#)

[Board Packet 110210](#)

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

34. [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)

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

[Comm Packet 102510](#)

[Board Packet 110210](#)

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

### **Recommendations of the Rules Committee**

*Present: Supervisors Campos, Alioto-Pier, Mar*

**35. [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.

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

[Comm Packet 102110](#)

[Board Packet 110210](#)

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

**36. [100907](#) [Appointments, San Francisco Relocation Appeals Board - Steven Jin Lee and Natividad M. Ramirez]**

**Sponsor: Mayor**

Motion confirming the appointments of Steven Jin Lee and Natividad M. Ramirez to the San Francisco Relocation Appeals Board, terms ending January 2, 2012.

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

[Comm Report 102110](#)

[Legislation Ver2](#)

[Board Packet 110210](#)

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

**37. [101234](#) [Confirming Reappointment, San Francisco Redevelopment Agency - Leroy King]**

**Sponsor: Mayor**

Motion confirming the reappointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2014.

**Attachments:** [Comm Report 102110](#)

[Legislation VER1](#)

[Board Packet 110210](#)

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

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

## **ROLL CALL FOR INTRODUCTIONS**

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

## **PUBLIC COMMENT**

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.*

*Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.*

**Items 38 through 40**

- 38. [101367](#) [Accept and Expend Gift - Gene Friend Recreation Center - \$100,000]**  
**Sponsor: Daly**  
Resolution authorizing the Recreation and Park Department to accept and expend a gift of \$100,000 from the San Francisco Parks Trust, on behalf of the Friend Family Foundation, for the renovation of the Gene Friend Recreation Center. (Recreation and Park Department)  
**Attachments:** [Legislation Ver1](#)  
[Board Packet 110210](#)
- 10/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 39. [101368](#) [Accept and Expend Gift - Music Concourse Trees - \$30,000]**  
**Sponsor: Mar**  
Resolution authorizing the Recreation and Park Department to accept and expend a gift of \$30,000 from the San Francisco Parks Trust on behalf of Chase Freedom for the purchase, planting, and care of approximately 40 London Plane trees in Golden Gate Park's Music Concourse. (Recreation and Park Department)  
**Attachments:** [Legislation Ver1](#)  
[Board Packet 110210](#)
- 10/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 40. [101353](#) [Committee of the Whole - Public Hearing to Establish the Ocean Avenue Community Benefits District]**  
**Sponsor: Avalos**  
Motion directing the Board of Supervisors to hold a public hearing on November 16, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to Establish the Ocean Avenue Community Benefits District.  
**Attachments:** [Legislation VER1](#)  
[Board Packet 110210](#)
- 10/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

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

## 41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

*[Serious Injury Finding]*

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

*[Purely Commendatory Finding]*

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

*[Brown Act Finding]*

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

## LEGISLATION INTRODUCED AT ROLL CALL

### PROPOSED ORDINANCES

#### 101303

#### **[Settlement of Lawsuit - Viz Media, LLC - \$219,000]**

Ordinance authorizing settlement of the lawsuit filed by Viz Media, LLC, against the City and County of San Francisco for \$219,000; the lawsuit was filed on August 10, 2010, in San Francisco Superior Court, Case No. CGC-10-502460; entitled Viz Media, LLC v. City and County of San Francisco, et al. (City Attorney)

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

10/18/2010; RECEIVED AND ASSIGNED to the Rules Committee.

#### 101340

#### **[Settlement of Lawsuit - Regal Stone, Ltd. - City to Receive \$3,717,096.52]**

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Regal Stone, Ltd, et al. for the sum of \$3,717,096.52, including previous initial payment of \$2,000,000; the lawsuit was filed on December 10, 2007, in San Francisco Superior Court, Case No. CGC-07-469876 (transferred to Monterey County Superior Court, Case No. M98173); entitled City and County of San Francisco, et al., v. Regal Stone, Ltd., et al. (City Attorney)

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

10/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

**101341**

**[Settlement of Lawsuit - Toni Battle - \$150,000]**

Ordinance authorizing settlement of the lawsuit filed by Toni Battle against the City and County of San Francisco for \$150,000; the lawsuit was filed on October 16, 2009, in San Francisco Superior Court, Case No. CGC 09-493489, entitled Battle v. City and County of San Francisco, et al. (City Attorney)

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

10/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

## PROPOSED RESOLUTIONS

**101346**

**[Airport Concession Leases]**

Resolution approving Amendment No. 1 to Domestic Terminals Food and Beverage Lease No. 03-0178 with Lori's Diner International; No. 03-0179 with Andale Airports; No. 03-0181 with Meyers Holdings, LLC; and No. 03-0188 with H. Young Enterprises, and the City and County of San Francisco, by and through its Airport Commission. (Airport Commission)

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

10/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**101345 [Petitions and Communications]**

Petitions and Communications received from October 19, 2010, through October 25, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 2, 2010.

From concerned citizens, submitting letters of support for Tim Benetti as Entertainment Commissioner. 2 letters (1)

From Department of the Environment, submitting findings on the Urban Forestry Council's review of a Landmark Tree Nomination. (2)

From concerned citizens, submitting letters of support for petitions for City parcels to form the proposed Civic Center Community Benefit District. File No. 101201, 3 letters (3)

From concerned citizens, submitting letters in opposition of City parcels to form the proposed the Community Benefit District proposal. File No. 101201, Copy: Mayor and Ethics Commission, 3 letters (4)

From Office of the Sheriff, submitting the Annual Report of Inmate Welfare Fund expenditures for the Fiscal Year ending June 30, 2010. (5)

From concerned citizens, submitting letters of support for Shell Thomas as Entertainment Commissioner. 4 letters (6)

From Edna Hill Middle School, Seventh Grade, submitting letters as part of a persuasive writing assignment on the potential banning of toys from McDonald's Happy Meal. File No. 101096, 64 letters (7)

From San Francisco International Airport, submitting a waiver request to the Human Rights Commission. (8)

From Department of Public Works, submitting a report on the Micro-LBE Set-Aside Program for contracts of the Department of Public Works. Copy: Human Rights Commission. (9)

From Ivan Pratt, submitting a letter on the general legalization of California's marijuana laws for leisurely usage. (10)

From Aaron Goodman, submitting a memo on Parkmerced and Fortress Investments. (11)

From concern citizens, submitting letters in support of Safe Drug Disposal. File No. 100455, 3 letters (12)

From Controller's Office, submitting the First Quarter General Fund Budget Status Report for FY2010-2011. (13)

From Robert Morales, Secretary - Treasurer, Sanitary Truck Drivers and Helpers, Local No. 350, submitting a reply declining the request by Recology San Francisco, that Local 350 withdraw its letter to the Board of Supervisors regarding the City's proposed Landfill and Facilitation Agreement with Recology San Francisco. File No. 101225, Copy: Board of Supervisors. (14)

From Office of Civic Engagement and Immigrant Affairs, submitting information on the City's participation rate in the 2010 Census. (15)

From Francisco Da Costa, submitting an article, The Old Schlage Lock Company and Dubious Activities. (16)

From Office of the District Attorney, submitting the Annual Real Estate Fraud Report for FY2009-2010. (17)

From Department of the Environment, submitting a survey that shows green cleaning product prices are equivalent to conventional products. (18)

From James Corrigan, submitting a statement concerning the pensions of Police and Fire. (19)

From Lee Goodin, submitting a letter of opposition regarding marking the North Beach Library a landmark. (20)

From Kimo Crossman, submitting an article about plans to require online posting of data. File No. 101155 (21)

From Department of the Environment, submitting a Regulation of cell phone retailers duty to post specific absorption rate information. (22)

## **ADJOURNMENT**