

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - FINAL

Tuesday, October 25, 2011 - 2:00 PM

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

Regular Meeting

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DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,  
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

**Budget and Finance Committee**  
Supervisors Chu, Mirkarimi, Kim

Wednesday  
10:00 AM

**City and School District Select Committee**  
Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

2nd and 4th Thursday  
3:30 PM

**City Operations and Neighborhood Services Committee**  
Supervisors Avalos, Mar, Elsbernd

2nd and 4th Monday  
10:00 AM

**Government Audit and Oversight Committee**  
Supervisors Campos, Farrell, Chiu

2nd and 4th Thursday  
10:00 AM

**Land Use and Economic Development Committee**  
Supervisors Mar, Cohen, Wiener

Monday  
1:00 PM

**Public Safety Committee**  
Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday  
10:30 AM

**Rules Committee**  
Supervisors Kim, Elsbernd, Farrell

1st and 3rd Thursday  
1:30 PM

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

**Members Present:** John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:14 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 20, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

#### 110903 [Administrative Code - Nonprofit Annual Economic Statement]

Ordinance amending the San Francisco Administrative Code Section 10.1 to allow Nonprofits receiving City funding to provide and update information directly to City Departments as an alternative to filing annual economic statements with the City Administrator. (City Administrator)

**Ordinance No. 213-11**

**FINALLY PASSED**

**111051 [Accept and Expend Grant - Electric Vehicle Charging Station Program and Amendment to the Annual Salary Ordinance for FY2011-2012 - \$100,000]****Sponsor: Mayor**

Ordinance authorizing the Department of the Environment to accept and expend funds in the amount of \$100,000 from Coulomb Technologies, Inc., to provide administrative and outreach services for a program to install electric vehicle charging stations in multiple-dwelling units and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant funded position at the Department of the Environment.

**Ordinance No. 214-11****FINALLY PASSED****Recommendation of the Land Use and Economic Development Committee****111068 [Street Artist Spaces - Grant Avenue, O'Farrell to Sutter Streets]**

Resolution approving re-designation of 22 selling spaces on Grant Avenue, O'Farrell to Sutter Streets, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulation of Police Code Section 2405(c)(8)(2) prohibiting selling adjacent to a yellow zone. (Arts Commission)

**Resolution No. 454-11****ADOPTED****Recommendation of the Public Safety Committee****110348 [Health Code - Biological Agent Detector Registration and Fees]****Sponsor: Chiu**

Ordinance amending the San Francisco Health Code by adding Article 35 to create a registration scheme, fees, and other requirements for Biological Agent Detectors.

**Ordinance No. 211-11****FINALLY PASSED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Severed from the Consent Agenda**

*Supervisor Chu requested that File No. 110968 be severed so that it may be considered separately.*

**Recommendation of the Land Use and Economic Development Committee****110968 [Changing the Street Name of a Portion of La Playa to Great Highway]****Sponsor: Chu**

Resolution authorizing a street name change on a portion of La Playa Street between Lawton Street and Kirkham Street to "Great Highway" to correct a discrepancy in dual street names and eliminate confusion in delivering public services.

**Resolution No. 453-11****ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**REGULAR AGENDA****UNFINISHED BUSINESS****From the City Operations and Neighborhood Services Committee Without Recommendation****110899 [Administrative Code - False Advertising by Limited Services Pregnancy Centers]****Sponsors: Cohen; Chiu, Wiener, Kim, Chu, Mar, Campos and Avalos**

Ordinance amending the San Francisco Administrative Code by adding Chapter 93, Sections 93.1 through 93.5, to prohibit limited services pregnancy centers from making false or misleading statements to the public about pregnancy-related services the centers offer or perform.

**Ordinance No. 212-11****FINALLY PASSED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

## **Recommendation of the Public Safety Committee**

### **110221** [Administrative Code - Community Policing]

**Sponsors: Campos; Mirkarimi, Cohen, Mar, Avalos, Kim and Chiu**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.83 to: 1) set a policy of community policing in the City and County of San Francisco; 2) define community policing; and 3) urge the Police Commission and Chief of Police to review and as necessary amend the Police Department's policies and procedures for consistency with the community policing policy.

**Ordinance No. 210-11**

**FINALLY PASSED** by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Elsbernd

## **NEW BUSINESS**

## **Recommendations of the Budget and Finance Committee**

### **111048** [Appropriating \$1,000,000 of Mirant Potrero, LLC, Settlement Funds to the Department of Public Health for Neighborhood Improvement and Mitigation in FY2011-2012]

**Sponsor: Cohen**

Ordinance appropriating \$1,000,000 of Mirant Potrero, LLC, settlement funds to the Department of Public Health for neighborhood improvement and mitigation in the neighborhoods most impacted by the Potrero Power Plant in FY2011-2012.

(Fiscal Impact)

**PASSED, ON FIRST READING** by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

### **110372** [Contract Amendment - San Francisco General Hospital - Emergency Electrical Generation System - Not to Exceed \$20,500,000]

Resolution authorizing the Director of Public Works to execute an amendment to the emergency public work contract to install a new, permanent emergency electrical generation system at San Francisco General Hospital to increase the not to exceed amount from \$18,000,000 to \$20,500,000. (Public Works Department)

**Resolution No. 449-11**

**ADOPTED** by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Recommendations of the Government Audit and Oversight Committee****110796 [Board Response to the 2010-2011 Civil Grand Jury Report entitled “Hunters Point Shipyard: A Shifting Landscape”]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled “Hunters Point Shipyard: A Shifting Landscape” and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

**Resolution No. 450-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110816 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled “Log Cabin Ranch Moving Towards Positive Horizons”]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled “Log Cabin Ranch Moving Towards Positive Horizons” and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

**Resolution No. 451-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110908 [Urging the Municipal Transportation Agency to Halt Action on the Transfer of Credit Card Charges to Taxi Cab Drivers]**

**Sponsor: Campos**

Resolution urging the San Francisco Municipal Transportation Agency to reconsider and abandon the decision to shift the burden of credit card merchant charges to the city cab drivers. (Supervisor Farrell dissented in Committee.)

**Resolution No. 452-11**

**ADOPTED by the following vote:**

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

## **From the Government Audit and Oversight Committee Without Recommendation**

### **111030 [Administrative Code - Health Care Security Ordinance]**

**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 3) require employers imposing surcharges to pay for the required expenditures to report certain information to OLSE in connection with the surcharge; 4) add an employee notification requirement; 5) modify penalty provisions; and 6) set an operative date.

**Supervisor Cohen, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to November 1, 2011. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

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

### **110995 [Mission Bay South Blocks 41-43, Phase 2 - Improvements]**

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 41-43, Phase 2, including acquisition facilities on Owens Street and within public utility easements in private streets; 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 Owens Street and improvements for street and roadway purposes; establishing street grades and sidewalk widths on Owens Street; 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 Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

### **110996 [Mission Bay Park Block P16 - Improvements]**

Ordinance dedicating City property and portions of State Trust Parcels 4 and 5, known as Mission Bay Park Block P16, lying along Third Street, Mission Bay Boulevard North, and Mission Bay Boulevard South for public use and naming the new park "Mission Bay Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; 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 a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

*Supervisor Elsbernd was noted absent at 3:41 p.m. and noted present at 4:11 p.m.*

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

### Privilege of the Floor

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

#### *RESTAURANT APPRECIATION MONTH*

*Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support as referenced below:*

*Supervisor Mar recognized Namu; and  
Supervisor Farrell recognized A16; and  
Supervisor Chiu recognized Il Cane Rosso; and  
Supervisor Chu recognized Outerlands Cafe; and  
Supervisor Mirkarimi recognized Villa Romana; and  
Supervisor Kim recognized Tin; and  
Supervisor Campos recognized Mission Pie; and  
Supervisor Wiener recognized Café XO; and  
Supervisor Cohen recognized Poquito; and  
Supervisor Avalos recognized Yama Sushi; and  
Jason Elliott, representing on behalf of Mayor Lee, recognized Limon Rotisserie.*

*Luke O'Brien, President, Small Business Commission, shared in these recognitions.*



## SPECIAL ORDER 4:00 P.M.

*Supervisor Mirkarimi was noted absent at 5:44 p.m. for the remainder of the meeting.*

### **110950 [Conditional Use Appeal - 4141 Geary Boulevard/450 - 6th Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 28, 2011, Conditional Use Authorization identified as Planning Case No. 2010.0951C, by its Motion No. 18415, under Planning Code Sections 209.6(b) and 303, to install a wireless telecommunications facility consisting of nine panel antennas and related equipment on an existing mechanical penthouse on the roof of a five-story publicly used structure (Kaiser Hospital) as part of Verizon's wireless telecommunications network within the RM-1 (Mixed, Low Density) and NC-3 (Neighborhood Commercial, Moderate Scale) Zoning Districts, and a 80-E Height and Bulk District, on property located at 4141 Geary Boulevard/450 - 6th Avenue, Assessor's Block No. 1539, Lot No. 003. (District 1) (Filed by Sandra Fen Ng on behalf of the San Francisco Tomorrow and subscribed by Supervisors Mar, Avalos, Chiu, Kim, and Mirkarimi.) (Filed August 29, 2011; Companion Measure to File Nos. 110951, 110952, and 11953.)

*The President inquired as to whether any member of the public wished to address the Board. Jacquelyn Coe (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Female Speaker; Emanuel Garza; Laura Albert; Sofia; Debra Regano; M.J.; Genevieve Ewan; Elaine Moe; Thelma Moorhead; Amy O'Hare; Jennifer Clary; Doug Longherd; Mandy Sullivan; Female Speaker; Male Speaker; Male Speaker; Jacquelyn Lurch; Emily Reed; Matthew Yang; Gene; Female Speaker; Female Speaker; Yen; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Paul Albritton (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Mark Leach; Ron Lee; Gwen Eaton; Seth; Male Speaker; Jose Ricardo; Anne Yuen; Alan Yuen; Nathan Williams; Russ Bentson; spoke in support of the project and in opposition to the appeal. Doug Longherd (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING**

### **110951 [Approving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to November 1, 2011. The motion carried by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener  
Absent: 1 - Mirkarimi

**110952 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]**

Motion disapproving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to November 1, 2011. The motion carried by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener  
Absent: 1 - Mirkarimi

**110953 [Preparation of Findings Related to the Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue.

**Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to November 1, 2011. The motion carried by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener  
Absent: 1 - Mirkarimi

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.*  
*James Chaffee; expressed concerns relating to the SF Public Library.*  
*Male Speaker; spoke expressing support for OccupySF.*  
*Sean Simmons; spoke expressing support for OccupySF.*  
*Walter Paulson; shared in song certain concerns with the Board.*  
*Jeremy Miller; expressed concerns relating to recent arrest of Fly Benzo.*  
*Tracey Bell-Borden; expressed concerns relating to recent arrest of Fly Benzo.*  
*Barbara Banks; expressed concerns relating to recent arrest of Fly Benzo.*  
*Eugene Gordon, Jr.; expressed various concerns.*  
*Brian McCuen; spoke expressing support for OccupySF.*  
*John DiDonna; shared in poem certain concerns with the Board.*  
*Male Speaker; expressed various religious concerns.*  
*Female Speaker; expressed concerns relating to processed foods and support for proposed legislation.*  
*Peter Warfield; expressed concerns relating to the SF Public Library.*  
*Ray Hartz; expressed various concerns.*  
*Male Speaker; spoke expressing support for OccupySF.*  
*Tom Gilbert; expressed concerns relating to noise pollution.*  
*Male Speaker; expressed concerns relating to healthcare.*  
*Larry Felson; expressed concerns relating to recent arrest of Fly Benzo.*  
*Robin Cropp; expressed concerns relating to STD's.*  
*Male Speaker; expressed various concerns.*  
*Dave Schneider; expressed concerns relating to City pride.*  
*Female Speaker; expressed various concerns.*  
*Ruach Graffis; expressed concerns relating to healthcare for taxi cab drivers.*  
*Francisco Da Costa; expressed various concerns.*  
*Ace Washington; expressed various concerns.*  
*Otto Duffy; expressed concerns relating to homelessness.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **111117 [Approval of the Ryan White HIV Emergency Relief Grant Program Application]**

**Sponsors: Mayor; Wiener**

Resolution authorizing the San Francisco Department of Public Health to submit an application to continue to receive funding for the "HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A)" Grant from the Health Resources Services Administration, requesting \$36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area from March 1, 2012, through February 28, 2013.

**Resolution No. 457-11**

**ADOPTED**

### **111118 [Food Day - October 24, 2011]**

**Sponsors: Chiu; Mar and Mirkarimi**

Resolution supporting the efforts of Food Day on October 24, 2011, in the City and County of San Francisco.

**Resolution No. 455-11**

**ADOPTED**

**111120 [Approval of a 30-Day Extension for Planning Commission Review of Rezoning of 312 Connecticut Street (File No. 110845)]****Sponsor: Cohen**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110845) amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Resolution No. 456-11****ADOPTED****111121 [Urging the Planning Commission to Initiate and Consider Amendments to the General Plan Concerning the SFMOMA Expansion/Fire Station Relocation and Housing Project]****Sponsor: Kim**

Resolution urging the Planning Commission to initiate and consider amendments to Map 2 of the Community Facilities Element of the San Francisco General Plan as part of the SFMOMA Expansion/Fire Station Relocation and Housing Project (676 Howard Street and 935 Folsom Street).

**Resolution No. 458-11****ADOPTED****111119 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2011, Consolidated Municipal Election]****Sponsor: Chiu**

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2011, Consolidated Municipal Election.

**Motion No. M11-154****APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Mirkarimi

**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Elsbernd requested that File No. 111122 be severed so that it may be considered separately.*

**111122 [Urging Preference to Certified Organic Food Vendors]****Sponsors: Mar; Campos and Avalos**

Resolution urging the City and County of San Francisco to give preference to certified organic food vendors and to urge the federal government to label and test genetically engineered foods, as well as to assign liability to the commercial developers of genetically engineered technology.

**REFERRED to the Public Safety Committee**

Supervisor Chiu requested that File No. 111124 be severed so that it may be considered separately.

### **111124 [2012 Board of Supervisors Regular Meeting Schedule]**

Motion establishing the 2012 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 3, January 17, February 21, May 29, October 9, November 13, and November 27; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 1 through August 31, and December 12 through December 31. (Clerk of the Board)

**Supervisor Avalos, seconded by Supervisor Cohen, moved that this Motion be AMENDED on Page 1, Line 5, by adding 'July 3,' before 'October 9'; and on Line 23, by adding 'July 3 (Fourth of July);' before 'October 9'. The motion carried by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Mirkarimi

**Motion No. M11-155**

**APPROVED AS AMENDED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Mirkarimi

## **IMPERATIVE AGENDA**

*There were no items.*

## **LEGISLATION INTRODUCED AT ROLL CALL**

### **Introduced by a Supervisor or the Mayor**

### **Ordinances**

#### **111160 [Business and Tax Regulations Code - Revisions to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]**

**Sponsor: Kim**

Ordinance amending the San Francisco Business and Tax Regulations Code Section 906.3-1 to clarify how members of the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area shall be appointed for their initial terms.

10/25/11; RECEIVED AND ASSIGNED to Rules Committee.

#### **111161 [Administrative Code - Study of Crime Lab Services]**

**Sponsor: Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Section 1.60, to require the Controller to study and report on providing crime lab services for the City.

10/25/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 11/24/2011.

**111162 [Appropriating \$3,448,827 of State Revenue Loss Reserves and Federal Revenues for Adult Day Health Centers at the Human Services Agency - FY2011-2012]****Sponsors: Mayor; Kim, Chiu, Mirkarimi and Mar**

Ordinance appropriating \$3,370,001 of State revenue loss reserves and \$78,826 of Adult Protective Services federal match revenues to provide one-time bridge funding to Adult Day Health Centers, through the Human Services Agency, in order to mitigate state cuts in FY2011-2012. (Fiscal Impact)

10/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111108 [Street Vacation Portion of 19th Street Adjacent to Mission Dolores Park]****Sponsor: Wiener**

Ordinance: 1) ordering the vacation of a portion of 19th Street located in Mission Dolores Park and at the western intersection of 19th and Dolores Streets adjacent to Mission Dolores Park; 2) approving the jurisdictional transfer of such portions of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 4) authorizing official acts in connection with this Ordinance.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/25/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**Resolutions****110931 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Continuity Reports Reviewing the State of Prior Recommendations"]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Continuity Reports Reviewing the State of Prior Recommendations. (Clerk of the Board)

07/14/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**111163 [Balboa Park Station Community Advisory Committee]****Sponsor: Avalos**

Resolution establishing the Balboa Park Station Community Advisory Committee for providing input and community oversight relating to area improvements and renovations.

10/25/11; RECEIVED AND ASSIGNED to Rules Committee.

**111164 [Supporting the Occupy Wall Street Protest Movement and the People's Right to Peaceful Assembly]****Sponsors: Avalos; Campos, Kim and Mar**

Resolution supporting the Occupy Wall Street Protest Movement and urging Mayor Lee to uphold people's right to peaceful assembly and collaborate with OccupySF to ensure the safety of the protestors, their supporters, and the greater public in the City and County of San Francisco.

10/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**111165 [Supporting Regulated and Safe Patient Access to Medical Cannabis]****Sponsors: Campos; Mar, Avalos, Chiu, Mirkarimi, Kim and Wiener**

Resolution supporting regulated and safe patient access to medical cannabis in the City and County of San Francisco.

10/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**111166 [Accept and Expend Grant - Health Impact Assessment for Healthy Sustainable Development - \$167,061]****Sponsors: Campos; Mar**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Centers for Disease Control and Prevention, in the amount of \$167,061, to fund the Health Impact Assessment for Healthy Sustainable Development for the period September 1, 2011, through August 31, 2012, and waiving indirect costs.

10/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111167 [Agreement - Eastern Neighborhoods Rental Incentive Option - 720 and 740 Illinois Street and 2121 Third Street]****Sponsor: Cohen**

Resolution approving an agreement and authorizing the Director of Planning to execute the agreement on behalf of the City and County of San Francisco in order to implement the Eastern Neighborhoods Rental Incentive option under San Francisco Planning Code Section 419.5(b) for the residential development proposed at 720 and 740 Illinois Street and 2121 Third Street (Lot Nos. 002 & 006 in Assessor's Block No. 4045).

10/25/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**111168 [Accept and Expend Grant - Prevention Training Center Clinical Training Program - \$96,121]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$96,121 from the University of California, San Francisco, to fund the Prevention Training Center Clinical Training Program for the period of April 1, 2012, through March 31, 2013.

10/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111132 [Ground Lease - Redevelopment Agency Land - 474 Natoma Street]****Sponsor: Kim**

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 474 Natoma, Assessor's Block No. 3725, Lot No. 101, to 474 Natoma, LLC, a California limited liability company, an affiliate of BRIDGE Housing Corporation, a California nonprofit public benefit corporation, for 75 years, with an option to extend for 24 years, for the purpose of providing housing for very low-income households.

10/25/11; RECEIVED AND ASSIGNED to Board of Supervisors.



**111106 [Street Vacation - Portion of 19th Street Adjacent to and in Mission Dolores Park]****Sponsor: Wiener**

Resolution declaring the intention of the Board of Supervisors to vacate a portion of 19th Street located in Mission Dolores Park and at the western intersection of 19th and Dolores Streets adjacent to Mission Dolores Park; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/25/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**Motions****111114 [Committee of the Whole - Ground Lease Agreement - 25 Essex Street, Commonly Known as Rene Cazenave Apartments - November 8, 2011]****Sponsor: Kim**

Motion scheduling the Board to sit as a Committee of the Whole on November 8, 2011, at 3 p.m., to hold a public hearing on the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 25 Essex Street, Assessor's Parcel No. 064-3749, commonly known as Rene Cazenave Apartments to 25 Essex, L.P., a California limited partnership, consistent with the provisions of the California Community Redevelopment Law Section 33433.

10/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111169 [Adopting Findings Reversing the General Rule Exclusion Determination - 1171 Sansome Street]**

Motion adopting findings reversing the Planning Department's determination that a project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review through a general rule exclusion. (Clerk of the Board)

10/25/11; ASSIGNED to Board of Supervisors.

**Requests for Hearing****111115 [Hearing - Ground Lease - Redevelopment Agency Land - 25 Essex Street, Commonly Known as Rene Cazenave Apartments]**

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 25 Essex Street, Assessor's Block No. 3749, Lot No. 064, southeast corner of Folsom and Essex Streets, commonly known as Rene Cazenave Apartments, in the Transbay Redevelopment Project Area, to 25 Essex L.P., a California limited partnership, for 75 years for the purpose of developing housing for very low-income formerly homeless residents.

10/18/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.



**111170 [Hearing - Municipal Transportation Agency FY2010-2011 Work Orders Review]**

**Sponsor: Campos**

Hearing on the Controller/City Services Auditor's Review of San Francisco Municipal Transportation Agency FY2010-2011 Work Orders.

10/25/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**111171 [Hearing - Potrero/Potrero Annex and Terrace Project Rebuild Status]**

**Sponsor: Cohen**

Hearing on the status of the rebuild Potrero/Potrero Annex and Terrace Project.

10/25/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**111131 [Public Hearing - Ground Lease - Redevelopment Agency Land - 474 Natoma Street]**

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 474 Natoma, Assessor's Block No. 3725, Lot No. 101, to 474 Natoma, LLC, a California limited liability company, an affiliate of BRIDGE Housing Corporation, a California nonprofit public benefit corporation, for 75 years, with an option to extend for 24 years, for the purpose of providing housing for very low-income households.

10/17/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**110930 [Hearing - 2010-2011 Civil Grand Jury Report - Continuity Reports]**

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Continuity Reports Reviewing the State of Prior Recommendations. (Clerk of the Board)

07/14/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/17/11; RESPONSE RECEIVED.

08/18/11; RESPONSE RECEIVED.

08/29/11; RESPONSE RECEIVED.

08/31/11; RESPONSE RECEIVED.

09/07/11; RESPONSE RECEIVED.

09/09/11; RESPONSE RECEIVED.

09/19/11; RESPONSE RECEIVED.

**Introduced by the President at the Request of a Department**

**PROPOSED ORDINANCE**

**111096 [Contract Amendment - Western Area Power Administration - Electric Services - Not to Exceed \$15,950,888]**

Ordinance approving the second amendment to the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of the San Francisco Administrative Code Section 21.19 which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of the San Francisco Administrative Code Section 21.35 which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission) (Fiscal Impact)

10/14/11; RECEIVED FROM DEPARTMENT.

10/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*San Francisco Bay Guardian*

*Northwest and Southwest corners of Fillmore and Post*

*Southwest corner of Divisadero and Sutter*

*Northwest corner of Hayes and Fillmore*

*Southeast corner of Fillmore and Haight*

*Southwest corner of Cole and Waller*

*Southwest corner of Divisadero and Haight*

*Southeast corner of Stanyan and Parnassus*

*Southwest corner of 5th and Irving*

*Southwest corner of Stanyan and Carl*

*Southwest corner of Stanyan and Frederick*

*2435 California*

*Northwest corner of Haight and Pierce*

*San Francisco Chronicle*

*Northwest corner of Fillmore and Hayes*

*Southeast corner of Haight and Fillmore*

*783 Haight*

*Northwest corner of Page and Octavia*

*Southeast corner of Laguna and Page*

*Southeast corner of Stanyan and Waller*

*Southeast corner of Buena Vista West and Haight*

*Southeast corner of Divisadero and Haight*

*Southwest corner of Haight and Clayton*

*Southeast corner of Haight and Masonic*

*San Francisco Examiner*

*Northwest corner of Fillmore and Hayes*

*Southeast corner of Haight and Fillmore*

*Southwest corner of Divisadero and Haight*

*Northwest corner of Haight and Pierce*

*Northeast corner of 4th and Irving*

*SF Weekly*

*Southeast corner of Masonic and Haight*

*Southeast corner of Haight and Fillmore*

*Northwest corner of Page and Octavia*

*Southeast corner of Laguna and Page*

*Northeast corner of Scott and Haight*

*Southwest corner of Stanyan and Parnassus*

*Southwest corner of Stanyan and Carl*

*Southwest corner of California and Fillmore*

*Northwest corner of Pierce and Haight*

*Advertiser*

*533 Parnassus*

*Common Ground*  
*Southeast corner of Parnassus and Stanyan*

*Real Estate Times*  
*Southeast corner of Stanyan and Parnassus*  
*Southwest corner of Stanyan and Carl*

*UC Berkeley Extension*  
*1899 Fillmore*

*Rental Guide.Com*  
*Southeast corner of Stanyan and Parnassus*

*Jobs and Careers*  
*707 Parnassus*

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

*Garbage Cans*  
*Northeast corner of Baker and Haight*  
*Approximately 1000 Haight*  
*Northwest corner of 2nd and Irving*  
*Northeast corner of Carl and Arguello*  
*Southwest corner of Stanyan and Carl*  
*Top of Sunset Tunnel Park, at Clayton*  
*Northeast corner of Willard and Frederick*  
*Northwest corner of Willard and Frederick*  
*1050 McAllister*

*Mailboxes*  
*Northwest corner of Page and Octavia*  
*Northeast corner of Baker and Haight*  
*Northeast corner of Scott and Haight*  
*Southwest corner of Eddy and Steiner*  
*Northeast corner of Stanyan and Rivoli*  
*Southeast corner of Frederick and Stanyan*

*Fire Hydrants*  
*1138 Clayton*  
*52 Carl*

*Public Wall*  
*Opposite of 1860 Geary*

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

*Utility Boxes*  
*Southeast corner of Octavia and Ivy*  
*Southeast corner of Oak and Octavia*  
*Southeast corner of 5th and Irving*  
*Southwest corner of 4th and Irving*

Southeast corner of Frederick and Clayton  
Southeast corner of Geary and Webster  
Northeast corner of Scott and Waller

*Bus Shelters*

Approximately 210 Haight  
Southeast corner of Buena Vista West and Haight  
Northeast corner of Baker and Haight  
904 Haight  
Northwest corner of Fillmore and Fell  
Southeast corner of Fillmore and McAllister  
Northeast corner of Fillmore and Hayes  
Southeast corner of McAllister and Webster  
Northeast corner of Pierce and Hayes  
Northeast corner of Webster and Geary  
50 Irving  
Opposite of 30 Irving

*Emergency Boxes*

Northeast corner of Lyon and Haight  
Approximately 1000 Haight  
Northeast corner of 3rd and Irving

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

*Metal Poles*

319 Ivy  
Approximately 210 Haight  
Approximately 230 Haight  
Approximately 250 Haight  
Near northwest exit to Kezar Stadium, on Kezar Drive  
Northwest corner of Buchanan and Haight  
125 Beulah  
Northwest corner of Cole and Beulah  
1485 Waller  
1486 Waller  
Southeast corner of Buena Vista West and Haight  
1054 Haight  
1007 Haight  
Approximately 1000 Haight  
967 Haight  
840 Haight  
909 Haight  
Northeast corner of Broderick and Haight  
937 Haight  
930 Haight  
924 Haight  
1451 Shrader  
4966 17th Street  
Approximately 116 Rivoli  
Northwest corner of Belvedere and Alma  
Opposite 126 Grattan  
144 Parnassus  
1030 Shrader

1103 Shrader  
1336 Willard  
300 Irving  
Northeast corner of Carl and Arguello  
1175 Steiner

Wood Poles  
Northwest corner of Lyon and Haight  
184 Carl

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

Residential and Commercial Buildings  
801 Shrader, on north side  
1081 Haight  
1035 Haight  
799 Haight, on Scott Street side  
501 Fillmore  
1007 Haight  
1143 Cole, on south side  
1103 Cole, on north side  
Opposite 50 Irving  
Opposite 30 Irving  
1550 Steiner  
931 Steiner

Public Restroom  
Northwest corner of Stanyan and Waller

Billboard  
1710 Market (sidewalk structure)

From: Supervisor Chiu  
To: City Attorney  
Requesting/Inquiring: Requesting the City Attorney to draft legislation that would provide contract bid preferences to certified B Corporations.

## **In Memoriams**

Diane DeLange - Supervisor Cohen  
Ina Gavin - Supervisor Elsbernd

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:03 p.m.*

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

*Approved by the Board of Supervisors on December 6, 2011.*

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Angela Calvillo, Clerk of the Board