



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 8, 2009 - 2:00 PM

DAVID CHIU, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Avalos, Mirkarimi, Chu

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

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

Government Audit and Oversight Committee
Supervisors Mirkarimi, Mar, Maxwell

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

Public Safety Committee
Supervisors Chiu, Mirkarimi, Alioto-Pier

Rules Committee
Supervisors Campos, Daly, Alioto-Pier

Meeting Days

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

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

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

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

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

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

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

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

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

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

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

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

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

COMMUNICATIONS

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 14

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Chu

1. [091272](#) **[Port Commission Revenue Bond Law]**
Sponsors: Mayor; Chiu
 Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XII, Sections 43.12.1 through 43.12.8, to authorize the issuance of revenue bonds by the Port Commission.
Attachments: [Legislation Ver1](#)
[Board Packet](#)

11/24/2009; PASSED, ON FIRST READING. Supervisor Chiu requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

2. [091274](#) **[Appropriating \$33,395,571 of Port Revenue Bond Proceeds for Pier Repairs and Renovations at the Port of San Francisco for FY 2009-2010]**

Sponsors: Mayor; Chiu

Ordinance appropriating \$33,395,571 of bond revenue for the Port of San Francisco to make repairs and renovations to Piers 35, 33, 19 or 23, 27, and 50 for FY 2009-2010, and placing \$33,395,571 on Controller’s reserve pending sale of bonds.

Attachments: [Legislation_Ver1](#)

[Board_Packet](#)

11/24/2009; PASSED, ON FIRST READING. Supervisor Chiu requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Chu

3. [090679](#) **[Amendment to the John Stewart Company Sublease]**

Resolution approving and authorizing the execution of a Fifth Amendment to Sublease with the John Stewart Company to discontinue Earthquake and Flood Insurance. (Treasure Island Development Authority)

Attachments: [Legislation_VER1.DOC](#)

[comm.packet](#)

[Board_Packet](#)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mirkarimi, Chu

4. [091266](#) **[Prevailing Wages for Workers on Public Works/Improvement Projects, Janitorial Services, Public Off-Street Parking Lots, Garages, or Auto Storage Facilities, Theatrical Services, Moving Services and Hauling Solid Waste]**

Sponsor: Mirkarimi

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

Attachments: [Legislation_Ver1](#)

[comm.packet](#)

[Board_Packet](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Elsbernd

5. [091270](#) **[Accept and Expend Grant - Urban Trails of San Francisco - \$1,000,000]**
Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration in the amount of \$1,000,000 to provide direct services for American Indian/Alaskan Native children and families; for the period of September 30, 2009, through September 29, 2010.

Attachments: [Legislation_Ver1](#)

[Comm Packet](#)

[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

6. [091207](#) **[Extending the Yerba Buena Center Redevelopment Plan]**
Sponsor: Daly

Ordinance approving amendments to the Yerba Buena Center Redevelopment Plan to extend by one year the time limit on the effectiveness of the plan (other than the Emporium Site) and, upon expiration of the Plan, to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan to continue financing Low and Moderate Income Housing Fund activities under the Plan.

Attachments: [Legislation_Ver1](#)

[Legislation_Ver2](#)

[Board Packet](#)

11/24/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

7. [091076](#) **[Settlement of Lawsuit - Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco - \$1,750,000]**
Ordinance authorizing settlement of the lawsuit filed by Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco against the City and County of San Francisco for \$1,750,000; the lawsuit was filed on January 16, 2009, in San Francisco Superior Court, Case No. 484-171; entitled Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)

[Board Packet](#)

11/24/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [091264](#) **[Settlement of Lawsuits - Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox - \$217,000]**
Ordinance authorizing settlement of two lawsuits, which were filed by Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox against the City and County of San Francisco and its employees for a total amount of \$217,000; the first lawsuit was filed on January 14, 2005, in the United States District Court for the Northern District of California, Case No. C05-0280 VRW/WAF, entitled Earnest Henderson, et al., v. City and County of San Francisco, et al.; the second lawsuit was filed on October 18, 2005, in the United States District Court for the Northern District of California, Case No. C05-4220 VRW; entitled Mack Woodfox v. City and County of San Francisco, et al.; the above total settlement amount also includes all claims for costs and attorneys' fees. (City Attorney)

Attachments: [Legislation Ver1](#)

[Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [091265](#) **[Settlement of Lawsuits - Joanne Lozenski, Juanita Stockwell, and Susan Rolovich - \$95,000]**
Ordinance authorizing settlement of the lawsuit filed by Joanne Lozenski, Juanita Stockwell, and Susan Rolovich against the City and County of San Francisco, Alex Fagan, and Rod Nakanishi for \$95,000; the lawsuit was filed on December 14, 2004, in San Francisco Superior Court, Case No. 04-436254; entitled Lozenski, et al., v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)

[Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. **091289** **[Settlement of Lawsuits - David Spears and Sabrina Wigfall - \$97,500]**
Ordinance authorizing settlement of the lawsuits filed by David Spears and Sabrin Wigfall against the City and County of San Francisco and Kyle Adams against the City and County of San Francisco for \$97,500; the lawsuits were filed on February 6, 2004, and August 1, 2008, in the United States District Court for the Northern District of California, Case Nos. 06-cv-04968 VRW and 08-vc-03696 PJH; entitled David Spears and Sabrina Wigfall v. City and County of San Francisco, et al. and Kyle Adams v. City and County of San Francisco, et al. (City Attorney)
Attachments: Board_Packet

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. **091290** **[Settlement of Lawsuit - Lisa Anne Haller - \$230,000]**
Ordinance authorizing settlement of the lawsuit filed by Lisa Anne Haller against the City and County of San Francisco for \$230,000; the lawsuit was filed on March 20, 2007, in San Francisco Superior Court, Case No. 461-498; entitled Lisa Anne Haller, et al. v. City and County of San Francisco, et al. (City Attorney)
Attachments: [Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. **091291** **[Settlement of Lawsuit - City and County of San Francisco - \$1,260,000]**
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against the Design Partnership and Del Campo and Maru, Joint Association of Architects, for (a) \$1,260,000 payable to the City and County of San Francisco and (b) mutual releases; the lawsuit was filed on March 20, 2009, in San Francisco Superior Court, Case No. 09-486423; entitled City and County of San Francisco v. The Design Partnership and Del Campo and Maru, Joint Association of Architects. (City Attorney)
Attachments: [Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. **091318** **[Appointments, Graffiti Advisory Board - Nino Parker, David Crommie and Debbie Shea]**
Motion appointing Nino Parker, David Crommie and Debbie Shea, terms ending April 10, 2011, to the Graffiti Advisory Board.
- Nino Parker, succeeding himself, seat 12, term expired, must represent youth groups who provide services for juveniles involved in alternative programs for graffiti diversion. David Crommie, succeeding Leigh Ann Baughman, seat 13, resigned, must represent nonprofit organizations that provide services related to the City's beautification and neighborhood cleanup programs. Debbie Shea, succeeding Michael Cashion, seat 14, term expired, must represent business that operates in San Francisco and be a property owner.
- Attachments:**
- [Legislation_Ver1](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

14. [091320](#) [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Fernando Marti]

Motion appointing Fernando Marti, term ending October 19, 2011, to the Eastern Neighborhoods Citizens Advisory Committee.

Fernando Marti, succeeding Chris Durazo, seat 5, resigned, must be nominated by District 6 Supervisor and confirmed by the full Board, for the unexpired portion of a two-year term ending October 19, 2011.

Attachments: [Legislation Ver1](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

15. [091202](#) [Appropriating \$1,881,896 to Fund the Restoration of Positions for Two (2) Months in the Department of Public Health for FY 2009-2010]

Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar

Ordinance appropriating \$1,881,896 from the de-appropriation of funds from salaries and fringe benefits in the San Francisco General Hospital Fund to add 85.97 full-time equivalent (FTEs) positions and delete 72.79 FTE positions effective November 16, 2009, through January 16, 2010, and release \$1,881,896 of salaries and fringe benefits placed on Budget and Finance Committee reserve in the Department of Public Health for FY 2009-2010.

Attachments: [Legislation Ver1](#)

[Legislation Ver2](#)

[comm packet](#)

[Legislation Ver3.doc](#)

[Legislation Ver4](#)

[Board Packet](#)

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Campos duplicated File No. 091202 (see File No. 091353).

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

Question: Shall this Ordinance be FINALLY PASSED?

16. [091203](#) **[Public Employment - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Department of Public Health]**

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 85.97 FTEs in various job classes and delete 72.79 FTEs in various job classes for two months (November 16, 2009, through January 16, 2010) in the Department of Public Health.

(Fiscal Impact.)

Attachments: [Legislation Ver1](#)

[Legislation Ver2.doc](#)

[comm_packet](#)

[Legislation Ver3.doc](#)

[Legislation Ver4](#)

[Board Packet](#)

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Daly duplicated File No. 091203 (see File No. 091354).

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

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

17. [081509](#) [Summary Vacation of a Portion of Channel Street Between 7th Street and Carolina Street and Exchange of Property]

Sponsor: Maxwell

Ordinance ordering the summary vacation of a portion of Channel Street between 7th Street and Carolina Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; authorizing the exchange of such vacated City property with a new lot created in Record of Survey No. 4778, owned by Recology Properties, Inc. and Sunset Scavenger Company; adopting environmental findings and findings that the vacation and exchange are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing actions in furtherance of the ordinance.

Attachments: [Legislation VER1.DOC](#)

[Legislation Ver2.DOC](#)

[Board Packet](#)

[Legislation Ver3](#)

[Board Packet Amended](#)

11/17/2009; PASSED, ON FIRST READING.

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

11/24/2009; FINALLY PASSED AS AMENDED.

11/24/2009; PREVIOUS VOTE RESCINDED.

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

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

18. [091374](#) **[Accept and Expend Grant - FY 09 Urban Area Security Initiative and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$32,510,600]**
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative ("UASI") Approval Authority, to retroactively accept and expend a UASI grant in the amount of \$32,510,600 from the United States Department of Homeland Security, through the California Emergency Management Agency; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect: the addition of one (1) grant-funded position (.50 FTE) in Class 5277 Planner I and one (1) grant-funded position (.50 FTE) in Class 5293 Planner IV, and the deletion of one (1) grant-funded position (.75 FTE) in Class 1426 Senior Clerk Typist, all in the Department of Emergency Management.
Attachments: [Legislation Ver1](#)
[comm.packet](#)
[Board Packet](#)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
19. [091376](#) **[Accept and Expend Grant - FY 09 Regional Catastrophic Preparedness Program and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$4,822,667]**
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program ("RCPGP") Bay Area Site and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a RCPGP grant in the amount of \$4,822,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide \$167,188 in matching funds; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of two (2) grant-funded positions (.50 FTE total) in Class 5291 Planner III in the Department of Emergency Management.
Attachments: [Legislation Ver1](#)
[Comm Packet](#)
[Board Packet](#)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
20. [091267](#) **[Lease of Property at 3801 Third Street]**
Resolution approving, retroactively, a lease at Bayview Plaza, 3801 Third Street, at Evans Street, for the Human Services Agency under Administrative Code Section 23.27. (Real Estate Department)
Attachments: [Legislation Ver1](#)
[comm.packet](#)
[Board Packet](#)
- Question: Shall this Resolution be ADOPTED?**

21. [091285](#) **[Amendment to Agreement with Owens Information Systems to Extend the Term]**

Resolution authorizing the Department of Technology to enter into the Eighth Amendment of an agreement with Owens Information Systems to extend the term of the agreement to fifteen years. (Department of Technology)

Attachments: [comm.packet](#)

[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

22. [090678](#) **[Bayview Hunters Point Area Plan, Technical Zoning Map Amendments]**

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

Attachments: [Legislation_Ver2](#)

[Comm_Packet](#)

[Board Packet](#)

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

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [091036](#) **[Zoning - Third Street and Le Conte Avenue Affordable Housing Special Use District]**

Sponsor: Maxwell

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

Attachments: [Comm_Packet](#)

[Legislation_Ver2](#)

[Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. [091059](#) **[Correction to the Vacation of Former Trenton Street]**
Ordinance ordering the summary vacation of a portion of Trenton Street south of Jackson Street within Assessor's Block 0192; making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; establishing conditions to the effectiveness of the vacation; adopting environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department)

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

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. [091335](#) **[Establishing Infill Opportunity Zones for Congestion Management Planning]**
Sponsors: Mirkarimi; Maxwell
Resolution establishing Infill Opportunity Zones for Congestion Management Planning in the City and County of San Francisco under California Government Code Section 65088.

Attachments: [Legislation_Ver1](#)
[Comm Packet](#)
[Legislation_Ver2](#)
[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

26. [090960](#) **[Honoring Small Local Businesses During Small Business Month]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Administrative Code by requiring the Small Business Commission to declare one month out of the year "Small Business Month" and to recognize small local businesses during the Small Business Month.

Attachments: [Board Packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. [091137](#) [Mills Act Contract Procedures]

Sponsor: Alioto-Pier

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

Attachments: [Legislation_Ver1](#)

[Legislation_Ver2](#)

[Legislation_Ver3](#)

[Board_Packet](#)

10/06/2009; SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

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

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. [091152](#) [Confirming the appointment of Miguel Bustos to the San Francisco Redevelopment Agency]

Sponsor: Mayor

Motion confirming the appointment of Miguel Bustos to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2013.

Attachments: [Mot1.doc](#)

[Board_Packet](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 091359)

29. [091361](#) **[Approving the Redevelopment Agency's Lease of Land at 249 Eddy Street, and 161-165 Turk Street to Turk & Eddy Associates, L.P.]**

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 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons.

Attachments: [Board Packet](#)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

30. [091360](#) **[Redevelopment Agency Lease of Land at 249 Eddy Street, and 161-165 Turk Street to Turk & Eddy Associates, L.P.]**

Sponsor: Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons.

Attachments: [legislation version1](#)

[Board Packet](#)

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

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

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

31. **091313** **[Appeal of Tentative Parcel Map for 1673 through 1675 - 11th Avenue]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 29, 2009, affirming the approval of the Tentative Parcel Map to construct a new 2 unit condominium project located at 1673 through 1675 - 11th Avenue, Lot No. 013 in Assessor's Block No. 1932. (Appellant: Rose Tom Tsai) (Clerk of the Board)

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

Attachments: [Board Packet](#)

Action: _____

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

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

32. **091314** **[Approving decision of the Department of Public Works and approving the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]**
Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 11th Avenue, Assessor's Block 1932, Lot 013.

Attachments: [Legislation VER1.doc](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

33. [091315](#) [Disapproving decision of the Department of Public Works and disapproving the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

Motion disapproving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and disapproving the Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 11th Avenue, Assessor's Block 1932, Lot 013.

Attachments: [Legislation_VER1.doc](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

34. [091316](#) [Findings related to the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 11th Avenue, Assessor's Block 1932, Lot 013.

Attachments: [Legislation_VER1.doc](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**35. [091345](#) [Public Hearing - Appeal of Conditional Use Appeal for 1969 California Street]**

Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 17959 dated October 8, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0639C), under Planning Code Sections 209.9 and 303 to allow the establishment of an art gallery and associated offices (d.b.a. Anthony Meier Fine Art Gallery) within a designated City Landmark, Landmark #260, the Tobin House, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, on property located at 1969 California Street, Lot No. 016 in Assessor's Block 0649. (Appellant: Greg Scott on behalf of Pacific Heights Residents Association) (Child Support Services)

(Filed 11/9/09 - Companion Measure to Files 091346, 091347, 001348; District 5.)

Attachments: [Board Packet](#)

Action: _____

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

(Only one of the following two motions should be approved.)**36. [091346](#) [Approving Planning Commission Decision Related to Conditional Use Appeal for 1969 California Street]**

Motion approving decision of the Planning Commission by its Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Attachments: [Legislation_VER1.DOC](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

37. [091347](#) [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1969 California Street]

Motion disapproving decision of the Planning Commission by its Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street. (Clerk of the Board)

Attachments: [Legislation_VER1.DOC](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

38. [091348](#) **[Preparation of Findings Related to the Conditional Use Appeal for 1969 California Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2009.0639C on property located at 1969 California Street, for action by the Board at its next meeting. (Clerk of the Board)

Attachments: [Legislation VER1.DOC](#)

[Board Packet](#)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following item will be considered by the Public Safety Committee at a Regular Meeting on Monday, December 7, 2009, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 8, 2009.

39. [091276](#) **[Accept and Expend Grant - Edward Byrne Memorial Justice Assistance in the amount of \$2,700,314 and Amend Annual Salary Ordinance FY 2009 - 2010]**

Sponsor: Mayor

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

Attachments: [comm.packet](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, December 7, 2009, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 8, 2009.

40. [090583](#) **[Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]**

Sponsor: Avalos

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

Attachments: [Legislation_Ver1](#)

[Legislation_Ver2](#)

[Comm_Packet](#)

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 41 through 53

41. [091359](#) **[Committee of the Whole – December 8, 2009 - 3:00 p.m. - to Hold a Public Hearing on the Approval of a Redevelopment Ground Lease of Land at 249 Eddy Street, and 161-165 Turk Street]**

Sponsor: Daly

Motion scheduling the Board to sit as a Committee of the Whole on December 8, 2009, to hold a public hearing on the approval of Redevelopment Agency of the City and County of San Francisco's lease of land at 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons.

Attachments: [legislation version1](#)

[Board Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. [091355](#) [Accept and Expend Grant - eLearning Modules to Support HIV Research - \$35,125]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$35,125 from the Fred Hutchinson Cancer Research Center to assist with a project entitled "eLearning Modules to Support HIV Research;" for the period of June 1, 2009, through May 31, 2010.

Attachments: [legislation version1](#)

[Board Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. [091356](#) [Authorizing the Director of Public Works or Designee to Request a Cooperative Work Agreement from the California Department of Finance]

Sponsor: Mayor

Resolution authorizing the Director of Public Works or his or her designee to request a Cooperative Work Agreement from the California Department of Finance to extend the expiration date for a Federal transportation grant expiring on June 30, 2010.

Attachments: [legislation_ver1](#)

[Board Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. [091357](#) [Accept and Expend Grant - HPV Epidemiology and Responses To Screening - \$12,760]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$12,760 from the University of California San Francisco (UCSF), to assist with a project entitled "HPV Epidemiology and Response to Screening;" for the period of August 11, 2009, through July 31, 2010.

Attachments: [~3996216](#)

[Board Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. [091358](#) [Urging the San Francisco State Lobbyists to Facilitate the Implementation of AB 1383]

Sponsor: Daly

Resolution urging City of San Francisco Lobbyists to facilitate the implementation of AB 1383, and establishing a general framework of the quality assurance fee and increased Medi-Cal payments to hospitals.

Attachments: [Legislation_Ver1](#)

[Board_Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. [091362](#) [Commemorate the 40th Anniversary of the Occupation of Alcatraz Island]

Sponsor: Mar

Resolution commemorating the 40th Anniversary of the Occupation of Alcatraz Island from November 20, 1969, to June 11, 1971.

Attachments: [legislation_version1](#)

[Board_Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. [091363](#) [California Master Plan for Education]

Sponsor: Mirkarimi

Resolution Calling on the State, the UC Regents, the CSU Board of Trustees, and the Board of Governors of the California Community Colleges to recommit to the California Master Plan for Higher Education.

Attachments: [legislation_version1](#)

[Board_Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. [091364](#) [Urging the United States to Enter into a Strong International Treaty to Address Climate Change]

Sponsor: Mirkarimi

Resolution urging the President of the United States, at the UN Climate Change Conference scheduled for December 2009 in Copenhagen, to negotiate and sign, the Senate to ratify and the Congress of the United States to support legislatively a strong treaty to address climate change.

Attachments: [legislation_version1](#)

[Board_Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. [091365](#) **[Supporting the Recommendations Contained in the Report of the Peak Oil Preparedness Task Force]**

Sponsors: Mirkarimi; Mar

Resolution in support of the measures and actions to mitigate the effects of declining fossil fuel supplies recommended in the report of the San Francisco Peak Oil Preparedness Task Force.

Attachments: [Board Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. [091366](#) **[Approval of a 30-Day Extension for Planning Commission Review of the Telegraph Hill-North Beach Residential Special Use District]**

Sponsor: Chiu

Resolution extending, by 30-days, the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would require a Conditional Use Authorization for the installation of a garage opening in existing buildings, reduce the parking requirements in certain Northeast Neighborhoods, and creating the Telegraph Hill-North Beach Residential Special Use District, and making findings of consistency with the priority policies of the Planning Code Section 101.1 and environmental findings.

Attachments: [Board Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. [091378](#) **[Declaration of Election Results of November 3, 2009, Municipal Election]**

Sponsor: Chiu

Resolution declaring the results of the November 3, 2009, Municipal Election

Attachments: [legislation_version1](#)

[Board Packet](#)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. [091341](#) **[2010 Board of Supervisors Regular Meeting Schedule]**

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

Attachments: [Legislation Ver1](#)

[Board Packet](#)

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

Question: Shall this Motion be APPROVED?

53. [091367](#) [Professional Services Agreement for Budget and Legislative Analyst Service with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, a Joint Venture]

Motion authorizing the Clerk of the Board of Supervisors to enter into a Professional Services Agreement for Budget and Legislative Analyst Service with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, a Joint Venture and approving said agreement, pursuant to Charter Section 2.117. (Clerk of the Board)

Attachments: [legislation version1](#)

[Board Packet](#)

11/24/2009; 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: _____

54. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from November 17, 2009, to November 30, 2009, for reference by President to appropriate committee on December 8, 2009.

091381 **[Settlement of Lawsuit - Marco Maestrini - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Marco Maestrini against the City and County of San Francisco for \$40,000; the lawsuit was filed on June 6, 2007, in the United States District Court for the Northern District of California, Case No. C07-02941 PJH; entitled Marco Maestrini, et al., v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_VER1.DOC](#)

11/18/2009; RECEIVED AND ASSIGNED to the Rules Committee.

091382 **[Settlement of Lawsuit - Ben H. Lyon - \$47,500]**
Ordinance authorizing settlement of the lawsuit filed by Ben H. Lyon against the City and County of San Francisco for \$47,500; the lawsuit was filed on May 9, 2007, in San Francisco Superior Court, Case No. 463-228; entitled Ben H. Lyon, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_VER1.DOC](#)

11/24/2009; RECEIVED AND ASSIGNED to the Rules Committee.

091383 **[Settlement of Lawsuit - Glynis Senegal and Joseph Senegal - \$158,000]**
Ordinance authorizing settlement of the lawsuit filed by Glynis Senegal and Joseph Senegal against the City and County of San Francisco for \$158,000; the lawsuit was filed on May 5, 2006, in San Francisco Superior Court, Case No. 451-969; entitled Glynis Senegal and Joseph Senegal v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_VER1.DOC](#)

11/24/2009; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 17, 2009, to November 30, 2009, for reference by President to appropriate committee on December 8, 2009.

091384 **[Settlement of Unlitigated Claim - David Cleary - \$225,000]**
Resolution approving the settlement of the unlitigated claim filed by David Cleary against the City and County of San Francisco for \$225,000; claim was filed on May 22, 2009. (City Attorney)

Attachments: [Legislation_VER1.DOC](#)

11/24/2009; RECEIVED AND ASSIGNED to the Rules Committee.

091385 **[Approving the City and County's Extension of the Existing Three-Year Plan for State-Funded Child Abuse Prevention Programs]**
Resolution approving the extension of San Francisco's Three-Year County Plan for the Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families programs. (Human Services Department)

Attachments: [Legislation_VER1.doc](#)

11/30/2009; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

091386 [Petitions and Communications]

Petitions and Communications received from November 17, 2009, through November 30, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 8, 2009.

From Office of the Mayor, regarding notice of transfer of function under Charter Section 4.132. Copy: Each Supervisor (1)

From Public Utilities Commission, submitting request for release of reserved funds (in the amount of \$256,318,678) for the new Irving Tunnel Project. (2)

From Office of the Controller, submitting the first quarter General Fund Budget Status Report for FY 2009-2010. (3)

From Department of Public Health, submitting request for waiver of Administrative Code Sections 12B and 14B for ten hospitals outside of San Francisco which provide mental health services to children under San Francisco's legal jurisdiction. (4)

From Arts Commission, submitting the first quarterly expenditure report for FY 2009-2010. (5)

From Office of the Controller, submitting notice that the Controller's Office cannot certify funds from the General Fund Reserve for new appropriations due to the projected budget shortfall. Copy: Each Supervisor (6)

From Office of the Controller, submitting memorandum to formally rescind certification of appropriation ordinances contained in Board of Supervisors' File Nos. 091246 and 091202. (7)

From Department of the Environment, regarding the implementation of the Mandatory Recycling and Composting Ordinance. (8)

From Midpeninsula Regional Open Space District, regarding the Proposed Resolution to Acquire Real Property Interests by Eminent Domain-Water System Improvement Program-Funded Bay Division Pipeline Reliability Upgrade Tunnel. File No. 091278, Copy: Each Supervisor (9)

From Department of Public Health, Environmental Health Section staff, submitting opposition to any job cuts to staff in clerical positions at the Department of Public Health, Environmental Health section. Copy: Each Supervisor (10)

From concerned citizens, requesting SFGTV provide coverage of the Historic Preservation Commission meetings. 2 letters (11)

From concerned citizens, submitting opposition to proposed legislation 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. File No. 091020, 27 letters (12)

From concerned citizens, urging the Recreation and Park Commission to vote for full restoration of Sharp Park and against the golf alternative. 4 letters (13)

From concerned citizens, urging the Recreation and Park Commission to preserve the historic 18-hole Sharp Park Golf Course. 14 letters (14)

From James Miller, urging a total ban on automobiles on all of Market Street or at least in the financial district. (15)

From the U.S. Fish and Wildlife Service, Don Edwards SF Bay National Wildlife Refuge, submitting support for the proposed exchange of easements between the SF Public Utilities Commission and the Midpeninsula Regional Open Space District in order to complete a vital link in the San Francisco Bay Trail. File No. 091278 (16)

From Department of Public Health, regarding the impact of the federal healthcare reform legislation on the Healthy San Francisco Program. (Reference No. 20091006-002) (17)

From Planning Department, submitting copy of an open letter sent to the Coalition for San Francisco Neighborhoods regarding pending legislation on discretionary review. (18)

From Office of the Controller, submitting an audit report of franchise fee payments Astound Broadband made to the City and County of San Francisco to operate an open video system within the City. Copy: Each Supervisor (19)

From the Port, submitting the first quarter contracting activities report and the projected contracting activities for the upcoming year. (20)

From Municipal Transportation Agency, submitting memorandum that the Municipal Transportation Agency has received the \$4,000,000 letter of credit required from Titan Outdoor, LLC, under the agreement for advertising on Municipal Transportation vehicles and other property. (21)

From Office of the Controller, submitting an audit review of the franchise fees NRG Energy Center San Francisco paid to the City and County of San Francisco to use City streets to install, construct, maintain, and operate steam pipe conduits. (22)

From concerned citizens, submitting support for full funding of the Neighborhood Emergency Response Team Program. 2 letters (23)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 2700 - 14th Avenue. (24)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 300 Felton Street. (25)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 2453 Lawton Street. (26)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 1306 - 28th Avenue. (27)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from November 28, 2009, until December 2, 2009. Supervisor Elsbernd will serve as Acting-Mayor. Copy: Each Supervisor (28)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Merry X-Ray Chemical Corporation to provide radiographic equipment. (29)

From Department of Parks, County of San Mateo, submitting support for the proposed exchange of easements between the SF Public Utilities Commission and the Midpeninsula Regional Open Space District in order to complete a vital link in the San Francisco Bay Trail. File No. 091278 (30)

From City of East Palo Alto, submitting support for the proposed exchange of easements between the SF Public Utilities Commission and the Midpeninsula Regional Open Space District in order to complete a vital link in the San Francisco Bay Trail. File No. 091278 (31)

From Hanson Bridgett LLP, submitting opposition to proposed legislation authorizing acquisition by eminent domain of the subsurface tunnel easements in real property in Alameda County and San Mateo County. File No. 091278 (32)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 400 Crescent Avenue. (33)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 98 Mullen Avenue. (34)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 222 Randall Street. (35)

From Free Press, submitting copy of letter sent to Kimo Crossman regarding Network Neutrality in San Francisco. File No. 091337 (36)

From Department of Public Health, responding to inquiry for an analysis of proposed Federal legislation and the possible impact on access to and delivery of health care in San Francisco. (Reference No. 20091006-002) (37)

From Fiber-to-the-Home Council, commenting on the proposed legislation that urges the Federal Communications Commission to Codify Strong Network Neutrality Principles. File No. 091337 (38)

From Richard Nguyen, regarding healthcare for illegal immigrants in San Francisco. (39)

From Mark Jones, submitting support for full funding for a LAFCo managed Clean Power San Francisco project that will run San Francisco on 50% renewable energy source within the next decade. (40)

From Raymond Hawkins, regarding the Judicial Bench of the California Supreme Court. (41)

From Bill Pearson, submitting support for proposed legislation 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. File No. 091020 (42)

From Save Our Sunol, submitting support for approval of the San Francisco Public Utilities Commission's proposed quarry lease to Oliver de Silva, Inc., to mine gravel under Surface Mining Permit No. 30 in the Sunol Valley. File No. 090832 (43)

From Ahimsa Porter Sumchai, regarding the draft Environmental Impact Report for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan. (44)

From SF Bay Trail Project, submitting support for the proposed exchange of easements between the SF Public Utilities Commission and the Midpeninsula Regional Open Space District in order to complete a vital link in the San Francisco Bay Trail. File No. 091278, Copy: Each Supervisor (45)

From Francisco Da Costa, regarding the Land Use Committee. (46)

From Ahimsa Porter Sumchai, regarding the association between indoor environmental factors and parental reported autistic spectrum disorders in children 6-8 years of age. (47)

From concerned citizens, regarding the budget crisis in the City and County of San Francisco. Copy: Supervisor Mirkarimi, 2 letters (48)

From Department of Elections, submitting notice that the November 3, 2009, Municipal Election results are certified and the results are official. (49)

From Tom Lee, regarding the future of transportation in San Francisco. (50)

From Norman Degelman, submitting support for a supplemental appropriation to provide quality healthcare in San Francisco. (51)

From William Shulman, submitting opposition to any new alcohol fee in San Francisco. (52)

From Kimo Crossman, regarding the progress of the Water System Improvement Program. (53)

From Ren Pieratt, regarding the street work on 18th Avenue between Irving and Judah Streets. (54)

From Joel Gonzales, regarding his experience on the No. 71 Muni outbound bus on November 25, 2009. (55)

From Susan Keyte, submitting opposition to the proposed changes on the No. 10 Muni bus. (56)

From George Huie, regarding parking abuses and budget cutting ideas. (57)

From Sally Loveland, regarding Muni bus service. (58)

From Regional Air Quality Intern, regarding the harmful effects of wood smoke inhalation and the Wood Burning Ordinance that was passed last year. (59)

From concerned citizens, regarding eviction and rental protections in San Francisco. 2 letters (60)

From Ahimsa Sumchai, regarding hydrology and water quality. (61)

From Ahimsa Sumchai, regarding the recent mammogram recommendations. (62)

From James Corrigan, regarding firefighters and parking in San Francisco. (63)

From Amy Blakeley, urging the Board of Supervisors to reject proposed ordinance to expand rent control laws to buildings built after 1979. (64)

From Planning Department, submitting the 2009 Commerce and Industry Inventory report. (65)

ADJOURNMENT