



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, December 15, 2009 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Avalos, Mirkarimi, Chu

City and School District Select Committee
Supervisors Elsbernd, Dufty, Avalos, Yee, Fewer, Maufas

City Operations and Neighborhood Services Committee
Supervisors Dufty, Daly, Elsbernd

Government Audit and Oversight Committee
Supervisors Mirkarimi, Mar, Maxwell

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

Public Safety Committee
Supervisors Chiu, Mirkarimi, Alioto-Pier

Rules Committee
Supervisors Campos, Daly, Alioto-Pier

Meeting Days

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee 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) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting 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 en una reunion debe recibirse antes de mediodia 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

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.sfgov.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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

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

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

These items will be available for review at City Hall, Room 244, Reception Desk.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

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

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. [091374](#) **[Accept and Expend Grant - FY 09 Urban Area Security Initiative and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$32,510,600]**
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative ("UASI") Approval Authority, to retroactively accept and expend a UASI grant in the amount of \$32,510,600 from the United States Department of Homeland Security, through the California Emergency Management Agency; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect: the addition of one (1) grant-funded position (.50 FTE) in Class 5277 Planner I and one (1) grant-funded position (.50 FTE) in Class 5293 Planner IV, and the deletion of one (1) grant-funded position (.75 FTE) in Class 1426 Senior Clerk Typist, all in the Department of Emergency Management.
Attachments: [Legislation Ver1](#)
[comm.packet](#)
[Board Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [091376](#) **[Accept and Expend Grant - FY 09 Regional Catastrophic Preparedness Program and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$4,822,667]**

Sponsor: Elsbernd

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program ("RCPGP") Bay Area Site and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a RCPGP grant in the amount of \$4,822,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide \$167,188 in matching funds; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of two (2) grant-funded positions (.50 FTE total) in Class 5291 Planner III in the Department of Emergency Management.

Attachments: [Legislation Ver1](#)

[Comm Packet](#)

[Board Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [091324](#) **[Airport Concession Lease]**

Resolution approving the Pay Phone Lease between Pelican Communications, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Attachments: [comm.packet](#)

[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

4. [090678](#) **[Bayview Hunters Point Area Plan, Technical Zoning Map Amendments]**

Ordinance amending Zoning Map Sheets ZN08, ZN10, and SU10 of the City and County of San Francisco Planning Code with revised use districts within the Bayview Hunters Point Plan Area; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

Attachments: [Legislation Ver2](#)

[Comm Packet](#)

[Board Packet](#)

11/17/2009; RE-REFERRED to the Land Use and Economic Development Committee.

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [091036](#) **[Zoning - Third Street and Le Conte Avenue Affordable Housing Special Use District]**

Sponsor: Maxwell

Ordinance amending the San Francisco Planning Code by adding Section 249.43 to establish the Third Street and Le Conte Avenue Affordable Housing Special Use District for property at 6600 Third Street (Lot 9, Assessor's Block 5476), located at the northeast corner of the block bounded by Le Conte Avenue, Third Street and Keith Street; amending Sheet SU10 of the Zoning Map of the City and County of San Francisco, to reflect this new Special Use District, and adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Attachments: [Comm Packet](#)

[Legislation_Ver2](#)

[Board Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [091059](#) **[Correction to the Vacation of Former Trenton Street]**

Ordinance ordering the summary vacation of a portion of Trenton Street south of Jackson Street within Assessor's Block No. 0192; making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; establishing conditions to the effectiveness of the vacation; adopting environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department)

Attachments: [Comm Packet](#)

[Board Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Mar

7. [091276](#) **[Accept and Expend Grant - Edward Byrne Memorial Justice Assistance and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$2,700,314]**

Sponsor: Mayor

Ordinance authorizing the Department of Children, Youth & Their Families (DCYF) to accept and expend grant funding in the amount of \$2,700,314 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs and amending Annual Salary Ordinance (183-09) and to create grant-funded position at DCYF.

Attachments: [comm.packet](#)
[comm.packet](#)
[Board Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [091298](#) **[Accept and Expend Grant - Mortgage and Investment Fraud Project - \$1,066,026]**

Sponsor: Chiu

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend grant funds from the American Recovery and Reinvestment Act in the amount of \$1,066,026 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Mortgage and Investment Fraud Prosecution and Education Project" for the period from August 1, 2009, through July 31, 2011.

Attachments: [Legislation_Ver1](#)
[comm.packet](#)
[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

9. [091302](#) **[Accept and Expend Grant - Police Department Emergency Operations Center - \$1,000,000]**

Sponsor: Elsbernd

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend an earmark grant in the amount of \$1,000,000 from the California Emergency Management Agency through the Federal Emergency Management Agency for the purchase of equipment and construction of the San Francisco Police Department Emergency Operations Center.

Attachments: [Legislation_Ver1](#)
[comm.packet](#)
[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

10. [091303](#) **[Accept and Expend Grant - California Multi-Jurisdictional Methamphetamine Enforcement Team Program - \$346,785]**

Sponsor: Elsbernd

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$346,785 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET)" Program.

Attachments: [Legislation Ver1](#)

[comm.packet](#)

[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

11. [090960](#) **[Honoring Small Local Businesses During Small Business Month]**

Sponsor: Alioto-Pier

Ordinance amending the San Francisco Administrative Code by requiring the Small Business Commission to declare one month out of the year "Small Business Month" and to recognize small local businesses during the Small Business Month.

Attachments: [Board Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. [091264](#) **[Settlement of Lawsuits - Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox - \$217,000]**

Ordinance authorizing settlement of two lawsuits, which were filed by Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox against the City and County of San Francisco and its employees for a total amount of \$217,000; the first lawsuit was filed on January 14, 2005, in the United States District Court for the Northern District of California, Case No. C05-0280 VRW/WAF, entitled Earnest Henderson, et al., v. City and County of San Francisco, et al.; the second lawsuit was filed on October 18, 2005, in the United States District Court for the Northern District of California, Case No. C05-4220 VRW; entitled Mack Woodfox v. City and County of San Francisco, et al.; the above total settlement amount also includes all claims for costs and attorneys' fees. (City Attorney)

Attachments: [Legislation Ver1](#)

[Board Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. [091265](#) **[Settlement of Lawsuits - Joanne Lozenski, Juanita Stockwell, and Susan Rolovich - \$95,000]**
Ordinance authorizing settlement of the lawsuit filed by Joanne Lozenski, Juanita Stockwell, and Susan Rolovich against the City and County of San Francisco, Alex Fagan, and Rod Nakanishi for \$95,000; the lawsuit was filed on December 14, 2004, in San Francisco Superior Court, Case No. 04-436254; entitled Lozenski, et al., v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation_Ver1](#)
[Board_Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. [091289](#) **[Settlement of Lawsuits - David Spears and Sabrina Wigfall - \$97,500]**
Ordinance authorizing settlement of the lawsuits filed by David Spears and Sabrina Wigfall against the City and County of San Francisco and Kyle Adams against the City and County of San Francisco for \$97,500; the lawsuits were filed on February 6, 2004, and August 1, 2008, in the United States District Court for the Northern District of California, Case Nos. 06-cv-04968 VRW and 08-vc-03696 PJH; entitled David Spears and Sabrina Wigfall v. City and County of San Francisco, et al. and Kyle Adams v. City and County of San Francisco, et al. (City Attorney)
Attachments: Board_Packet

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. [091290](#) **[Settlement of Lawsuit - Lisa Anne Haller - \$230,000]**
Ordinance authorizing settlement of the lawsuit filed by Lisa Anne Haller against the City and County of San Francisco for \$230,000; the lawsuit was filed on March 20, 2007, in San Francisco Superior Court, Case No. 461-498; entitled Lisa Anne Haller, et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Board_Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. [091291](#) **[Settlement of Lawsuit - City and County of San Francisco - \$1,260,000]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against the Design Partnership and Del Campo and Maru, Joint Association of Architects, for (a) \$1,260,000 payable to the City and County of San Francisco and (b) mutual releases; the lawsuit was filed on March 20, 2009, in San Francisco Superior Court, Case No. 09-486423; entitled City and County of San Francisco v. The Design Partnership and Del Campo and Maru, Joint Association of Architects. (City Attorney)
Attachments: [Board_Packet](#)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. [091352](#) **[Extending the Term of Service for the Power Plant Task Force]**
Sponsor: Maxwell
Resolution to extend the expiration date of the Power Plant Task Force from December 31, 2009, to December 31, 2010.
Attachments: [Comm Packet](#)
[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

18. [091351](#) **[Appointments, Workforce Investment Community Advisory Committee - Corrin Buchanan and Cameron McHenry]**
Motion appointing Corrin Buchanan and Cameron McHenry, terms to be determined, to the Workforce Investment Community Advisory Committee. (Rules Committee)
- Corrin Buchanan, seat 1, new appointment, must be staff and/or Board member of 501(c)3 organizations. Preferably Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for a two-year term ending date to be determined.
- Cameron McHenry, seat 2, new appointment, must be staff and/or Board member of 501(c)3 organizations. Preferably Committee Members should be providing workforce development services or serving low-income residents and others with barriers to employment, for a two-year term ending date to be determined.
- Attachments:** [Comm Packet](#)
[Legislation_Ver2](#)
[Board Packet](#)

Question: Shall this Motion be APPROVED?

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

Severed from the Consent Agenda

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

- 19. [091353](#) **[Appropriating \$6,071,836 to Fund the Restoration of Positions in the Department of Public Health for FY 2009-2010]**
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
 Ordinance appropriating \$6,071,836 from the de-appropriation of funds from salaries and fringe benefits in the San Francisco General Hospital Fund to add 236.42 full-time equivalent (FTEs) positions and delete 200.16 FTE positions effective January 17, 2010, add 66.35 FTEs and delete 66.35 FTEs effective January 1, 2010, and release \$6,071,836 of salaries and fringe benefits placed on Budget and Finance Committee reserve in the Department of Public Health for FY 2009-2010.

Attachments: [Legislation_Ver2](#)

[Board Packet](#)

11/24/2009; DUPLICATED AND AMENDED. Duplicate of File No. 091202.

11/24/2009; TABLED.

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 20. [091354](#) **[Public Employment - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Department of Public Health]**
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
 Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 236.42 FTEs in various job classes and delete 200.16 FTEs in various job classes for 11.8 pay periods (January 17, 2010, through June 30, 2010) and add 66.35 FTEs in various job classes and delete 66.35 FTEs in various job classes for 13.1 pay periods (January 1, 2010, through June 30, 2010) in the Department of Public Health.

Attachments: [Legislation_Ver2](#)

[Board Packet](#)

11/24/2009; DUPLICATED AND AMENDED. Duplicate of File No. 091203.

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

21. [090583](#) [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]

Sponsors: Avalos; Campos

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

Attachments: [Legislation Ver1](#)

[Legislation Ver2](#)

[Comm Packet](#)

[Legislation Ver3](#)

[Board Packet](#)

12/08/2009; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

22. [091137](#) [Mills Act Contract Procedures]

Sponsor: Alioto-Pier

Ordinance amending Chapter 71 of the San Francisco Administrative Code regarding historical property (Mills Act) contract procedures to reflect amendments made to the San Francisco Charter to create the Historic Preservation Commission, expand the definition of "qualified historical property" to include properties listed on the California Register of Historical Resources, establish certain time lines for review of applications for historical property contracts, require Budget Analyst review of applications for historical property contracts, and making other clarifying amendments; and making findings, including environmental findings.

Attachments: [Legislation_Ver1](#)

[Legislation_Ver2](#)

[Legislation_Ver3](#)

[Legislation_Ver4](#)

[Board_Packet](#)

10/06/2009; SUBSTITUTED.

11/09/2009; SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

12/08/2009; AMENDED.

12/08/2009; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

23. [091336](#) **[Public Employment - Amendment to the Annual Salary Ordinance FY 2009-2010 for the Department of the Environment]**
Sponsor: Mayor
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of one position (.50 FTE) Class 5638 Environmental Assistant in the Department of the Environment.
Attachments: [comm.packet](#)
[Legislation Ver2](#)
[Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. [091368](#) **[Accept and Expend Grant - American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$7,739,300]**
Sponsor: Mayor
Ordinance authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$7,739,300 from the U.S. Department of Energy through the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) under the Energy Independence and Security Act of 2007 (Pub. L. 110-140; 42 U.S.C. 17151 et seq.) for the Municipal Building Energy Efficiency Retrofit, Community Resilience, and Heating Systems Programs, and amending Ordinance Number 183-09 to reflect the addition of one and seven-tenths (1.7) grant-funded positions at the Department of the Environment.
Attachments: [comm.packet](#)
[091368.pdf](#)
[Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. [091326](#) **[CEQA Findings for San Francisco Public Utilities Commission New Irvington Tunnel Project in Alameda County and Fremont]**
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Irvington Tunnel Project, CUW 35901; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)
Attachments: [Legislation VER1.doc](#)
[comm.packet](#)
[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

26. [091369](#) **[Revenue Contract with PG&E Energy Conservation Programs]**

Sponsor: Mayor

Resolution authorizing the Department of the Environment under Charter Section 9.118 to enter into a contract for up to \$11,540,000 with Pacific Gas and Electric Company (PG&E), to implement an Energy Use and Demand Reduction through Energy Efficiency Program in the City and County of San Francisco.

Attachments: [Legislation Ver1](#)

[comm.packet](#)

[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

27. [090962](#) **[Zoning - Amending the Citywide Definition of Tobacco Paraphernalia Establishments by Lowering the Threshold for Retail Stores to be Considered Tobacco Paraphernalia Establishments]**

Sponsor: Chiu

Ordinance amending the Planning Code to amend the definition of Tobacco Paraphernalia Establishments in Section 227(v), to lower the threshold for retail stores to be considered Tobacco Paraphernalia Establishments from 15% of the square footage of the establishment to 10% of the occupied floor area, as defined in Section 102.10, or 10 linear feet of display area projected to the floor, whichever is less; amending Sections 790.123 and 890.123 to reflect this amended definition; amending Section 723.1 and the Table at Section 723, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Polk Street Neighborhood Commercial District; amending Section 186.1, to change the period of non-use for a non-conforming Tobacco Paraphernalia Establishment use to be deemed discontinued in the Polk Street Neighborhood Commercial District from three years to eighteen months, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Attachments: [Comm Packet](#)

[Legislation Ver2](#)

[Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. [091284](#) **[Mission Bay - Park P21 Improvements]**

Ordinance designating a portion of State Trust Parcel 5 East of future Terry A. Francois Boulevard at future Mission Bay Boulevard for public open space and park purposes; naming the new park "Bayfront Park;" accepting and irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No.178,379 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Attachments: [Comm Packet](#)

[Legislation Ver1](#)

[Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. [091286](#) **[Approval of Second Amendment to the Redevelopment Agency's Ground Lease within Mission Bay North and South Redevelopment Plans]**

Resolution approving the Second Amendment to the San Francisco Redevelopment Agency's Ground Lease to add certain additional real property within the Mission Bay South Redevelopment Plan Area to the leased premises and to clarify certain maintenance obligations. (Public Works Department)

Attachments: [Comm Packet](#)

[Legislation Ver1](#)

Question: Shall this Resolution be ADOPTED?

30. [091288](#) **[Approval of CEQA Findings for SFPUC Harding Park Recycled Water Project]**

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation and reporting program and a statement of overriding considerations related to the Harding Park Recycled Water Project, Water System Improvement Program funded Project No. CUW 30204; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Attachments: [Comm Packet](#)

[Legislation Ver1](#)

[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly

31. [091015](#) **[Reimbursement to City for Dignitary Security Provided During Campaign-Related Travel by Elected Officials]**

Sponsors: Mirkarimi; Campos, Avalos and Daly

Ordinance adding a new Chapter 6 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.600, 3.605 and 3.610, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings.

Attachments: [Legislation Ver2](#)

[Comm Packet](#)

[Legislation Ver3](#)

[Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Campos, Daly, Alioto-Pier

32. [091349](#) **[Appointment to San Francisco LAFCo - Supervisor John Avalos]**
Motion appointing Supervisor John Avalos, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)
Attachments: [Legislation Ver1](#)
[Comm Packet](#)
[Board Packet](#)

Question: Shall this Motion be APPROVED?

Present: Supervisors Campos, Daly

33. [091350](#) **[Appointment to San Francisco LAFCo - Supervisor Eric Mar]**
Motion appointing Supervisor Eric Mar, as an alternate member, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)
Attachments: [Legislation Ver1](#)
[Comm Packet](#)
[Board Packet](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 091418)

34. 091419 [Committee of the Whole - Opposing the Stupak-Ellsworth-Pitts Amendment to Restrict Reproductive Choice]

Sponsors: Alioto-Pier; Chu and Maxwell

Hearing of persons interested in or objecting to proposed resolution on file with the Clerk of the Board of Supervisors in File No. 091342 opposing the Stupak-Ellsworth-Pitts Amendment that limits reproductive choice, urging the United States Senate to pass healthcare reform that preserves access to reproductive health services, urging conferees to remove the amendment, and commending members of the California congressional delegation who opposed the amendment.

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

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

Privilege of the Floor

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

35. **091313** **[Appeal of Tentative Parcel Map for 1673 through 1675 - 11th Avenue]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 29, 2009, affirming the approval of the Tentative Parcel Map to construct a new 2 unit condominium project located at 1673 through 1675 - 11th Avenue, Lot No. 013 in Assessor's Block No. 1932. (Appellant: Rose Tom Tsai) (Clerk of the Board)

(Filed 11/9/09 - Companion Measure to Files 091314, 091315, 001316) (District 7)

Attachments: [Board Packet](#)

12/08/2009; CONTINUED. The President inquired as to whether any member of the public wished to address the Board relating to the appeal of Tentative Parcel Map for 1673 through 1675 - 11th Avenue as referenced in File Nos. 091314, 091315, and 091316. David Silverman; spoke in support of a proposed continuance. There were no other speakers. The President continued the public hearing open to December 15, 2009.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

36. [091314](#) [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

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-unit new construction condominium subdivision located at 1673 through 1675 - 11th Avenue, Assessor's Block No. 1932, Lot No. 013. (Clerk of the Board)

Attachments: [Legislation_VER1.doc](#)

[Board Packet](#)

12/08/2009; CONTINUED.

Question: Shall this Motion be APPROVED?

37. [091315](#) [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

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-unit new construction condominium subdivision located at 1673 through 1675 - 11th Avenue, Assessor's Block No. 1932, Lot No. 013. (Clerk of the Board)

Attachments: [Legislation_VER1.doc](#)

[Board Packet](#)

12/08/2009; CONTINUED.

Question: Shall this Motion be APPROVED?

38. [091316](#) [Findings Related to the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 - 11th Avenue, Assessor's Block No. 1932, Lot No. 013. (Clerk of the Board)

Attachments: [Legislation_VER1.doc](#)

[Board Packet](#)

12/08/2009; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

39. 091309 [Appeal of Determination of Exemption from Environmental Review for 2750 Vallejo Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 6, 2009, Case No. 2006.0339E, that a project located at 2750 Vallejo Street is exempt from environmental review under Categorical Exemption, Class 1 [State CEQA, Guidelines, Section 15301(e)(1)]. The proposal would alter the facade and construct rear and side horizontal additions to an existing three-story, single-family residence in an RH-1(D) District and a 40-X Height and Bulk District, in Assessor's Block No. 0954, Lot No. 006. (Appellants: Robert A. Byrum and Dona S. Byrum) (Clerk of the Board)

(Filed 11/6/09; Companion Measures to 091310, 0913911, 091312) (District 2)

Attachments: [Board Packet](#)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

40. 091310 [Affirming the Exemption Determination Issued for the 2750 Vallejo Street Project]

Motion affirming the exemption determination by the Planning Department that the 2750 Vallejo Street project is exempt from environmental review. (Clerk of the Board)

Attachments: [Legislation VER1.DOC](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

41. 091311 [Reversing the Exemption Determination Issued for the 2750 Vallejo Street Project]

Motion reversing the exemption determination by the Planning Department that the 2750 Vallejo Street project is exempt from environmental review. (Clerk of the Board)

Attachments: [Legislation VER1.DOC](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

42. [091312](#) **[Preparation of Findings Related to the Exemption Determination for the 2750 Vallejo Street Project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project at 2750 Vallejo Street is exempt from environmental review. (Clerk of the Board)

Attachments: [Legislation VER1.DOC](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORT

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

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, December 14, 2009, at 10:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 15, 2009.

43. [091423](#) **[Accept and Expend Grant - Public Health Emergency Response - \$2,151,772]**
Sponsor: Mayor

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$2,151,772 from the California Department of Public Health (CDPH), to assist with a project entitled "Public Health Emergency Response;" for the period of July 31, 2009, through July 30, 2010.

Attachments: [COMM Packet](#)

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

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

PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 44 through 54**44. [091418](#) [Committee of the Whole, December 15, 2009, at 3:00 P.M., Opposing Stupak-Ellsworth-Pitts]****Sponsors: Alioto-Pier, Chu and Maxwell**

Motion scheduling a Committee of the Whole at 3:00 P.M. on Tuesday, December 15, 2009, to consider opposing the Stupak-Ellsworth-Pitts Amendment to restrict reproductive choice.

Attachments: [Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?**45. [091341](#) [2010 Board of Supervisors Regular Meeting Schedule]**

Motion approving the 2010 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 19, February 16, May 25, July 6, September 7, October 12, and November 30; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 18 through September 7, 2010, and December 15 through December 31, 2010. (Clerk of the Board)

Attachments: [Legislation_Ver1](#)[Board Packet](#)

11/18/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/08/2009; CONTINUED.

Question: Shall this Motion be APPROVED?**46. [091410](#) [Accept and Expend Grant – High Risk Program - \$37,787]****Sponsor: Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California Department of Food and Agriculture (CDFA) in the amount of \$37,787 to prevent infestation of pests from incoming high-risk shipments of plant material from Hawaii, Florida and other southern states; for the period of July 1, 2009, through June 30, 2010.

Attachments: [Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. [091411](#) [Seeking Reimbursement from the State of California for Funds Expended by the County]

Sponsors: Mar; Campos and Mirkarimi

Resolution urging state and local officials to obtain reimbursement for funds expended by the City and County of San Francisco to provide legal representation in homicide cases instituted by the Attorney General.

Attachments: [Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. [091412](#) [Accept and Expend Grant - San Francisco's Clean Cities Coalition Program - \$60,000]

Sponsor: Mar

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend funds from the United States Department of Energy's Office of Energy Efficiency and Renewable Energy Vehicle Technologies Program (being passed through Research and Development Solutions, LLC) in the amount of \$60,000 to support San Francisco's Clean Cities Coalition Program and its work related to reducing petroleum use and improving air quality in the City and County of San Francisco.

Attachments: [Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. [091413](#) [Support for the First and Mission Site as the Preferred, Fully Environmentally Cleared Site for the California High Speed Rail Station]

Sponsor: Daly

Resolution affirming the Board of Supervisors support for the First and Mission site as the preferred, fully environmentally cleared and under construction location for the California High Speed Rail Northern Terminus and encouraging the California High Speed Rail Authority to do likewise.

Attachments: [Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. [091414](#) **[Accept and Expend Grant – Probation Response Unit Pilot Project – \$100,000]**
Sponsor: Maxwell
Resolution authorizing the Juvenile Probation Department (JPD) to retroactively accept and expend a grant in the amount of \$100,000 from the Federal Formula Grants Program for the Disproportionate Minority Contact (DMC) Support Project, administered by the Corrections Standards Authority (CSA), for calendar year 2010, to be used for design and implementation of a Probation Response Unit (PRU) pilot project.
Attachments: [Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. [091415](#) **[Urging Continued Funding for ARRA SBA 7 (a) and 504 Loan Provisions]**
Sponsor: Chiu
Resolution Urging Continued Funding for ARRA SBA 7 (a) and 504 Loan Provisions as Part of the American Recovery and Reinvestment Act of 2009.
Attachments: [Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. [091416](#) **[Accept and Expend Grant - Implementing Ten Sobriety Checkpoints - \$91,608]**
Sponsor: Elsbernd
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$91,608 from the Federal Department of Transportation through Office of Traffic Safety for the purpose of implementing ten Sobriety Checkpoints in the City and County of San Francisco.
Attachments: [091416](#)
[Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. [091417](#) **[Urging the State Legislature to Amend the Costa Hawkins Act to Exempt Local Inclusionary Housing Ordinances]**
Sponsor: Chiu
Resolution urging the California Legislature to amend the Costa Hawkins Act to exempt local inclusionary housing ordinances.
Attachments: [Board Packet](#)

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. [091425](#) **[Commemorating the Bicentennial Year of the Latino Press in the United States]**

Sponsor: Campos

Resolution commemorating the Bicentennial Year of the Latino Press in the United States, and acknowledging the rich contributions of Latinos in the history of American journalism.

Attachments: [Legislation_VER1.doc](#)

[Board_Packet](#)

12/08/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

Severed from the For Adoption Without Committee Reference Agenda

55. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCE

Proposed ordinance received from December 1, 2009, to December 7, 2009, for reference by President to appropriate committee on December 15, 2009.

091387 [Settlement of Lawsuit - San Franciscans for Livable Neighborhoods - \$141,692.50]

Ordinance authorizing settlement of the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for \$141,692.50 for attorneys' fees; the lawsuit was filed on November 30, 2004, in San Francisco Superior Court, Case No. 504-780; entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco, et al.; other material terms of said settlement are that payment is to be made in two equal installments, one in calendar year 2010, one in calendar year 2011.

Attachments: [Legislation VER1.DOC](#)

12/02/2009; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

There were none.

091400 [Petitions and Communications]

Petitions and Communications received from December 1, 2009, through December 7, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 15, 2009.

From Planning Department, submitting the Annual Report for the Historic Preservation Commission and the Planning Commission for FY 2008-2009. Copy: Each Supervisor (1)

From Planning Department, submitting the General Advertising Sign Program Annual Report for FY 2008-2009. (2)

From Office of the Controller, submitting its audit report of Pacific Park Management, Inc. agreements with the Municipal Transportation Agency (MTA) to manage the Mission Bartlett, North Beach, Vallejo Street and San Francisco General Hospital Garages. Copy: Each Supervisor (3)

From Graffiti Advisory Board, submitting the Graffiti Advisory Board's Annual Report for FY 2008-2009. Copy: Each Supervisor (4)

From Gaea Denker, submitting opposition to proposed project for a soccer field in Golden Gate Park. (5)

From Marcia Perry, submitting opposition to proposed installation of artificial turf in the soccer field in Golden Gate Park. (6)

From Office of the Controller, submitting the unaudited financial statements for FY 2008-2009. Copy: Each Supervisor, Budget and Finance Clerk (7)

From Youth Commission, submitting the quarterly activities report. (8)

From Planning Department, submitting the 2008 Downtown Plan Monitoring Report. This five-year report covers the period between 2002 and 2007 and summarizes business and development trends affecting Downtown San Francisco. (9)

From Richard Skaff, regarding accessibility issues at the Hardly Strictly Bluegrass Festival. (10)

From Heather Schultze, regarding the bike lanes on Scott Street. (11)

From concerned citizens, submitting opposition to proposed legislation to expand rent control laws on buildings built after 1979. Copy: Each Supervisor, 2 letters (12)

From Office of the Treasurer & Tax Collector, submitting the monthly portfolio report for October 2009. Copy: Each Supervisor (13)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 800 Holloway Avenue. (14)

From San Francisco Public Golf Alliance, urging the Park, Recreation & Open Space Advisory Committee to support the continued operation of the 18-hole Sharp Park Golf Course, in combination with habitat restoration for the frog and snake. (15)

From Peggy Nathan, regarding legislation that requires all persons located in San Francisco to separate recyclables, compostable and land filled trash and participate in recycling and composting programs. (16)

From concerned citizen, requesting an audit of the Tenderloin Housing Clinic. (17)

From Dr. Ahimsa Sumchai, regarding the unanalyzed impact of the proposed Global Compact Center in San Francisco. (18)

From Mohammed Hadeed, regarding the impact of the Cigarette Litter Abatement Fee of \$0.20 per pack of cigarettes sold in San Francisco to recover the cost of abating cigarette litter from City streets, sidewalks, and other public property. (19)

From Barbara White, submitting copy of letter sent to the Municipal Transportation Agency requesting a meeting. (20)

From Arthur Evans, regarding recent changes to the Board of Supervisors website that deals with meeting agendas. (21)

From Aaron Goodman, regarding proposed ordinance amending the Section 317 of the Planning Code regarding Demolition and Replacement of Sound Housing. File No. 091038 (22)

From James Corrigan, regarding firefighters and parking in San Francisco. (23)

From Wendy La Riviere, submitting support for full funding for a LAFCo managed Clean Power San Francisco Project that will run San Francisco on 50% renewable energy source within the next decade. (24)

From Mario, regarding the Peer Outreach Workers Exemplifying Recovery (POWER) Program. (25)

From US Army Corps of Engineers, submitting public notice of proposed project to renovate the West Harbor of the San Francisco Marina Yacht Harbor. (26)

From Juvenile Probation Department, responding to inquiry regarding request for an accounting of how the Department uses City funds to comply with Juvenile Probation Department Policy 8.12, the Department's Policy regarding the intake, processing, and release of undocumented minors. (Reference No. 20091103-001) Copy: Supervisor Campos (27)

ADJOURNMENT