



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, December 14, 2010 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Avalos, Mirkarimi, Elsbernd

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

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

Government Audit and Oversight Committee
Supervisors Mar, Chu, Maxwell

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

Public Safety Committee
Supervisors Chiu, Mirkarimi, Elsbernd

Rules Committee
Supervisors Campos, Alioto-Pier

Meeting Days

Wednesday
11:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
10:30 AM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

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

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

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

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

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

Agenda Item Information

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

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the November 9, 2010, and November 16, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

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

Items 1 through 16

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. [101121](#) **[Accept and Expend Grant - FY2010 Regional Catastrophic Preparedness Grant Program and Amend Annual Salary Ordinance, FY2010-2011 - \$3,570,000]**

Sponsors: Mayor; Alioto-Pier

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program Bay Area Site and as fiscal agent for the Urban Area Security Initiative Approval Authority, to retroactively accept and expend Regional Catastrophic Preparedness Grant Program grant funds in the amount of \$3,570,000 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide \$181,478 as San Francisco's portion of required matching funds; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one grant-funded position (.75 FTE) in Class 5293 Planner IV in the Department of Emergency Management.

Attachments: [Legislation Ver1](#)

[Comm Packet 120110](#)

[Board Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [101122](#) **[Accept and Expend Grant - FY2010 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY2010-2011 - \$34,262,131]**

Sponsors: Mayor; Alioto-Pier

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative grant in the amount of \$34,262,131 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of two grant-funded positions in the Department of Emergency Management, as follows: one position (.75 FTE) in Class 1823 Senior Administrative Analyst and one position (.75 FTE) in Class 1824 Principal Administrative Analyst.

Attachments: [Legislation VER1](#)

[Comm Packet 120110](#)

[Board Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

3. [101313](#) **[Planning Code, Zoning Map - Bayshore Boulevard Home Improvement Special Use District]**
Sponsors: Maxwell; Campos and Dufty
Ordinance amending the San Francisco Planning Code by adding Section 249.65 to establish the Bayshore Boulevard Home Improvement Special Use District for the properties on lots fronting Bayshore Boulevard from Jerrold Avenue south to the 1-280 Freeway, the west side of Loomis Street from Jerrold Avenue south to the 1-280 Freeway, Oakdale Avenue from Loomis Street to Bayshore Boulevard, Marengo Street from Bayshore Boulevard to Waterloo Street and the west side of Boutwell Street from Industrial Street south to the 1-280 Freeway, and also including some lots on Cortland Avenue; amending the Zoning Map of the City and County of San Francisco to rezone the designated blocks and lots from the current M-1 and P/M-1 zoning to PDR-2, P/PDR-2 and the Bayshore Boulevard Home Improvement Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Attachments: [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Comm_Packet_112210](#)
[Legislation_Ver2](#)
[Board_Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [101448](#) **[Installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area - \$80,000]**
Sponsor: Maxwell
Resolution making findings under Section 33445 of the California Health and Safety Code and consenting to the Redevelopment Agency using approximately \$80,000 in designated federal grant monies for the installation of Public Art in the Hunters Point Shipyard Redevelopment Project Area.

Attachments: [Board Packet 121410](#)
[Comm Packet 120610](#)
[Board Packet 121410](#)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Chiu

5. [101485](#) **[Southeast Digester Task Force - Biosolids Digester Facility Project]**
Sponsor: Maxwell
Resolution urging the Public Utilities Commission to incorporate the Southeast Digester Task Force recommendations into the Biosolids Digester Facility Project, to select the preferred site and expedite implementation.

Attachments: [Legislation_Ver1](#)
[Comm_Packet_120610](#)
[Board_Packet_121410](#)

Question: Shall this Resolution be ADOPTED?

6. [101486](#) **[Commending the Community Benefits Program]**
Sponsor: Maxwell
Resolution commending the San Francisco Public Utilities Commission's Community Benefits Program.

Attachments: [Legislation_Ver1](#)
[Comm_Packet_120610](#)
[Board_Packet_121410](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Elsbernd

7. [101190](#) [Police Code - Registration and Other Requirements for Event Promoters]**Sponsors: Chiu; Maxwell**

Ordinance adding Article 15.7 to the San Francisco Police Code, requiring event promoters to register with the Entertainment Commission; prohibiting holders of certain entertainment-related permits, and registered promoters, from retaining an unregistered promoter to hold an event; and authorizing under certain circumstances for certain promoters reporting requirements, increased security plan requirements for events they promote, general liability insurance requirements, a criminal background check requirement, and other requirements.

Attachments: [Legislation VER1](#)

[Legislation VER2](#)

[Comm Packet 111510](#)

[Board Packet 112310](#)

[Legislation VER3](#)

[Legislative Digest Ver3.pdf](#)

[Comm Packet 120610](#)

[Board Packet 120710](#)

11/23/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/23/2010; RE-REFERRED to the Public Safety Committee.

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [101349](#) [Administrative Code - DNA Testing in Sexual Assault Cases]**Sponsors: Alioto-Pier; Chu**

Ordinance implementing the California "Sexual Assault Victims' Bill of Rights" by amending the San Francisco Administrative Code to: (1) add Section 2A.89 to require the Police Department to develop and implement procedures to collect and test DNA samples in sexual assault cases and provide information and notices to victims, require the Police Department to report on DNA collection and testing performance as part of the budget submission, and make it the policy of the City and County of San Francisco to appropriate sufficient funds each fiscal year to ensure timely testing of DNA evidence in sexual assault cases; and (2) add Section 10.100-172 to establish the Police DNA Testing in Sexual Assault Cases Account.

Attachments: [Legislation VER1](#)

[Legislation VER2](#)

[Comm Packet 120610](#)

[Board Packet 120710](#)

[Legislation VER3](#)

12/07/2010; PASSED, ON FIRST READING. Supervisor Chu requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

9. [101443](#) **[Accept and Expend Grant - Three Part-Time Q4 Police Officer III Positions - \$424,107]**

Sponsor: Alioto-Pier

Ordinance authorizing the San Francisco Police Department, on behalf of the City and County of San Francisco, to retroactively accept and expend grant funds in the amount of \$424,107 from the United States Department of Justice/National Institute of Justice "Solving Cold Cases with DNA" Grant Program; and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of three (3) part-time positions (1.50 FTE total) in job classification Q4 Police Officer III in the San Francisco Police Department.

Attachments: [Legislation VER1](#)

[Comm Packet 120610](#)

[Board Packet 120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

10. [101098](#) **[Administrative Code - Electronic Distribution of Multi-Page Documents]**

Sponsors: Mirkarimi; Chiu, Campos and Mar

Ordinance amending the San Francisco Administrative Code by amending Sections 1.56 and 8.12.4, adding Section 8.12.5, and re-numbering Section 8.12-1 as 8.13, to provide for the electronic distribution of documents more than 10 pages long prepared by City departments.

Attachments: [Legislation VER1](#)

[Legislation VER2](#)

[Legislation VER3](#)

[Comm Packet120210](#)

[Legislation VER4](#)

[Board Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. [101191](#) [Administrative Code - Publication Requirements]**Sponsors: Mirkarimi; Campos, Mar and Chiu**

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article XII, Sections 2.96 through 2.100, to define "published" as required by San Francisco Charter Article XVII to: (1) establish requirements for publishing notices; (2) establish standards for and define the "City's Official Website Homepage;" (3) establish procedures for standardizing and defining notice and publication requirements for future proposed ordinances; and (4) authorize the Clerk of the Board of Supervisors to adopt regulations to implement this Article.

Attachments: [Legislation VER1](#)

[Comm Packet110410](#)

[Comm Packet120210](#)

[Legislation VER2](#)

[Board Packet120710](#)

12/07/2010; PASSED, ON FIRST READING. Supervisor Chiu requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

12. [101272](#) [Conflict of Interest Code Amendments]

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by (1) amending Section 3.1-103 to list the officials who must file statements of economic interests and ethics-related forms with the Ethics Commission; (2) amending Section 3.1-107 to clarify the scope of disclosure category 1; (3) amending Sections 3.1-140, 3.1-150, 3.1-155, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-251, 3.1-253, 3.1-267, 3.1-275, 3.1-280, 3.1-312, 3.1-315, 3.1-320, 3.1-335, 3.1-362, 3.1-365, 3.1-390, 3.1-422, 3.1-445, 3.1-450 to update the list of designated employees who must file statements of economic interests; (4) deleting Sections 3.1-210 and 3.1-235 to reflect the current composition of City departments; and (5) adding Section 3.1-510 to identify the local officials who manage public investments. (Clerk of the Board)

Attachments: [Legislation VER1](#)

[Legislation VER2](#)

[Comm Packet111810](#)

[Comm Packet120210](#)

[Board Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. [101381](#) **[Settlement of Lawsuit - Allison Ayer - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by Allison Ayer against the City and County of San Francisco for \$30,000; the lawsuit was filed on January 28, 2010, in San Francisco Superior Court, Case No. CGC-10-496373; entitled Allison Ayer v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation VER1](#)
[Comm Packet120210](#)
[Board Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. [101382](#) **[Settlement of Lawsuit - Charles Haynes - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Charles Haynes against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 23, 2009, in the United States District Court, Northern District of California, Case No. C09-00174 PJH; entitled Charles Haynes, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation VER1](#)
[Comm Packet120210](#)
[Board Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. [101383](#) **[Settlement of Lawsuit - Guillermo Chavez - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by Guillermo Chavez against the City and County of San Francisco for \$30,000; the lawsuit was filed on October 2, 2009, in San Francisco Superior Court, Case No. 439-130; entitled Guillermo Chavez v. City and County of San Francisco, et al.; other material terms of said settlement are: 1) \$10,000 to be paid to the San Francisco Tax Collector's Bureau of Delinquent Revenue to satisfy the medical lien for treatment in this case; 2) \$11,555 to be allocated to attorney's fees and litigation costs; 3) the balance of \$8,445 is to be paid to the Bureau of Delinquent Revenue to pay down money owed by plaintiff to the City for medical treatment unrelated to the injuries in the lawsuit. (City Attorney)

Attachments: [Legislation VER1](#)
[Comm Packet120210](#)
[Board Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. [101458](#) **[Administrative Code - Extending Operation of Voting Systems Task Force]**
Sponsor: Campos

Ordinance amending the San Francisco Administrative Code by amending Sections 5.400 and 5.410 and adding Section 5.415 to extend the operation of the Voting Systems Task Force to June 30, 2011.

- Attachments:** [Legislation_VER1](#)
[Comm_Packet120210](#)
[Board_Packet120710](#)

12/07/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

17. [101125](#) **[Golden Gate Park Music Concourse Garage Refinance]**
Sponsor: Mar

Resolution concurring in the recommendation of the Controller and the Director of the Office of Public Finance that the issuance of not to exceed \$30,000,000 Tax Exempt Bank Qualified Bonds ("Bonds") with First Republic Bank for and on behalf of the Music Concourse Community Partnership, a California nonprofit public benefit corporation, is reasonably prudent; directing the Controller and the Director of the Office of Public Finance to do everything necessary and desirable to provide for the issuance of such Bonds; and providing public approval for the Bonds and the project financed and refinanced thereby for the purposes of Section 147(f) of the Internal Revenue Code.

- Attachments:** [Legislation_Ver1](#)
[Comm_Packet_120110](#)
[Legislation_Ver2](#)
[Board_Packet120710](#)

12/07/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Elsbernd

**18. 101311 [Administrative Code - San Francisco Local Hiring Policy for Construction]
Sponsors: Avalos; Mirkarimi, Campos, Daly and Mar**

Ordinance amending the San Francisco Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Subsection 6.22(G) to: 1) establish a local hiring policy for City public work or improvement projects requiring contractors and their subcontractors to perform certain percentages of project work hours using San Francisco residents and disadvantaged San Francisco residents; 2) making findings in support of the policy; 3) authorizing incentives for contractors and subcontractors who exceed local hiring requirements; 4) mandating assessment of liquidated damages against contractors and subcontractors who fail to meet minimum local hiring requirements; and 5) establishing monitoring, enforcement, and administrative procedures in support of the policy.

(Economic Impact; Fiscal impact.)

- Attachments:** [Legislation ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 120110](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Board Packet120710](#)
[Legislation Ver3](#)
[Leg Digest Ver3](#)
[Board Packet 121410](#)

12/07/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Daly requested to be added as a co-sponsor.

Privilege of the floor was granted to Buck Delventhal (City Attorney's Office) who responded to questions raised throughout the discussion further indicating the amendments made to File No. 101311 were non-substantive.

12/07/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Duffy

19. [101310](#) **[Public Works Code - Regulation of Freestanding Newsracks and Fixed Pedestal Newsracks]**

Sponsor: Alioto-Pier

Ordinance amending the San Francisco Public Works Code by amending Sections 184.2, 184.6, 184.8, and 184.12 thereof, relating to newsracks, to provide for: (1) the use of electronic mail for notices of violations; (2) removal of abandoned newsracks or newsracks maintained in violation of the Public Works Code within 7 calendar days of notice of violation sent by electronic mail; (3) imposition of administrative fines for violations resulting in newsrack seizures; (4) consolidation and/or reduction in size of fixed pedestal newsracks at under-used locations; (5) allocation of space in newsrack boxes on a first-come-first-served basis under certain circumstances; and (6) reduction of the fixed pedestal permit fee from \$60 to \$50.

Attachments: [Legislation VER1](#)

[Legislation VER2](#)

[Comm Packet 112210](#)

[Board Packet120710](#)

12/07/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

20. [100046](#) **[Planning Code, Administrative Code - Amending Inclusionary Housing Ordinance]**

Sponsors: Mayor; Chiu and Campos

Ordinance amending the Planning Code and Administrative Code by amending the Residential Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (formerly Code Section 315 et seq.) (the "Program") to change the name of the Program to the Affordable Inclusionary Affordable Housing Program and to require all project applicants to pay the Affordable Housing Fee unless they are eligible for an alternative; making other amendments to the Program including expanding the uses of the Citywide Affordable Housing Fund, deleting provisions relating to certain requirements for off-site units, and deleting provisions requiring a refund of fees after issuance of certificate of occupancy; amending Sections 416 and 417 to make conforming amendments to the Inclusionary Affordable Housing Program; amending the Van Ness Market Special Use District, Section 249.33, to delete the provision that a project sponsor may only meet up to 50% of the Program's requirements through payment of the fee; amending Section 827 to delete the requirement that 50% of on- or off-site affordable housing units provided under Section 415 et seq. in the Rincon Hill Area Plan be provided as rental; amending the Administrative Code by amending Chapter 56 related to Development Agreements to create certain exceptions from its requirements for rental housing developments with on-site inclusionary units; and making findings including findings under the California Environmental Quality Act.

- Attachments:** [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Response_PLN_012010](#)
[Legislation_Ver2](#)
[Leg_Digest_Ver2](#)
[Response_PLN_040210](#)
[Comm_Packet_100410](#)
[Comm_Packet_101810](#)
[Legislation_Ver3](#)
[Legislation_Ver4](#)
[Leg_Digest_Ver4](#)
[Comm_Packet_102510](#)
[Legislation_Ver5](#)
[Leg_Digest_Ver5](#)
[Board_Packet_110210](#)
[Legislation_Ver6](#)
[Leg_Digest_Ver6](#)
[Comm_Packet_112210](#)
[Legislation_Ver7](#)
[Board_Packet120710](#)
[Legislation_Ver8](#)
[Board_Packet_121410](#)

11/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/02/2010; RE-REFERRED AS AMENDED to the Land Use and Economic Development Committee.

12/07/2010; AMENDED. Supervisor Campos requested to be added as a co-sponsor.

12/07/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. [101094](#) **[Administrative Code - Child Care Centers for City Projects and City-Funded Private Projects]**

Sponsors: Dufty; Alioto-Pier, Chiu, Mar, Maxwell and Campos

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

- Attachments:** [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Response PLN 092010](#)
[Response SBC 092910](#)
[Response PLN 110510](#)
[Comm Packet 112210](#)
[Response Youth 112910](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Board Packet120710](#)
[Legislation Ver3](#)
[Leg Digest Ver3](#)
[Board Packet 121410](#)

12/07/2010; AMENDED. Supervisor Campos requested to be added as a co-sponsor.

12/07/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

22. [101095](#) **[Planning Code - Affordable Housing Program Exemption for Qualified Student Housing]**

Sponsors: Dufty; Campos

Ordinance amending the Residential Inclusionary Affordable Housing Program, Planning Code Sections 415 et seq. to exempt certain Qualified Student Housing Projects, as defined, if the project meets certain requirements; adding corresponding definitions to Section 401; and making findings including environmental findings.

(Economic Impact.)

Attachments: [Legislation_Ver1](#)

[Leg_Digest_Ver1](#)

[Response_PLN_092010](#)

[Comm_Packet_112210](#)

[Legislation_Ver2](#)

[Leg_Digest_Ver2](#)

[Board_Packet120710](#)

[Econ_Impact_120610](#)

[Legislation_Ver3](#)

[Board_Packet_121410](#)

12/07/2010; AMENDED. Supervisor Campos requested to be added as a co-sponsor.

12/07/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Elsbernd

23. [100455](#) [Environment Code - San Francisco Safe Drug Disposal Ordinance]

Sponsor: Mirkarimi

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

(Supervisor Elsbernd dissented in Committee.)

Attachments: [Legislation_VER1](#)

[Response_PLN_051710](#)

[Response_PLN_051710B](#)

[Comm_Packet_101810](#)

[Board_Packet_102610](#)

[Legislation_VER2](#)

[Legislation_VER3](#)

[Board_Packet_112310](#)

[Legislation_VER4](#)

[Board_Packet120710](#)

10/26/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/26/2010; CONTINUED AS AMENDED ON FIRST READING.

11/23/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/23/2010; CONTINUED AS AMENDED ON FIRST READING.

12/07/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

24. [101148](#) [Visitacion Valley Infrastructure Fee Revenue Appropriation - Public Library and Department of Public Works for FY2010-2011- \$2,385,068]

Sponsor: Maxwell

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

(Fiscal Impact.)

Attachments: [Legislation Ver1](#)

[Comm Packet 120810](#)

[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. [101444](#) [Accept and Expend Grant - Chinatown Broadway Streetscape Improvement Design Plan - \$250,000]

Sponsor: Chiu

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

Attachments: [Comm Packet 120810](#)

[Legislation Ver1](#)

[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. [101446](#) **[Accept and Expend Grant - Central Corridor Growth Strategy and Design Plan - \$250,000]**
Sponsor: Mayor
Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of \$250,000 from the California Department of Transportation, Division of Transportation Planning, for the CalTrans Community-Based Transportation Grant for the Central Corridor Growth Strategy and Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.15 FTE), in the Planning Department.

Attachments: [Legislation Ver1](#)
[Comm Packet 120810](#)
[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. [100598](#) **[Real Property Lease - 238 Eddy Street]**
Resolution authorizing the Master Lease of the Windsor Hotel at 238 Eddy Street for the Department of Public Health. (Real Estate Department)

(Fiscal Impact.)

Attachments: [Legislation VER1](#)
[Comm Packet 120810](#)
[Board Packet 121410](#)

Question: Shall this Resolution be ADOPTED?

28. [101346](#) **[Airport Concession Leases - Lori's Diner, Andale, Meyers Holdings, and H. Young Enterprises]**
Resolution approving Amendment No. 1 to Domestic Terminals Food and Beverage Lease No. 03-0178 with Lori's Diner International; No. 03-0179 with Andale Airports; No. 03-0181 with Meyers Holdings, LLC; and No. 03-0188 with H. Young Enterprises, and the City and County of San Francisco, by and through its Airport Commission. (Airport Commission)

Attachments: [Legislation VER1](#)
[Comm Packet 120810](#)
[Board Packet 121410](#)

Question: Shall this Resolution be ADOPTED?

29. [101374](#) **[Purchase Agreement - Subsurface Easements - Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel - \$650]**
Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to obtain two permanent, exclusive, subsurface easements from Cargill, Inc., for the purpose of constructing the San Francisco Public Utilities (SF PUC) Commission Water System Improvement Program-Funded Project No. CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel, for a purchase price of \$650; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Attachments: [Legislation_VER1](#)
[Comm_Packet_120810](#)
[Board_Packet_121410](#)

Question: Shall this Resolution be ADOPTED?

30. [101375](#) **[Construction Management Services Agreement - San Francisco General Hospital Rebuild Program - Not to Exceed \$16,400,000]**
Resolution authorizing the Director of Public Works to execute an amendment to a professional construction management services agreement for the San Francisco General Hospital Rebuild Program from \$8,000,000 to \$16,400,000. (Public Works Department)

(Fiscal Impact.)

Attachments: [Legislation_VER1](#)
[Comm_Packet_120810](#)
[Board_Packet_121410](#)

Question: Shall this Resolution be ADOPTED?

31. [101460](#) **[Airport Concession Lease - Melshire DFW, L.P.]**
Resolution approving the Terminal 2 Specialty Store Lease between Melshire DFW, L.P. dba Natalie's Candy Jar, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Attachments: [Legislation_VER1](#)
[Comm_Packet_120810](#)
[Board_Packet_121410](#)

Question: Shall this Resolution be ADOPTED?

32. [101461](#) **[Contract Amendment - Sunol Valley Regional Construction Management Services - Water System Improvement Program Projects - Not to Exceed \$19,000,000]**

Resolution authorizing an amendment to the San Francisco Public Utilities Commission contract CS- 915R for Sunol Valley Regional Construction Management Services in the amount not to exceed \$3,000,000, for a total agreement not to exceed amount of \$19,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Sunol Valley Region, Alameda County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)

(Fiscal Impact.)

Attachments: [Legislation_VER1](#)

[Comm_Packet_120810](#)

[Board_Packet_121410](#)

Question: Shall this Resolution be ADOPTED?

33. [101462](#) **[Contract Amendment - Peninsula Habitat Restoration Construction Management Services - Water System Improvement Program Projects - Not to Exceed \$26,000,000]**

Resolution authorizing an amendment to the San Francisco Public Utilities Commission Contract No. CS- 916 for Peninsula Regional Construction Management Services in the amount not to exceed \$ 4,000,000, for a total agreement not to exceed amount of \$26,000,000 to fund Construction Management Services for Bioregional Habitat Restoration actions required for various Water System Improvement Program Projects within the Peninsula Region, San Mateo County, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)

(Fiscal Impact.)

Attachments: [Legislation_VER1](#)

[Comm_Packet_120810](#)

[Board_Packet_121410](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

34. [101006](#) **[Administrative Code - Revisions to Local Business Enterprise Ordinance]**
Sponsors: Chu; Chiu

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

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Response Small 091710](#)
[Comm Packet 120610](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. [101007](#) **[Administrative Code - Revising Requirements for Purchasing Goods and Services]**

Sponsors: Chu; Chiu

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

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Response Small 091710](#)
[Comm Packet 120610](#)
[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. [101091](#) **[Planning Code - Notice Requirement for "Other Entertainment Uses" in the Van Ness Avenue Special Use District]**

Sponsors: Alioto-Pier; Chiu

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

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 092010](#)

[Response SBC 120110](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 120610](#)

[Response PLN 120610](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. [101449](#) **[Rehabilitation of Building 813 in the Hunters Point Shipyard Redevelopment Project Area - \$7,258,890]**

Sponsor: Maxwell

Resolution making findings under Section 33445 of the California Health and Safety Code and consenting to the Redevelopment Agency of the City and County of San Francisco's payment of funds in the amount of \$7,258,890 for the pre-development and rehabilitation of Building 813 in the Hunters Point Shipyard Redevelopment Project Area.

Attachments: [Legislation VER1](#)

[Comm Packet 120610](#)

[Board Packet 121410](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

- 38. [101472](#) **[Appointments, SOMA Community Stabilization Fund Community Advisory Committee - Conny Ford, Ada Chan, Allan Manalo, Judith Baker, and Thomas Temprano]**

Motion appointing Conny Ford, Ada Chan, Allan Manalo, Judith Baker, and Thomas Temprano, terms ending April 27, 2011 and April 27, 2012, to the SOMA Community Stabilization Fund Community Advisory Community. (Clerk of the Board)

Attachments: [Comm Packet120210](#)
[Legislation Ver1](#)
[Board Packet 121410](#)

Question: Shall this Motion be APPROVED?

- 39. [101477](#) **[Appointment, Workforce Investment Community Advisory Committee - Sheryl Davis]**

Motion appointing Sheryl Davis, term ending February 19, 2012, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Attachments: [Comm Packet120210](#)
[Legislation Ver1](#)
[Board Packet 121410](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 2:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to Board Rules 2.24 and 5.30.)

- 40. [101540](#) **[Public Hearing - Appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors]**

Hearing of persons interested in or objecting to proposed Motion either approving or rejecting the appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors. (Clerk of the Board)

Attachments: [Board Packet 121410](#)

Action: _____

Committee of the Whole Adjourn and Report

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

41. [101541](#) **[Appointment, Treasure Island Development Authority Board of Directors - Mark Dunlop]**

Motion approving the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012. (Clerk of the Board)

Attachments: [Legislation VER1](#)

[Board Packet 121410](#)

Question: Shall this Motion be APPROVED?

42. [101542](#) **[Appointment, Treasure Island Development Authority Board of Directors - Mark Dunlop]**

Motion rejecting the Mayor's appointment of Mark Dunlop to the Treasure Island Development Authority Board of Directors, for the unexpired portion of a four-year term ending February 26, 2012. (Clerk of the Board)

Attachments: [Legislation VER1](#)

[Board Packet 121410](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 101353, approved November 2, 2010.)

- 43. [101354](#) **[Public Hearing - Resolution to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
 Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

Attachments: [Board Packet 111610](#)

11/16/2010; CONTINUED. The President inquired as to whether any member of the public wished to address the Board relating to the proposed Resolution. Dahlisa Winburn; Female Speaker; Joanne Trackwatson; Dan Weaver; Al Harris; Howard Chung; Henry Cavain; spoke in support of the proposed Resolution. Diane Goodman; Nilka Rose; spoke in opposition to the proposed Resolution. There were no other speakers. The President continued the public hearing open to December 14, 2010.

Action: _____

Committee of the Whole Adjourn and Report

- 44. [101355](#) **[Resolution to Establish the Ocean Avenue Community Benefits District]**
Sponsor: Avalos
 Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

Attachments: [Legislation_VER1](#)
[Board Packet 111610](#)

11/16/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 101434, approved November 7, 2010.)

45. [101440](#) **[Public Hearing - Ground Lease - Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]**

Sponsor: Daly

Hearing of persons interested in or objecting to proposed Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 13, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

Attachments: [Board Packet 121410](#)

Action: _____

Committee of the Whole Adjourn and Report

46. [101437](#) **[Ground Lease - Redevelopment Agency Land at 701 Golden Gate Avenue to Mary Helen Rogers Senior Community, LP]**

Sponsor: Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block No. 768, Lot No. 13, commonly known as 701 Golden Gate Avenue, southwest corner of Golden Gate Avenue and Franklin Street, San Francisco, California in San Francisco's Western Addition neighborhood, to Mary Helen Rogers Senior Community, LP, a California limited liability corporation, for 70 years for the purpose of developing housing for very low-income senior households.

Attachments: [Board Packet 121410](#)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 101465, Item No. 58.)

47. [101466](#) **[Public Hearing - Appointment of a Successor Mayor]**
Sponsor: Daly
Hearing to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Attachments: [Board Packet 112310](#)
[Board Packet120710](#)
[Board Packet 121410](#)

Action: _____

Committee of the Whole Adjourn and Report

48. [101467](#) **[Appointment of a Successor Mayor]**
Sponsor: Daly
Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Attachments: [Legislation VER1](#)
[Board Packet 112310](#)
[Board Packet120710](#)
[Board Packet 121410](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to Board Rule 6.21.)

49. [101534](#) **[Board of Supervisors Seniority]**
Lottery to determine the seniority of the newly elected Members of the Board of Supervisors scheduled for the regularly scheduled Board Meeting of Tuesday, December 14, 2010, at 3:00 p.m., pursuant to Board Rule 6.21. (Clerk of the Board)
Attachments: [Board Packet 121410](#)

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

COMMITTEE REPORTS

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

The following items will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, December 13, 2010, at 10:30 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 14, 2010.

50. [100761](#) **[Environment Code - Restrictions on Pesticide Use]**
Sponsors: Mayor; Alioto-Pier
Ordinance amending the San Francisco Environment Code by amending Sections 300, 301, 302, 303, 304, 305, 306, and 308, adding Section 310, and repealing Section 307, all to strengthen restrictions on the use of pesticides on City property, and making environmental findings.
Attachments: [Legislation_VER1](#)
[Legislation_VER2](#)
[Comm_Packet_121310](#)
[Board_Packet_121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. [101419](#) **[Environment Code - Cell Phones; Retailers' Duty to Disclose Specific Absorption Rate Values]**

Sponsor: Mar

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

Attachments: [Leg Digest Ver1](#)

[Legislation Ver1](#)

[Comm Packet 121310](#)

[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Budget and Finance Committee at a Recessed Meeting on Monday, December 13, 2010, at 1:000 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 14, 2010.

52. [101463](#) **[Settlement of Lawsuit - Lexington Insurance - City to Receive \$2,750,000; Appropriating Settlement Proceeds]**

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

Attachments: [Legislation Ver1](#)

[Comm Packet 120810](#)

[Comm Packet 121310](#)

[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

53. [101259](#) [34th America's Cup Host City Agreement and Finding of Fiscal Feasibility]
Sponsors: Mayor; Chiu, Mirkarimi, Alioto-Pier, Chu, Dufty and Maxwell

Resolution approving a Host City and Venue Agreement among the City, the America's Cup Event Authority and the San Francisco America's Cup Organizing Committee; authorizing the Mayor or his designee and the Port to execute the Host City and Venue Agreement; authorizing and urging the Mayor, Office of Economic and Workforce Development, Port and such other City Officials as appropriate to take such steps and execute such additional agreements as are consistent with the Host City and Venue Agreement and this Resolution to bring the 34th America's Cup to the San Francisco Bay; and finding that the proposed Event is fiscally feasible as set forth in Administrative Code Chapter 29.

(Economic Impact, Fiscal Impact.)

- Attachments:** [Legislation_Ver1](#)
[Legislation_VER2](#)
[Legislation_Ver3](#)
[Comm_Packet_120810](#)
[Response_Port1_120310](#)
[Response_Port2_120310_Location Map](#)
[Response_Port3_120310 Host & Venue Agreement](#)
[Response_Port4_120310 Northern Waterfront Host & Venue Agreement](#)
[Response_OEWD_120310_Fiscal Feasibility Report](#)
[Legislation_Ver4](#)
[Comm_Packet_121310](#)
[Budget_Analyst_121310](#)
[Board_Packet_121410](#)

Question: Shall this Resolution be ADOPTED?

54. [101488](#) [Assessment Ballots for City Parcels to Form the Proposed Civic Center Community Benefit District]

Sponsor: Mayor

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of 11 parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed property and business improvement district to be named the Civic Center Community Benefit District.

- Attachments:** [Legislation_Ver1](#)
[Comm Packet 120810](#)
[Comm Packet 121310](#)
[Board Packet 121410](#)

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, December 13, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 14, 2010.

55. [100041](#) **[Public Works Code, Administrative Code - Personal Wireless Service Facility Site Permits and Associated Fees]**

Sponsors: Avalos; Campos, Mar and Chiu

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

- Attachments:** [Legislation Ver1](#)
[Response PLN 012010](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Legislation Ver3](#)
[Leg Digest Ver3](#)
[Comm Packet 120610](#)
[Legislation Ver4](#)
[Leg Digest Ver4](#)
[Comm Packet 121310](#)
[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

56. [100495](#) **[Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]**

Sponsor: Alioto-Pier

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

- Attachments:** [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Response PLN 050410](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Response PLN 071410](#)
[Budget Analyst 080410](#)
[Legislation Ver3](#)
[Leg Digest Ver3](#)
[Comm Packet 092710](#)
[Comm Packet 102510](#)
[Comm Packet 111510](#)
[Legislation Ver4](#)
[Leg Digest Ver4](#)
[Comm Packet 120610](#)
[Legislation Ver5](#)
[Comm Packet 121310](#)
[Legislation Ver6](#)
[Leg Digest Ver6](#)
[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

57. [101247](#) **[Planning Code - Update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund]**

Sponsor: Maxwell

Ordinance amending the San Francisco Planning Code by amending Sections 420.1 through 420.5 to update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund and to conform the program with other Area Plan fee programs; making conforming changes to Sections 401 (definitions) and 406 (waiver, reduction, or adjustment of development project requirements); and making findings, including environmental findings.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Resposne PLN 100610](#)

[Comm Packet 112210](#)

[Comm Packet 121310](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Board Packet 121410](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

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

PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 58 through 66

58. [101465](#) [Committee of the Whole - Public Hearing to Take Nominations and Appoint a Successor Mayor in the Event of a Vacancy in the Office of the Mayor]

Sponsor: Daly

Motion that the Board of Supervisors convene as a Committee of the Whole on December 14, 2010, at 3:00 p.m., to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Attachments: [Legislation Ver1](#)

[Board Packet 112310](#)

[Legislation Ver2](#)

[Board Packet120710](#)

[Legislation Ver3](#)

[Board Packet 121410](#)

11/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/23/2010; AMENDED.

11/23/2010; CONTINUED AS AMENDED.

12/07/2010; AMENDED.

12/07/2010; CONTINUED AS AMENDED.

Question: Shall this Motion be APPROVED?

59. [101528](#) [Condemning Anti-Italian Remarks at the Planning Commission]

Sponsor: Alioto-Pier

Resolution condemning remarks of Commissioner Hisashi Sugaya that deeply offended members of the Italian-American community, and urging members of City boards and commissions to treat members of the public with respect.

Attachments: [Legislation Ver1](#)

[Board Packet 121410](#)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. [101529](#) **[Supporting the KPFA Morning Show]**
Sponsors: Avalos; Campos, Mar and Mirkarimi
Resolution expressing concern about recent layoffs of the KPFA Morning Show staff and urging Pacific Radio, KPFA's local board, the staff members and their union to find a solution to the current programming crisis.

Attachments: [Legislation_Ver1](#)
[Board Packet 121410](#)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. [101530](#) **[Tax-Exempt Revenue Obligation Bonds - the San Francisco School - Not to Exceed \$5,000,000]**
Sponsor: Campos
Resolution approving the issuance of tax-exempt revenue obligation bonds by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$5,000,000 to finance and refinance various capital facilities owned by the San Francisco School.

Attachments: [Legislation_Ver1](#)
[Board Packet 121410](#)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

62. [101531](#) **[Application for Mortgage Credit Certificates]**
Sponsor: Chu
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Attachments: [Legislation_Ver1](#)
[Board Packet 121410](#)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

63. [101532](#) [Accept and Expend Grant - Daraja Academy Project - \$16,000]

Sponsor: Chu

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$16,000 from the San Francisco Foundation's donor advised "Do a Little Fund" for the Daraja Academy Project. (Arts Commission)

Attachments: [Legislation_Ver1](#)
[Board Packet 121410](#)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. [101533](#) [Accept and Expend Grant - Environment Now - \$10,000]

Sponsor: Mar

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$10,000 from the Altamont Education Advisory Board to support Environment Now, an environmental stewardship and workforce development program. (Environment)

Attachments: [Legislation_Ver1](#)
[Board Packet 121410](#)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

65. [101501](#) [Final Map 5461 - Hunters View]

Motion approving Final Map No. 5461, a 5-lot subdivision for condominium purposes, being a 219 unit residential condominium project; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Hunters View Development Documents. (Public Works Department)

Attachments: [Board Packet 121410](#)
[Legislation_VER1](#)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

66. [101525](#) **[Committee of the Whole - Public Hearing to Establish the Civic Center Community Benefit District]**

Sponsor: Mayor

Motion directing the Board of Supervisors to hold a public hearing on January 4, 2011, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to establish the Civic Center Community Benefit District.

Attachments: [Legislation_VER1](#)

[Board_Packet_121410](#)

12/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

67. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from November 30, 2010, to December 6, 2010, for reference by President to appropriate committee on December 14, 2010.

101502 [Professional Services Agreement - Terminal 2/Boarding Area D Renovations - Not to Exceed \$16,850,000]

Resolution approving Modification No. 5 to the Professional Services Agreement for Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities in the amount of \$1,710,000 for a new total contract amount not to exceed \$16,850,000. (Airport Commission)

Attachments: [Legislation VER1](#)

12/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101503 [Airport Concession Lease - Books, Inc.]

Resolution approving Amendment No. 2 to North Terminal Bookstore Lease No. 00-0176 between Books, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Attachments: [Legislation VER1](#)

12/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101504

[Airport Concession Lease - Museum of Modern Art]

Resolution approving the International Terminal Museum/Gallery Store Lease between San Francisco Museum of Modern Art and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Attachments: [Legislation VER1](#)

12/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101505

[Purchase Agreement - Permanent Access Road Easement - Stanislaus County - \$13,000]

Resolution (1) approving and authorizing an agreement for the purchase of a permanent access road easement totaling 2.16 acres over portions of Assessor's Parcel Numbers 016-002-017, 016-002-018 and 016-002-44 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$13,000; (2) adopting findings under the California Environmental Quality Act; (3) adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and (4) authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

Attachments: [Legislation VER1](#)

12/02/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101506

[Master Lease - Hotel Le Nain at 730 Eddy Street]

Resolution authorizing the Master Lease of the Hotel Le Nain at 730 Eddy Street for the Department of Public Health. (Real Estate Department)

Attachments: [Legislation VER1](#)

12/06/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

101521 [Petitions and Communications]

Petitions and Communications received from November 30, 2010, through December 6, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 14, 2010.

From concerned citizens, submitting support for closing the recycling center next to Kezar Stadium. File No. 101491, 17 letters (1)

From Edwina Smith, submitting support for the Safe Drug Disposal Ordinance. File No. 100455 (2)

From Department of Elections, submitting the November 2, 2010, Consolidated General Election Certification of Election Results. Copy: Each Supervisor (3)

From concerned citizens, submitting support for the recology plan to transport San Francisco's landfill by rail to the Ostrom Road facility in Yuba County. File No. 101225, Copy: Budget and Finance Committee Members and Clerk, 3 letters (4)

From Larry Monast, regarding developers using the Ellis Act to evict tenants in San Francisco. Copy: Each Supervisor (5)

From Tom Scharffenberger, urging the Board of Supervisors to close Sharp Park golf course and restore endangered species habitats. (6)

From Teresa Welborn, submitting copy of letter sent to the SF Apartment Association regarding the Haight Ashbury Neighborhood Council's Recycling Center and Native Plant Nursery. File No. 101491, Copy: Each Supervisor, City Operations and Neighborhood Committee Clerk (7)

From Office of the Controller, submitting its audit report on Crystal Springs Golf Partners lease with the Public Utilities Commission. (8)

From Edward Morris, submitting copy of proposal sent to U.S. Senators McCain and Feinstein to suspend the Passenger Vessel Services Act of 1886. Copy: Budget and Finance Committee Members and Clerk (9)

From Public Utilities Commission, submitting amendments to the "Rules for Water Efficient Irrigation." File No. 101079, Copy: Each Supervisor (10)

From Department of Public Health, submitting the Mental Health Services Act Five Year Report. (11)

From Department on the Status of Women, urging the Board of Supervisors to support the proposed legislation to increase convictions of perpetrators of sexual assault. File No. 101349 (12)

From Andrew Zollman, regarding violations of the California Retail Food Code's prohibition on live animals at the Heart of the City Farmers' Market in U.N. Plaza. (13)

From Office of the Mayor, returning the Healthcare Services Master Plan legislation unsigned. File No. 101057, Copy: Each Supervisor (14)

From Cal Tilden, submitting opposition to an "out of state" contractor/operators entering into an agreement/lease with Stow Lake Boathouse, LLC, for the operation of the Stow Lake Boathouse Concession Management of the Harding Park Golf Course. File No. 101416 (15)

From concerned citizens, submitting opposition to the current proposed Master Plan for St. Luke's Hospital and the new Cathedral Hill Facility. 2 letters (16)

From Emily Murase, submitting support for proposed legislation to amend the Administrative Code by adding Chapter 29B that would likely increase the number of childcare centers in San Francisco. File No. 101094 (17)

From Office of the Mayor, submitting the appointment of Florence Kong to the City Hall Preservation Advisory Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (18)

From Office of the Mayor, submitting the appointments of Karl Hasz, Richard Johns and Andrew Wolfram to the Historic Preservation Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (19)

From Office of the Mayor, submitting the appointment of Leona Bridges to the Municipal Transportation Agency Board of Directors. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (20)

From Office of the Mayor, submitting the appointment of Leslie Katz to the Port Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (21)

From Office of the Mayor, submitting the appointment of Vince Courtney to the Public Utilities Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (22)

From Office of the Mayor, submitting the appointments of Harry Kim and Herb Cohn to the Relocation Appeals Board. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (23)

From San Francisco Tomorrow, submitting support for the recycling center at its present location next to Kezar Stadium. File No. 101491, Copy: Each Supervisor, City Operations and Neighborhood Committee Clerk (24)

From concerned citizens, urging the Board of Supervisors to take action to overturn the sidewalk sitting ban. Approximately 140 letters (25)

From Office of the Controller, submitting its audit report on the Airport Commission's monitoring and billing of airline landing fees and concession tenant rents and fees. Copy: Each Supervisor (26)

ADJOURNMENT