

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.  
Goodlett Place  
San Francisco, CA 94102-4689*

## MEETING MINUTES

Tuesday, August 18, 2009 2:00 PM

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

### Regular Meeting

*DAVID CHIU, PRESIDENT*

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

##### **Budget and Finance Committee**

Supervisors Avalos, Mirkarimi, Chu

##### **City and School District Select Committee**

Supervisors Elsbernd, Dufty, Avalos, Commissioners 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  
11:00 AM

1st and 3rd Thursday  
10:00 AM

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

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Dufty was noted absent. There was a quorum.*

### Supervisor Dufty Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to excuse Supervisor Dufty from voting. The motion carried by the following vote:

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

## APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of July 21, 2009, and July 28, 2009. The motion carried by the following vote:

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

## COMMUNICATIONS

*President Chiu announced the Board of Supervisors will be in recess beginning August 19, 2009. The next Regular Board Meeting of the Board of Supervisors is scheduled for September 15, 2009. There were no further announcements.*

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

*President Chiu inquired if the Mayor would make an appearance before the Board of Supervisors. The Mayor's Liaison to the Board of Supervisors, Starr Terrell, indicated the Mayor would not be present.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

090546 [Appropriating \$119,800,000 of proceeds from debt for wastewater system improvements at the Public Utilities Commission for FY 2009-2010 and 2010-2011]

Mayor

Ordinance appropriating \$119,800,000 of proceeds from debt revenue for the Wastewater Enterprises' Interim Capital Improvement Program and the Sewer System Master Plan Biosolids/Digester and Channel Tunnel Projects at the San Francisco Public Utilities Commission for FY 2009-2010 and 2010-2011 and placing \$78,800,000 on Controller's reserve pending the sale of bonds.

(Fiscal Impact.)

Ordinance No. 201-09

FINALLY PASSED

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

090634 [Accept and Expend Federal Grant - Airport Commission - \$203,000]

Supervisor Elsbernd

Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$203,000 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

Resolution No. 350-09

ADOPTED

090635 [Accept and Expend Federal Grant - Airport Commission - \$350,500]

Supervisor Elsbernd

Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$350,500 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

Resolution No. 351-09

ADOPTED

**090932 [Accept and Expend Grant - HIV Testing and Counseling in STD Clinics - \$122,160]  
Supervisor Campos**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the University of Miami in the amount of \$122,160 to perform a randomized clinical trial comparing the relative efficacy and cost-effectiveness of two HIV testing strategies; for the period of September 30, 2009, through September 29, 2011.

**Resolution No.** 352-09

**ADOPTED**

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

**090554 [Building Code - Registration of Vacant/Abandoned Buildings; Maintenance and Security Requirements; Annual Fee and Penalties for Violation]  
Supervisors Chiu, Dufty, Mar, Avalos**

Ordinance amending the San Francisco Building Code by adding Section 103A.4 to require the owner of a vacant or abandoned building to register the building with the Department of Building Inspection, require the owner to maintain the grounds and the exterior and interior of the building secured and in good condition, and provide that a property in violation of the requirements is a public nuisance; and by amending Section 110, Table 1A-J to establish an annual registration fee; adopting environmental and other findings.

*Supervisor Avalos requested to be added as a co-sponsor.*

**Ordinance No.** 194-09

**FINALLY PASSED**

**090889 [Regulations for Mortgage Modification Consultants]  
Supervisors Campos, Maxwell, Mirkarimi, Dufty, Chiu, Chu, Mar, Avalos**

Ordinance amending the San Francisco Police Code by adding Article 27 to regulate mortgage modification consultants by: (1) requiring a written contract describing mortgage modification services to be provided prior to initiation of services; (2) requiring that any contract entered into for these services provide notice that the contract may be cancelled within fourteen calendar days and that services may be obtained free of charge from nonprofit sources; (3) prohibiting collection of fees until the consultant has obtained a written loan modification offer for the homeowner; and (4) providing for enforcement by criminal penalties and a private cause of action for homeowners, and making environmental findings.

**Ordinance No.** 203-09

**FINALLY PASSED**

**Recommendations of the Rules Committee****090219 [Amendment to post-employment restrictions]  
Supervisor Elsbernd**

Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to extend the one-year restriction on communicating with one's former department to employees and officers who have transferred departments within the City, and to provide that an employee or officer may not be employed by a party to a City contract within one year after the contract date if the employee or officer participated personally and substantially in the award of the contract.

**PASSED, ON FIRST READING**

**090461 [Providing members of the public with access to language services]  
Supervisors Chiu, Daly, Chu, Campos, Mar, Avalos, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding new Sections 91.1, 91.8, 91.11, 91.14, 91.18; amending Sections 91.2, 91.3, 91.4, 91.6; amending Section 91.8 and renumbering Section 91.8 as 91.9; amending Section 91.9 and renumbering Section 91.9 as 91.10; amending Section 91.11 and renumbering Section 91.11 as 91.13; amending Section 91.12 and renumbering Section 91.12 as 91.15; amending Section 91.14 and renumbering Section 91.14 as 91.17; renumbering Sections 91.10 as 91.12 and 91.13 as 91.16 to rename the Equal Access Ordinance to Language Access Ordinance and add findings; to develop language services protocols in crisis situations, to amend the contents required in departmental Annual Compliance Plans; to create reporting requirements, to create and outline the Office of Civic Engagement and Immigrant Affairs' responsibilities; to clarify the Ordinance intent to promote the general welfare of the public; to require all City departments to comply with the minimal requirements set forth in this Ordinance; to expand the number of City departments that must comply with the Ordinance in its entirety; to require all City departments to inform Limited English Speaking Persons of their rights under the Ordinance; to require all City Boards, City Commissions, and City Departments to translate meeting minutes; and to amend the compliant procedures.

*Supervisor Mirkarimi requested to be added as a co-sponsor.*

**Ordinance No. 202-09**

**FINALLY PASSED**

**090878 [Settlement of Lawsuits - John Tennison and Antoine Goff totaling \$7,500,000]**

Ordinance authorizing settlement of the lawsuits filed by John Tennison and Antoine Goff against the City and County of San Francisco for the total amount of \$7,500,000. The John Tennison lawsuit was filed on February 11, 2004, in the United States District Court for the Northern District of California, Case No. C04-0574 CW; entitled John Tennison, et al., v. City and County of San Francisco, et al. and will be settled by the payment of \$4,600,000. The Antoine Goff lawsuit was filed on April 27, 2004, in the United States District Court for the Northern District of California, Case No. C04-1643 CW; entitled Antoine Goff, et al., v. City and County of San Francisco, et al. and will be settled by the payment of \$2,900,000. (City Attorney)

**Ordinance No. 199-09**

**FINALLY PASSED**

**090896 [Settlement of Lawsuit - John Williams - \$27,000]**

Ordinance authorizing settlement of the lawsuit filed by John Williams against the City and County of San Francisco for \$27,000; the lawsuit was filed on September 5, 2008, in San Francisco Superior Court, Case No. 479-512; entitled John Williams v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No.** 195-09

**FINALLY PASSED**

**090897 [Settlement of Lawsuit - Benson Chen - \$75,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Benson Chen against the City and County of San Francisco for \$75,000; the lawsuit was filed on November 2, 2007, in San Francisco Superior Court, Case No. 468791; entitled Benson Chen v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No.** 196-09

**FINALLY PASSED**

**090898 [Settlement of Lawsuit - Yue Kong Kam - \$102,327.06]**

Ordinance authorizing settlement of the lawsuit filed by Yue Kong Kam against the City and County of San Francisco for \$102,327.06; the lawsuit was filed on June 19, 2008, in San Francisco Superior Court, Case No. 476-544; entitled Yue Kong Kam, et al. v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No.** 197-09

**FINALLY PASSED**

**090899 [Settlement of Lawsuits - United States of America - \$7,000,000]**

Ordinance authorizing settlement of the two lawsuits filed by the United States of America against the City and County of San Francisco for \$7,000,000; the two lawsuits were filed on August 22, 2005, and September 6, 2007, in the United States District Court for the Eastern District of California, Case No. 2:05 CV 01693 entitled United States of America v. City and County of San Francisco, et al. and Case No. 1:07 CV 01300 entitled United States of America v. City and County of San Francisco, et al. and appropriating \$7,000,000 of fund balance from the Hetch Hetchy Fund for this purpose. (City Attorney)

**Ordinance No.** 200-09

**FINALLY PASSED**

**090120 [Appointments, Community Oversight Committee Regarding Enforcement of Marijuana Offenses - Gregory Ledbetter, Catherine Smith and Michael Barbitta]**

Motion appointing Gregory Ledbetter, Catherine Smith and Michael Barbitta, terms ending January 1, 2011, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Gregory Ledbetter, seat 1, succeeding Mira Ingram, term expired, must be a medical cannabis patient, for the unexpired portion of a two-year term ending January 1, 2011.

Catherine Smith, seat 3, succeeding herself, term expired, must be representative of a medical cannabis dispensary operating in San Francisco, for the unexpired portion of a two-year term ending January 1, 2011.

Michael Barbitta, seat 5, succeeding Patt Denning, resigned, must be a harm reduction practitioner, for the unexpired portion of a two-year term ending January 1, 2011.

**Motion No.** M09-142

**APPROVED**

**090953 [Appointments, Commission of Animal and Welfare - Philip Gerrie, Pam Hemphill, Sally Stephens and Andrea Brooks]**

Motion appointing Philip Gerrie, Pam Hemphill, Sally Stephens and Andrea Brooks, terms ending April 30, 2011, to the Commission of Animal Control and Welfare.

Philip Gerrie, seat 3, succeeding himself, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2011.

Pam Hemphill, seat 4, succeeding herself, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2011.

Sally Stephens, seat 5, succeeding herself, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2011.

Andrea Brooks, seat 6, succeeding herself, term expired, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2011.

**Motion No.** M09-143

**APPROVED**

**090954 [Appointments, Immigrant Rights Commission - Lorena Melgarejo, Felix Fuentes and Ana Perez]**

Motion appointing Lorena Melgarejo, Felix Fuentes and Ana Perez, residency requirement waived, terms ending June 6, 2011, to the Immigrant Rights Commission.

Lorena Melgarejo, seat 6, succeeding Rael Silva, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

Felix Fuentes, seat 8, succeeding himself, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

Ana Perez (residency requirement waived), seat 10, succeeding herself, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.

**Motion No.** M09-144

**APPROVED**

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

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

Excused: 1 - Duffy

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Land Use and Economic Development Committee Without Recommendation

**090575 [Hunters View - Street Vacation Order]**

Ordinance ordering the vacation of portions of Fairfax Avenue and West Point Road and various public service easements; making environmental findings and findings of consistency with the City's General Plan and the priority policies of Planning Code Section 101.1; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including AT&T, Pacific Gas and Electric Company, and the City; reserving temporary private access easement to adjacent owner; accepting Department of Public Works Order No. 178,144; and authorizing official acts in connection with this Ordinance. (Public Works Department)

**Ordinance No.** 192-09

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Daly

Excused: 1 - Duffy

### From the Rules Committee Without Recommendation

**090895 [Settlement of Lawsuit - Linda Caratti - \$80,000]**

Ordinance authorizing settlement of the lawsuit filed by Linda Caratti against the City and County of San Francisco for \$80,000; the lawsuit was filed on August 28, 2008, in San Francisco Superior Court, Case No. 479214; entitled Linda Caratti, v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and San Francisco Zoological Society agree to a mutual release of claims for indemnification. (City Attorney)

**Ordinance No.** 198-09

**FINALLY PASSED** by the following vote:

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

Noes: 1 - Daly

Excused: 1 - Duffy



## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

- 090964 [Appropriating \$194,279,046 to fund construction of the Public Utilities Commission's Headquarters Building at 525 Golden Gate Avenue for FY 2009-2010, and adopting environmental findings]  
Mayor, Supervisor Duffy

Ordinance appropriating \$194,279,046 including \$167,670,000 in Certificates of Participation and \$26,609,046 in Hetch Hetchy unappropriated fund balance to fund construction of the new Public Utilities Commission headquarters building at 525 Golden Gate Avenue for the Public Utilities Commission in Fiscal Year 2009-2010 and placing \$167,670,000 on Controller's reserve pending the sale of Certificates of Participation, and adopting environmental findings.

(Fiscal Impact.)

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

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

- 090985 [Setting San Francisco FY 2009-2010 property tax rate and establishing a pass-through rate for residential tenants]  
Supervisor Avalos

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2010.

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

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

- 090986 [Setting San Francisco Community College District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]  
Supervisor Avalos

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2010.

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

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

- 090987 [Setting San Francisco Unified School District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]**  
**Supervisor Avalos**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2010.

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

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

- 090988 [Setting San Francisco Bay Area Rapid Transit District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]**  
**Supervisor Avalos**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2010.

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

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

- 090918 [Grant and Cooperative Agreement with Metropolitan Transportation Commission not to exceed \$29,150,000]**

Resolution authorizing the San Francisco Municipal Transportation Agency to enter into a Grant and Cooperative Agreement with the Metropolitan Transportation Commission to procure, through existing TransLink® contracts, new SFMTA TransLink®-only fare collection equipment and related support services, for an amount not to exceed \$29,150,000, to help complete the rollout of the regional TransLink® smartcard system. (Municipal Transportation Agency)

(Fiscal Impact.)

**Resolution No. 355-09**

**ADOPTED by the following vote:**

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

- 090965 [Certificates of Participation for 525 Golden Gate Avenue]**  
**Mayor, Supervisor Dufty**

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco Certificates of Participation and authorizing the preparation, execution and delivery of a final official statement; delegating to the Director of Public Finance the authority to sell the certificates by either a competitive or negotiated sale; authorizing the reimbursement of prior expenditures; ratifying the approvals and terms and conditions of a previous resolution; and related matters.

**Resolution No. 356-09**

**ADOPTED by the following vote:**

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

**090907 [Contract to rehabilitate 16 Presidential Conference Committee historic streetcars]  
Supervisor Chiu**

Resolution authorizing the Municipal Transportation Agency to enter into a contract with Brookville Equipment Corporation to rehabilitate 16 Presidential Conference Committee historic streetcars for an amount not to exceed \$18,712,576 and a term not to exceed five years.

(Fiscal Impact.)

*Supervisor Avalos indicated amendments to the contract included in File No. 090907.*

**Resolution No. 357-09**

**ADOPTED by the following vote:**

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

**090969 [Lease purchase financing for the acquisition of replacement emergency back-up electric generators for San Francisco General Hospital not to exceed \$25,000,000]  
Mayor**

Resolution authorizing the Executive Administrator of the San Francisco General Hospital to obtain lease purchase financing in an amount not to exceed \$25,000,000 for the acquisition of replacement emergency back-up electric generators for San Francisco General Hospital; approving the form of a lease purchase financing agreement between San Francisco General Hospital and a lender named therein, and approving and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

**Resolution No. 360-09**

**ADOPTED by the following vote:**

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

**090994 [Certificates of Participation for multiple capital improvement projects]  
Mayor**

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation and authorizing the preparation, execution and delivery of a final official statement; delegating to the Director of Public Finance the authority to sell the certificates by either a competitive or negotiated sale; ratifying the approvals and terms and conditions of a previous resolution; declaring the official intent of the City and County of San Francisco to reimburse itself from the proceeds of future bonded indebtedness for purposes of complying with the Internal Revenue Code of 1986, as amended; and related matters.

**Resolution No. 342-09**

**ADOPTED by the following vote:**

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

**Recommendation of the City Operations and Neighborhood Services Committee****090940 [Jewish Home of San Francisco Psychiatric Facilities - Designation Agreement]  
Mayor, Supervisors Dufty, Mirkarimi**

Resolution designating Jewish Home of San Francisco as an Evaluation and Treatment Facility for individuals 75 years and older; and authorizing the Director for Community Behavioral Health Services to enter into a Designation Agreement with said facility.

*Supervisor Mirkarimi requested to be added as a co-sponsor.*

**Resolution No.** 359-09

**ADOPTED by the following vote:**

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

**From the City Operations and Neighborhood Services Committee Without Recommendation****090888 [Calling on San Francisco Municipal Transportation Agency to calm traffic on Addison Street]  
Supervisor Dufty**

Resolution calling on the San Francisco Municipal Transportation Agency to install speed humps or speed cushions on Addison Street.

*Continued to September 15, 2009.*

**Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED. The motion carried by the following vote:**

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

**Recommendations of the Land Use and Economic Development Committee****090933 [Unpermitted Subsidewalk Encroachment into Public Right-of-Way]  
Supervisors Chiu, Elsbernd**

Ordinance amending Article 15 of the San Francisco Public Works Code by adding Section 723.3, establishing that an unpermitted subsidewalk encroachment into the public right-of-way along the Central Subway Corridor constitutes a public nuisance.

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

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

**090934 [Public Works Code - Appellate body for minor sidewalk encroachments]  
Supervisors Chiu, Elsbernd**

Ordinance amending Public Works Code Section 723.2 to change the appellate body for Minor Sidewalk Encroachment Permits for subsidewalk encroachments from the Board of Appeals to the Board of Supervisors.

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

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

**Supervisor Daly Excused from Voting**

Supervisor Mirkarimi, seconded by Supervisor Chu, moved to excuse Supervisor Daly from voting on File No. 090866. The motion carried by the following vote:

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

090866 [Traffic Regulation - Closure of McCoppin Street west of Valencia Street to vehicular traffic]  
Supervisor Mirkarimi

Resolution closing McCoppin Street west of Valencia Street to vehicular traffic; adopting findings, including environmental and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1; and authorizing official acts in connection with the street closure.

Resolution No. 353-09

ADOPTED by the following vote:

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

**Recommendation of the Rules Committee**

**Supervisor Mar Excused from Voting**

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisor Mar from voting on File No. 090952. The motion carried by the following vote:

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

090952 [Appointment, California State Association of Counties - Supervisor Eric Mar]

Motion appointing Supervisor Eric Mar, term ending November 28, 2009, to the California State Association of Counties.

Supervisor Eric Mar, seat 1, succeeding Jake McGoldrick, term expired, must be a Member of the Board of Supervisors, for the unexpired portion of a one-year term ending November 28, 2009.

Motion No. M09-145

APPROVED by the following vote:

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

**091022 [Appointment, Immigrants Rights Commission - Toye Moses]**

Motion appointing Toye Moses, term ending June 6, 2011, to the Immigrant Rights Commission.

Toye Moses, seat 11, succeeding himself, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have demonstrated knowledge of , and interest in health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2011.  
(Supervisor Daly dissented in Committee.)

**Motion No.** M09-146

**APPROVED by the following vote:**

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

Noes: 1 - Daly

Excused: 1 - Duffy

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

### **Privilege of the Floor**

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

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

Excused: 1 - Duffy

*Supervisor Mirkarimi introduced, welcomed, and presented Certificates of Honor to the 'SF Rebels' basketball team in recognition of their abilities, skills and talents as follows:*

*Players: Darryl Cooper, Teandre Hubbard, Deend Parker, Demaree Hampton, Arthur Fodor, Wesley Hanspard, Vincent Bastidas, Ivan Dorsey, Garrett Moon, Byron Jones, Kevin Brown, Stephen Powell, Gione Edwards, Kemari Mitchell, Jeremy Jetton, Adam Del Castillo, Jamarea Biggins, Patrick Dungo, Muawattia Mabrey, Gary Moore, Kyani Harris, Galen Hall, Lavander Moore, and Hamp Banks.*

*Coaches: Nate Ford, Deon Otis, Randy Besslo, Guy Hudson, and Howard Smith.*

*President Chiu, on behalf of the Board of Supervisors, recognized the Mayor's Budget Director, Nani Coloretti, for her service to the City and County of San Francisco and wished her well upon her departure to become the Deputy Assistant Secretary to the U.S. Treasurer.*

**SPECIAL ORDER 4:00 P.M.****090875 [Public Hearing - Conditional Use Appeal for 1960-1998 Market Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17894 dated June 4, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2006.1431ECV), pursuant to Planning Code Sections 121.1, 228, 303, and 731.11 to allow the demolition of a service station and the development of a mixed use building (with up to 115 residential units over ground-floor commercial space and partially subterranean garage for 69 independently accessible off-street parking spaces: 58 - residential; 5 - commercial; and 6 - car-share) on a development lot over 9,999 square feet within the Market & Octavia Plan Area, an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District, on property located at 1960-1998 Market Street, Lot Nos. 005, 006, & 007 in Assessor's Block 0872. (Appellant: Stephen M. Williams)

(Filed 7/6/09; Companion measure to Files 090923, 090924, 090925; District 8.)

*The President inquired as to whether any member of the public wished to address the Board relating to the continuance. Melissa Ann Cassandra; spoke expressing various concerns. There were no other speakers. The President declared public comment relating to the continuance closed.*

*Continued to September 15, 2009.*

**Supervisor Maxwell, seconded by Supervisor Mar, moved that this Hearing be CONTINUED. The motion carried by the following vote:**

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

**090923 [Approving Planning Commission decision related to Conditional Use Appeal for 1960-1998 Market Street]**

Motion approving decision of the Planning Commission by its Motion No. 17894, approving Conditional Use Application 2006.1431ECV on property located at 1960-1998 Market Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

*Continued to September 15, 2009.*

**Supervisor Maxwell, seconded by Supervisor Mar, moved that this Motion be CONTINUED. The motion carried by the following vote:**

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

**090924 [Disapproving Planning Commission decision related to Conditional Use Appeal for 1960-1998 Market Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 17894, approving Conditional Use Application 2006.1431ECV on property located at 1960-1998 Market Street. (Clerk of the Board)

*Continued to September 15, 2009.*

**Supervisor Maxwell, seconded by Supervisor Mar, moved that this Motion be CONTINUED. The motion carried by the following vote:**

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

**090925 [Preparation of findings related to the Conditional Use Appeal for 1960-1998 Market Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2006.1431ECV on property located at 1960-1998 Market Street, for action by the Board at its next meeting. (Clerk of the Board)

*Continued to September 15, 2009.*

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

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

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

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

*Abdullah Megaheed; expressed various concerns in Arabic and English.*

*Male Speaker; expressed various concerns.*

*Richard McRee; expressed concerns relating to technology, inventions and patents.*

*Female Speaker; expressed support for the Mexican Museum project.*

*Male Speaker; expressed support for the Mexican Museum project.*

*Neil Lawrence; expressed concerns relating to SFMTA and cancelled meetings.*

*Walter Paulson; shared in song certain concerns with the Board.*

*Sam Priest; expressed support for the Mexican Museum project.*

*Deanna Oliva; expressed support for the Mexican Museum project.*

*Angela Chan; expressed support for youth immigration legislation.*

*Nancy Cross; expressed concerns relating to law libraries.*

*Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.*

*Victor Marquez; expressed support for the Mexican Museum project.*

*Nora Wagner; expressed support for the Mexican Museum project.*

*Steven Carrera; expressed support for the Mexican Museum project.*

*Nicki Solis; expressed support for the Mexican Museum project.*

*Ron Stickle; expressed support for youth immigration legislation.*

*Male Speaker; expressed various religious concerns.*

*Edmond Juicy; expressed various concerns.*

*Cathy Williams; expressed support for youth immigration legislation.*

*Barbara Lopez; expressed support for youth immigration legislation.*



## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**091017 [Supporting the Children's Defense Fund Health Coverage for All Children Campaign]  
Supervisor Alioto-Pier**

Resolution supporting the Children's Defense Fund's Health Coverage for All Children Campaign.

**Resolution No. 358-09**

**ADOPTED**

**091018 [FY 2009-2010 California Constitution Appropriations Limit]  
Supervisor Avalos**

Resolution establishing the appropriations limit for FY 2009-2010 pursuant to California Constitution Article XIII B.

**Resolution No. 361-09**

**ADOPTED**

**091019 [Reaffirming the Board of Supervisors' support for the expeditious completion of the Mexican Museum Project at the Yerba Buena Garden site]  
Supervisors Campos, Alioto-Pier, Avalos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi**

Resolution reaffirming the Board of Supervisors' support for the Mexican Museum project, and calling upon all parties, including the San Francisco Redevelopment Agency, Millennium Partners, the San Francisco Arts Commission, and Fort Mason to support the expeditious completion of the project, including helping the Mexican Museum retain its lease with Fort Mason concurrent with and through the development, construction and actualization of the Mexican Museum project at the Yerba Buena Garden site.

**Resolution No. 354-09**

**ADOPTED**

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

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

Excused: 1 - Dufty

## IMPERATIVE AGENDA

*There were none.*

## OFF-AGENDA LEGISLATION

### Ordinances

- 091029 [Appropriating \$2,800,000 for Healthy Kids from State Children's Health Insurance Program revenues and General Fund Reserve for the Public Health Department for FY 2009-2010]  
Supervisor Alioto-Pier**

Ordinance appropriating \$2,800,000, including \$1,810,000 from State Children's Health Insurance Program revenues and \$990,000 from the General Fund Reserve, to fund the San Francisco Healthy Kids Program in the Department of Public Health for FY 2009-2010.

(Fiscal Impact.)

8/18/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 091030 [Planning - Formula retail uses - requiring appointment of community liaisons]  
Supervisor Alioto-Pier**

Ordinance amending Planning Code Section 303(i) to require applicants for new formula retail uses to appoint community liaisons to respond to community concerns during construction and store operation.

8/18/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/17/2009.

- 091031 [Police Department Command Staff]  
Supervisors Campos, Alioto-Pier, Avalos, Chiu, Daly, Mar, Maxwell, Mirkarimi**

Ordinance amending the Administrative Code to authorize the Chief of Police to select for appointment to non-civil service ranks above the rank of Captain any sworn law enforcement officer with supervisory experience, either with the San Francisco Police Department or with any local, state or federal agency that employs sworn law enforcement officers.

8/18/09, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/17/2009.

- 091032 [Confidentiality of juveniles' immigration status]  
Supervisors Campos, Avalos, Chiu, Dufty, Mar, Maxwell, Mirkarimi, Daly**

Ordinance amending the San Francisco Administrative Code by amending Sections 12H.2, 12H.2-1, and 12H.3 to allow City law enforcement officers and employees to report information regarding the immigration status of a juvenile to any state or federal agency when the juvenile has been adjudicated to be a ward of the court on the ground of felony conduct, the court makes a finding of probable cause after the District Attorney directly files felony criminal charges against the minor, or the juvenile court determines that the minor is unfit to be tried in juvenile court and the superior court makes a finding of probable cause; and to update references to the federal agency responsible for enforcing federal immigration laws.

8/18/09, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 9/17/2009.

**091033 [Building Code - Unsafe building, printing, and reproduction fees]**  
**Mayor**

Ordinance amending the Building Code Section 102A.3 to assess a monthly monitoring fee for specified unsafe buildings; Table 1A-D concerning inspector fees; Table 1A-K concerning violation monitoring fees; and Table 1A-L concerning printing and document reproduction fees; and adopting environmental findings. 8/18/09, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 9/17/2009.

**091036 [Zoning - Third Street and Le Conte Avenue Affordable Housing Special Use District]**  
**Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.42 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. 8/18/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/17/2009.

**091038 [Planning Code - Demolition and Replacement of Sound Housing]**  
**Supervisors Mirkarimi, Avalos, Daly, Mar, Campos**

Ordinance amending the Planning Code by amending Section 317 to require the Planning Commission make certain findings when approving demolition of Residential Buildings that require Mandatory Discretionary Review and to require replacement of sound housing with units of like affordability; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

8/18/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/17/2009.

**091037 [Settlement of Lawsuit and Disputes and Agreement to Close the Potrero Power Plant - \$1,100,000]**  
**Supervisors Maxwell, Chiu, Alioto-Pier**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on April 27, 2009, in San Francisco Superior Court, Case No, CGC 09-487-795; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C., which settlement provides for, among other things, permanent closure of the entire Potrero Power Plant when it is no longer needed for electric reliability, payment by Mirant of \$1,100,000 to the City, the City's agreement to stay enforcement of the UMB Ordinance for the unoccupied unreinforced masonry buildings located at the Potrero Power Plant site pending a new site reuse plan so long as Mirant maintains the buildings in a safe manner, Mirant's agreement to restrict future uses of the site to prohibit fossil fuel generation after the Plant is shut down, and the City's agreement to priority processing of a future application for entitlements for a proposed site reuse plan.

8/18/09, RECEIVED AND ASSIGNED to Rules Committee.

**091039 [Prohibiting onychectomy (declawing) and tendonectomy procedures on cats]  
Supervisor Mirkarimi**

Ordinance amending the San Francisco Health Code by adding Section 45 to prohibit onychectomy (declawing) and tendonectomy procedures on cats except when necessary for a therapeutic purpose.  
8/18/09, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/17/2009.

**Resolutions**

**091035 [Accept and Expend Federal Grant Funds - Airport - \$11,000,000]  
Mayor, Supervisor Elsbernd**

Resolution authorizing the Airport to accept and expend a grant in the amount of \$11,000,000 from the Federal Aviation Administration for additional American Recovery and Reinvestment Act funds to enhance airfield safety projects.

8/18/09, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**091040 [Chinese Exclusion Act of 1882]  
Mayor, Supervisors Chiu, Chu, Mar**

Resolution acknowledging the regrettable role that San Francisco has played in advancing the policies of the Chinese Exclusion Act of 1882, the first federal law to discriminate against a specific group solely on the basis of race or nationality, and celebrating the significant contributions of the Chinese-American community.

8/18/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091041 [Need for multilingual 2010 Census advance letter]  
Supervisor Chiu**

Resolution calling for an inclusive and multilingual advance letter in the 2010 Census.

8/18/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091042 [Accept and Expend State Grants - Department of Public Health - \$11,855.40]  
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively three grants totaling \$11,855.40, from the California Department of Food and Agriculture; for the period of July 1, 2009, through June 30, 2010.

8/18/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091043 [Accept and Expend Grant - Department of Public Health - \$15,055]  
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$15,055 from the Public Health Foundation Enterprises, to support a research project entitled "Viral Load Study;" for the period of April 1, 2009, through March 31, 2010.

8/18/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091044 [Supporting the passage of the Senate Constitutional Amendment 21]  
Supervisor Campos**

Resolution supporting the passage of Senate Constitutional Amendment 21 relating to the autonomy of the University of California.

8/18/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**091045 [Requesting suspension of conversion of natural fields to artificial surfaces - Recreation and Park Department]  
Supervisor Mirkarimi**

Resolution requesting that the Recreation and Park Department temporarily suspend the program of converting natural turf playing fields to artificial surfaces pending release of a report by the California Office of Environmental Health Hazard Assessment on the health and environmental impacts of synthetic turf fields.

8/18/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 09/04/09 - Referred to the Youth Commission.

**091046 [Requesting Caltrans to participate in San Francisco Workforce Development Programs]  
Supervisor Mirkarimi**

Resolution requesting Caltrans and its contractors and subcontractors to actively participate in San Francisco Workforce Development Programs when hiring for projects to be constructed within the City and County of San Francisco.

8/19/09, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Motion**

**091034 [Extending the term of the Joint City and School District Committee for one year]  
Supervisor Elsbernd**

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

8/18/09, RECEIVED AND ASSIGNED to Rules Committee.

**Hearing****091028 [San Francisco Police Department's intervention system implementation]  
Supervisor Campos**

Hearing to discuss the status of the San Francisco Police Department's implementation of its early intervention system.

8/18/09, RECEIVED AND ASSIGNED to Public Safety Committee.

**PROPOSED ORDINANCES****091008 [Settlement of Grievance - Elina Sulimov - \$130,000]**

Ordinance authorizing settlement of the lawsuit filed by Elina Sulimov against the City and County of San Francisco for \$130,000; the lawsuit was filed on December 26, 2008, Case No. 478007; entitled Elina Sulimov, v. City and County of San Francisco. (City Attorney)

8/7/09, RECEIVED AND ASSIGNED to Rules Committee.

**091020 [Discretionary Review - Planning Department Fees]**

Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to provide that a request for discretionary review will be heard by the Planning Commission or its designee if the application demonstrates exceptional and ordinary circumstances as defined, to replace the term Residential Design Guidelines with the term Residential Design Standards, and to repeal the ability of a project sponsor to request discretionary review; amending Sections 352 and 355 to allow for collection and refund of fees associated with Planning Department Reconsideration; adopting environmental and Section 302 findings. (Planning Department)

8/12/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/11/2009.

**PROPOSED RESOLUTIONS****090955 [Settlement of Administrative Enforcement Action]**

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$115,000.

8/4/09, RECEIVED AND ASSIGNED to Rules Committee.

**090981 [Street Encroachment at 1230-1240 Twin Peaks Boulevard]**

Resolution granting revocable permission to Michael Chung to occupy, excavate and regrade an existing unimproved portion of the public right-of-way to construct and maintain private concrete driveways with retaining walls, walkways and steps with accommodations for drainage and new landscaping to provide pedestrian and vehicular access to two (2) new single family dwellings at 1230-1240 Twin Peaks Boulevard (Block 2821, Lots 022 & 021), conditioned upon the payment of an annual assessment fee, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

8/6/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 091005 [Settlement of Unlitigated Claim - Rajitha Sangha - \$30,000]**  
Resolution approving the settlement of unlitigated claim of Rajitha Sangha against the City and County of San Francisco for \$30,000; claim was filed on July 7, 2008. (City Attorney)  
8/7/09, RECEIVED AND ASSIGNED to Rules Committee.
- 091006 [Settlement of Unlitigated Claim - Ferry Building Associates - \$107,798.50]**  
Resolution approving the settlement of the unlitigated claim filed by Ferry Building Associates against the City and County of San Francisco for \$107,798.50; claim was filed on January 26, 2009. (City Attorney)  
8/7/09, RECEIVED AND ASSIGNED to Rules Committee.
- 091007 [Airport Concession Lease]**  
Resolution approving the Terminal 3 Concourse Specialty Store Lease to Air Sun, a joint venture between Sunglass Hut Trading, LLC and Corliss Stone-Littles, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)  
8/10/09, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 091009 [Settlement of Unlitigated Claim - Rose Dennis - \$90,670.20]**  
Resolution approving settlement of the unlitigated claim submitted by Rose Dennis against the City and County of San Francisco for \$90,670.20; claim was submitted on April 2, 2009. (City Attorney)  
8/7/09, RECEIVED AND ASSIGNED to Rules Committee.

**Requests Granted**

*From: Supervisor Mirkarimi*

*To: City Attorney*

*Requesting/Inquiring: To draft amendments to the Planning Code to extend requirements for creating active, attractive, and pedestrian-oriented ground-floor street frontages for new and renovated buildings currently contemplated in NC-T zonings to all NC districts as well as commercial (C), and residential-commercial combined (RC) districts, which are dense, mixed-use, and transit-oriented.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: To report on the status of repairing potholes on Eddy Street between Pierce and Steiner, north side, road uneven and potholes.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: To report on the status of removing graffiti from the following locations:*

*Garbage Cans*

*Southeast corner of Eddy and Gough*

*Northwest corner of Baker and Fell*

*Northeast corner of Cole and Haight*

*Southeast corner of Buena Vista West and Haight*

*Northwest corner of Grove and Fillmore*

*Mailboxes*

*Southeast corner of Golden Gate and Scott*

*Southeast corner of Buchanan and Hayes*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: To report on the status of removing graffiti from utility poles from the following locations:*

*Metal Poles*

*Northeast corner of Eddy and Fillmore*

*Northeast corner of Grove and Gough*

*Wood Poles*

*In front of 477 Grove*

*In front of 500 Fillmore*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: To report on the status of removing graffiti from the public property located at the following locations:*

*Utility Boxes*

*Southwest corner of Turk and Scott*

*Southeast corner of Fell and Broderick*

*Northeast corner of Grove and Gough*



*Bus Shelters*

- Northeast corner of Masonic and Turk*
- Southeast corner of Stanyan and Haight*
- Southeast corner of Buena Vista West and Haight*
- Southeast corner of Pierce and Haight*
- Southeast corner of Buchanan and Haight*
- Fillmore and Haight (all 4 bus stops, graffiti and grime)*

*Emergency Boxes*

- Northeast corner of Sutter and Octavia*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: To report on the status of removing graffiti at the following private property locations:*

- 620 Ashbury*
- 634 Ashbury*
- 745 Buchanan*
- 542 Haight*
- 633 Haight*
- 799 Haight*
- 1002 Scott*
- 1689 Fulton*
- 1174 Fell*
- 501 Divisadero (Fell Street side)*
- 1558 Fell*
- 638 Stanyan*
- 1649 Haight*
- 1578 Haight*
- 1615 Clayton*
- 1569 Haight*
- 1468 Haight*
- 1428 Haight*
- 1368 Haight*
- 1305 Haight*
- 1299 Haight*
- 909 Haight*
- 904 Haight*
- 498 Haight*
- 122 Webster*
- 399 Haight*
- 1619 Laguna*
- 501 Fillmore*
- 598 Page*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: To report on the status of removing graffiti from newsstands at the following locations:*

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

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

*San Francisco Examiner*  
Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore

*San Francisco Daily*  
Northwest corner of Hayes and Gough

*San Francisco Star*  
Northwest corner of Hayes and Gough  
Southeast corner of Fillmore and Haight

*San Francisco Weekly*  
Southeast corner of Masonic and Haight  
Southeast corner of Haight and Fillmore

### **In Memoriams**

*Burl A. Toler, Sr. - Entire Board*  
*Markley Edward LaPointe - Supervisors Chiu and Elsbernd*  
*Lita Quario - Supervisor Daly*  
*Kenneth R. Shimmons - Supervisor Dufty*  
*Daiithi Donnelly - Supervisor Elsbernd*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 4:11 p.m.*

*Angela Calvillo, Clerk of the Board*

*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 September 22, 2009.*



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Angela Calvillo  
Clerk of the Board