



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, March 30, 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.sfgov.org/bos

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, Elsbernd

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, Dufty

Rules Committee
Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

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

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

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

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

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

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

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

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

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

Disability Access

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

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

Agenda Item Information

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 on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 2, 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 24

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. [100045](#) **[Increasing Real Estate Recordation Fee]**
Sponsor: Chiu
Ordinance amending Section 8.24-5 of the Administrative Code to increase the recordation fee to \$3.00 from \$2.00 for recording real estate instruments, and authorizing the Controller to adjust the fee upon notice from the District Attorney, to become operative on its effective date or July 1, 2009, whichever is later, and making environmental findings.
Attachments: [Legislation_VER1](#)
[Comm_Packet_031010](#)
[Budget_Analyst_031010](#)
[Comm_Packet_031710](#)
[Board_Packet_032310](#)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [100080](#) **[Repealing the Department of Technology Cash Revolving Fund]**
Ordinance repealing Article XV, Section 10.143 of the San Francisco Administrative Code which established a cash revolving fund for the Department of Technology.
(Department of Technology)
Attachments: [Legislation VER1](#)
[Comm Packet 031710](#)
[Board Packet 032310](#)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
3. [100168](#) **[Wastewater Revenue Bonds Issuance and Sale - Not to Exceed \$282,400,000]**
Sponsor: Dufty
Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)
Attachments: [Legislation VER1](#)
[Comm Packet 031710](#)
[Board Packet 032310](#)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
4. [100208](#) **[Accept and Expend Grant - American Recovery and Reinvestment Act and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$750,635]**
Sponsors: Mayor; Dufty
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$750,635 from the Federal Department of Energy's Solar America Initiative to remove barriers to the deployment of solar technologies in San Francisco by addressing the lack of financing options for solar power installations and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.
Attachments: [Legislation VER1](#)
[Comm Packet 031710](#)
[Board Packet 032310](#)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [100232](#) **[Accept and Expend Grant – Supported Employment Program and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$166,981.50]**

Sponsor: Mirkarimi

Ordinance authorizing the Office of the Public Defender to retroactively accept and expend a grant in the amount of \$166,981.50 from the Metta Fund Foundation to implement a Supported Employment Program to assist Public Defender clients with mental illness in securing competitive employment, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY2009-2010) to reflect addition of one (1) grant-funded position (0.25 FTE) in Class 2910 Social Worker at the Office of the Public Defender.

Attachments: [Legislation VER1](#)

[Comm Packet 031710](#)

[Board Packet 032310](#)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [100183](#) **[Lease with the U.S. Government for Office Space for the U.S. Drug Enforcement Administration at the Airport]**

Resolution approving and authorizing the execution of Lease No. 10-0015 with the U.S. Government for office space to be occupied by the U.S. Drug Enforcement Administration, a Federal agency, in Terminal 3 at San Francisco International Airport. (Airport Commission)

Attachments: [Legislation VER1](#)

[Comm Packet 032410](#)

[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

7. [100271](#) **[Accept and Expend Grant - U.S. Department of Justice 2009 Community Oriented Policing Services Technology Initiative for the Expansion of a Gunshot Location System Project - \$1,000,000]**

Sponsor: Mayor

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$1,000,000 from the U.S. Department of Justice Office of Community Oriented Policing Services for expansion of a gunshot location system project.

Attachments: [Legislation Ver1](#)

[Comm Packet 032410](#)

[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

8. [100229](#) **[Accept and Expend Grant – Ogden Terrace Community Garden Landscape - \$88,000]**

Sponsor: Campos

Resolution authorizing the Department of Recreation and Parks to retroactively accept and expend a gift valued at \$88,000 from the San Francisco Conservation Corps, to replace landscape retaining walls and steps at Ogden Terrace Community Garden.

Attachments: [Legislation VER1](#)

[Comm Packet 032210](#)

[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

9. [100230](#) **[Accept and Expend Grant - San Francisco Vaccine and Prevention Unit - \$47,759]**

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$47,759 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "San Francisco Vaccine and Prevention Unit" for the period of January 1, 2010, through August 31, 2011.

Attachments: [Legislation VER1](#)

[Comm Packet 032210](#)

[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

10. [100336](#) **[Accept and Expend Grant – American Recovery and Reinvestment Act of 2009 Department of Energy Weatherization Assistance Program – \$2,581,152]**

Sponsor: Mayor

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend FY2009-2010 American Recovery and Reinvestment Act Weatherization Assistance Program funds from the U.S. Department of Energy, disbursed by the State of California's Department of Community Services and Development, in the amount of \$2,581,152.

Attachments: [Legislation VER1](#)

[Comm Packet 032210](#)

[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

11. [091475](#) [General Plan Amendment - Market and Octavia Area Plan]

Sponsor: Mirkarimi

Ordinance amending the Market and Octavia Area Plan of the General Plan (an Area generally described as approximately one square mile surrounding the Market Street and Octavia Boulevard intersection) to amend the historic resource provisions of the Plan to integrate the results of the Historic Resource Survey by removing language calling for the Area Plan Level Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; and adding a new design principle; amending the provisions related to alleys to include terminology consistent with other Area Plans; and making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 121509](#)

[Comm Packet 031510](#)

[Board Packet 032310](#)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Dufty

12. [100112](#) [Dispatch Services in the Program for Additional Police Department Services]

Ordinance amending San Francisco Administrative Code Sections 10B.1, 10B.2, 10B.3, 10B.4, and 10B.5, including dispatch services provided by the Department of Emergency Management, in the program for additional Police Department services. (Department of Emergency Management)

Attachments: [100112.DOC](#)

[Comm Packet 031510](#)

[Board Packet 032310](#)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

13. [100178](#) **[Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - \$25,750]**
Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc., against the City and County of San Francisco for \$25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation VER1](#)

[Comm Packet 031810](#)

[Board Packet 033010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. [100179](#) **[Settlement of Lawsuit - Vincente V. Vista - \$35,000]**
Ordinance authorizing settlement of the lawsuit filed by Vincente V. Vista against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001; entitled Vista v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation VER1](#)

[Comm Packet 031810](#)

[Board Packet 033010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. [100180](#) **[Settlement of Lawsuit - Thomas Barnes - \$135,000]**
Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation VER1](#)

[Comm Packet 031810](#)

[Board Packet 033010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [100181](#) **[Settlement of Lawsuit - Elbert Harris - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for \$100,000 plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation VER1](#)

[Comm Packet 031810](#)

[Board Packet 033010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [100182](#) **[Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]**

Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)

Attachments: [Comm Packet 031810](#)

[Board Packet 033010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. [100249](#) **[Settlement of Unlitigated Claim – Marlon Miranda - \$75,000]**

Resolution approving the settlement of the unlitigated claim filed by Marlon Miranda against the City and County of San Francisco for \$75,000; claim was filed on June 18, 2009. (City Attorney)

Attachments: [Legislation VER](#)

[Comm Packet 031810](#)

[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

19. [100250](#) **[Settlement of Unlitigated Claim – Thelma Jefferson - \$200,000]**

Resolution approving the settlement of the unlitigated claim filed by Thelma Jefferson against the City and County of San Francisco for \$200,000; claim was filed on September 28, 2009. (City Attorney)

Attachments: [Legislation VER](#)

[Comm Packet 031810](#)

[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

20. [100259](#) **[Appointments, Pedestrian Safety Advisory Committee - Catherine Liddell, Pi Ra, Richard Rothman, Mari Hunter, Howard Strassner, Dahianna Lopez and Paul Supawanich]**

Motion appointing Catherine Liddell, Pi Ra, Richard Rothman, Mari Hunter, Howard Strassner, Dahianna Lopez and Paul Supawanich, terms ending March 28, 2011, and March 28, 2012, to the Pedestrian Safety Advisory Committee, residency requirement waived. (Clerk of the Board)

Attachments: [Comm Packet 031810](#)

[Legislation Ver2](#)

[Board Packet 033010](#)

Question: Shall this Motion be APPROVED?

21. [100260](#) **[Appointments, In-Home Supportive Services Public Authority - Patricia Webb, Elva Hernandez, Kelly Dearman, James Illig, Tatiana Kostanian and Ethel Richardson]**

Motion appointing Patricia Webb, Elva Hernandez, Kelly Dearman, James Illig, Tatiana Kostanian and Ethel Richardson, terms ending March 1, 2013, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Attachments: [Comm Packet 031810](#)

[Legislation Ver1](#)

[Board Packet 033010](#)

Question: Shall this Motion be APPROVED?

22. [100261](#) **[Appointment, Urban Forestry Council - Rose Hillson]**

Motion appointing Rose Hillson, term ending November 18, 2010, to the Urban Forestry Council. (Clerk of the Board)

Attachments: [Comm Packet 031810](#)

[Legislation Ver1](#)

[Board Packet 033010](#)

Question: Shall this Motion be APPROVED?

23. [100262](#) **[Removal of Tommy Escarcega from the Reentry Council]**

Sponsor: Campos

Motion removing Tommy Escarcega from the Reentry Council.

Attachments: [Legislation Ver1](#)

[Comm Packet 031810](#)

[Board Packet 033010](#)

Question: Shall this Motion be APPROVED?

24. [100293](#) **[Appointments, Shelter Monitoring Committee - Mary Howe and Robert Weber]**

Motion appointing Mary Howe and Robert Weber, terms ending November 23, 2010, to the Shelter Monitoring Committee, residency requirement waived. (Clerk of the Board)

Attachments: [Comm Packet 031810](#)

[Legislation Ver2](#)

[Board Packet 033010](#)

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

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

25. [100263](#) **[Authorizing the Filing of an Application for Section 190 Grade Separation Grant Funds - \$5,000,000]**

Sponsor: Elsbernd

Resolution authorizing the Department of Public Works to file an application seeking state Section 190 Grade Separation funds, in the amount of \$5,000,000 from the California Department of Transportation for the reconstruction of the Jerrold Avenue railroad bridge grade separation and to enter into a Memorandum of Understanding to pass through the funds to the Peninsula Corridor Joint Powers Board.

Attachments: [Comm Packet 031710](#)

[Legislation Ver1](#)

[Board Packet 032310](#)

03/23/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

26. [100206](#) **[Appropriating \$157,500 of General Fund Reserve for a Loan to the Community Center Project of San Francisco in the City Administrator's Budget for FY2009-2010]**
Sponsors: Dufty; Campos
Ordinance appropriating \$157,500 of General Fund Reserve for a loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, in the City Administrator's Budget for FY2009-2010.

(Fiscal Impact.)

(Supervisor Elsbernd dissented in Committee.)

Attachments: [Legislation Ver1](#)

[Comm Packet 031010](#)

[Comm Packet 032410](#)

[Board Packet 033010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. [100133](#) **[Loan to the Community Center Project of San Francisco, Inc., at 1800 Market Street - \$157,500]**
Sponsors: Dufty; Campos
Resolution authorizing the City to make a \$157,500 loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, located at 1800 Market Street, and authorizing actions in the furtherance of this Resolution.

(Fiscal Impact.)

(Supervisor Elsbernd dissented in Committee.)

Attachments: [Legislation VER1](#)

[Comm Packet 031010](#)

[Budget Analyst 031010](#)

[Comm Packet 032410](#)

[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

28. [100277](#) **[Reallocation of Grant - Capital Projects in Golden Gate Park - \$2,067,663]**
Sponsor: Mar
Resolution authorizing the reallocation of \$2,067,663 in Proposition 40 grant funds among two capital projects in Golden Gate Park.
Attachments: [Comm Packet 032410](#)
[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

29. [091444](#) [Creating an Energy Efficiency Steering Committee]

Sponsors: Mar; Campos

Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: (1) create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; (2) provide for the Committee's membership, organization, and duties; and (3) set a sunset date for the Committee.

Attachments: [Legislation Ver1](#)

[Comm Packet 031810](#)

[Legislation Ver2](#)

[Board Packet 033010](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pursuant to File No. 100345, approved on March 23, 2010.)

30. [100375](#) **[Committee of the Whole - Making Certain Findings for the Use of Tax Increment for the Newcomb Avenue Model Block Streetscape Improvements Pursuant to Health and Safety Code Section 33445]**

Hearing of persons interested in or objecting to proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 for the use of tax increment funds for the completion of construction documents, capital improvement costs and construction costs for the Newcomb Avenue Model Block Streetscape Improvements on the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area. (Clerk of the Board)

Attachments: [Board Packet 033010](#)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

31. [100374](#) **[Making Certain Findings for the Use of Tax Increment for the Newcomb Avenue Model Block Streetscape Improvements Pursuant to Health and Safety Code Section 33445]**

Sponsor: Maxwell

Resolution making certain findings pursuant to Health and Safety Code Section 33445 for the use of tax increment funds for the completion of construction documents, capital improvement costs and construction costs for the Newcomb Avenue Model Block Streetscape Improvements on the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area.

Attachments: [Board Packet 033010](#)

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. 100344, approved on March 23, 2010.)

32. [100380](#) **[Committee of the Whole - Approving Submission of a Design-Build Application to the California State Public Works Board Under California Public Contract Code Section 20688.6]**
Hearing of persons interested in or objecting to proposed Resolution making findings and authorizing the submission of a design-build application to the California State Public Works Board to permit construction of a Community Facilities Demonstration Project at Hunters Point Shipyard Redevelopment Project Area. (Clerk of the Board)
Attachments: [Board Packet 033010](#)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

33. [100334](#) **[Approving Submission of a Design-Build Application to the California State Public Works Board Under California Public Contract Code Section 20688.6]**
Sponsor: Maxwell
Resolution making findings and authorizing the submission of a design-build application to the California State Public Works Board to permit construction of a Community Facilities Demonstration Project at Hunters Point Shipyard Redevelopment Project Area.
Attachments: [Legislation Ver1](#)
[Response RDA 032310](#)
[Board Packet 033010](#)

Question: Shall this Resolution be ADOPTED?

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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 Land Use and Economic Development Committee at a Regular Meeting on March 29, 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, March 30, 2010.

34. [091165](#) [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach, and Chinatown]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811, and 812, to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Mason Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure of four or more units without prior authorization by the Planning Commission; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Fiscal Impact.)

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 012110](#)

[Comm Packet 020110](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 020810](#)

[Board Packet 020910](#)

[Legislation Ver3](#)

[Board Packet 031610](#)

[Comm Packet 032210](#)

[Legislation Ver4](#)

[Comm Packet 032910](#)

02/09/2010; PASSED ON FIRST READING.

02/23/2010; CONTINUED ON FINAL PASSAGE.

03/09/2010; AMENDED.

03/09/2010; PASSED ON FIRST READING AS AMENDED.

03/16/2010; RE-REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Ordinance be FINALLY PASSED?

35. [100282](#) **[Initiative Constitutional Amendment - Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers"]**
Sponsors: Mirkarimi; Maxwell, Mar, Avalos, Campos and Dufty
Resolution opposing Proposition 16, an Initiative Constitutional Amendment, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers."
Attachments: [Legislation Ver1](#)
[Board Packet 031610](#)
[Comm Packet 032910](#)

03/16/2010; CONTINUED.

03/23/2010; REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

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

PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 36 through 39

36. [100376](#) **[Congratulating Assemblymember Fiona Ma]**
Sponsors: Mirkarimi; Chiu and Dufty
Resolution congratulating Assemblymember Fiona Ma on her appointment as Speaker pro Tempore of the California State Assembly.
Attachments: [Board Packet 033010](#)
[Legislation VER1](#)

03/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. [100378](#) **[Commending Speaker Nancy Pelosi for Her Work on Health Care Reform]**
Sponsors: Mayor; Chiu, Maxwell, Alioto-Pier, Chu, Dufty, Mar, Elsbernd, Mirkarimi, Daly, Campos and Avalos
Resolution commending Speaker of the House of Representatives Nancy Pelosi for her courage as a champion for historic health care reform in the United States.
Attachments: [Board Packet 033010](#)
[Legislation VER1](#)

03/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. [100379](#) **[Supporting Senate Bill 4 Banning Smoking at State Parks and Beaches]**
Sponsor: Mar
Resolution supporting Senate Bill 4 Banning Smoking at State Parks and Beaches.
Attachments: [Board Packet 033010](#)
[Legislation VER1](#)

03/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. [100377](#) **[Rejecting the San Francisco Municipal Transportation Agency's Proposed Fare Changes to Create New Premium Monthly MUNI Passes]**
Sponsors: Mirkarimi; Chiu, Campos and Dufty
Motion rejecting the San Francisco Municipal Transportation Agency's proposed fare changes to create Premium Monthly San Francisco Municipal Railway Passes for express bus routes and cable cars.
Attachments: [Board Packet 033010](#)

03/23/2010; 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: _____

40. 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 March 16, 2010, to March 22, 2010, for reference by President to appropriate committee on March 30, 2010.

100349

[Lease of Real Property – 1390 Market Street]

Resolution authorizing the exercise of a five year option to extend the lease of approximately 9,397 square feet of space at 1390 Market Street for the Department of Children, Youth and their Families. (Real Estate Department)

Attachments: [Legislation VER1](#)

03/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100350

[Authorizing the Sheriff's Department to amend its contract with ARAMARK Correctional Services, LLC (formally known as ARAMARK Correctional Services, Inc.) for Jail Food Services – Not to Exceed \$27,000,000]

Resolution authorizing the Sheriff's Department to enter into a Third Amendment to the Agreement between the City and County and ARAMARK Correctional Services, LLC (ARAMARK), to increase the contract amount from \$24,000,000 to an amount not to exceed \$27,000,000 and to extend the contract term to June 30, 2011. (Sheriff)

03/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100381**[Petitions and Communications]**

Petitions and Communications received from March 16, 2010, through March 22, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 30, 2010.

From Office of Citizen Complaints, submitting the 2009 Annual Report. (1)

From Office of the Controller, submitting an audit report on Edgewood Center. Copy: Each Supervisor (2)

From Office of the Controller, submitting report concerning the cash handling audit of New South Parking at San Francisco International Airport. (3)

From Office of the Controller, submitting the financial audit report of the Statements of Net Assets and Statement of Changes in Net Assets Investment Pool held by the Office of the Treasurer and Tax Collector as of June 30, 2009. Copy: Each Supervisor (4)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (5)

Eric Mar - Annual

Cassandra Costello - Annual

Lin-Shao Chin - Annual

Sophie Maxwell - Annual

Frances Hsieh - Annual

Nicolas King - Leaving

Jamie Cantwell - Leaving

From Department of Public Health, submitting the Hazardous Waste Release Disclosure Form for March 2010. (6)

From Office of the Mayor, submitting the reappointment of Scott Kahn as a member of the Human Services Commission. Copy: Rules Clerk (7)

From Office of the Mayor, submitting the reappointment of Edward Chow as a member of the Health Commission, and the reappointment of Michael Nguyen and appointment of Lee Muson as members of the Library Commission. Copy: Rules Clerk (8)

From Hidalgo General Engineering, Inc., submitting copy of letter sent to the Human Rights Commission thanking them for standing for those companies who do not have the financial resources to fight for themselves and always aiming for a "fair and equitable" resolution. (9)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B for Transtech of S.C., L.P. (10)

From Public Utilities Commission, regarding the local use and sale of combustion turbine power plants in San Francisco. File No. 090710, Copy: Supervisor Mirkarimi (11)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to Mammal Hunting Regulations. (12)

From State Fish and Game Commission, submitting notice of proposed regulatory actions that the California tiger salamander warrants listing to threatened species status. (13)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relating to marine protected areas. (14)

From concerned citizens, submitting opposition to public power in San Francisco. 5 letters (15)

From Robin McCain, submitting support for public power in San Francisco. (16)

From SafetyBeltSafe U.S.A., regarding Safety Seat Check-up Week, April 11-17, 2010. (17)

From Western SoMa Citizens Planning Task Force, regarding the environmental analysis of the Western SoMa Community Plan. (18)

From James Raney, regarding the recently passed ban on sidewalk smoking in San Francisco. (19)

From T-Mobile, submitting notification letter for a cellular site at 470 Noor Avenue. (20)

From T-Mobile, submitting notification letter for a cellular site at 2270 Folsom Street. (21)

From SF Ocean Edge, concerning the San Francisco Tree Council's support for a full Environmental Impact Report for the Beach Chalet Soccer Fields. File No. 100053, Copy: City Operations and Neighborhood Services Committee Members and Clerk (22)

From James Keys, concerning the lay-off of psychiatrist Dr. Moranville at the Community Clinic Consortium. (23)

From Department of Public Health, submitting the Hazardous Waste Release Disclosure Form for February 2010. (24)

From concerned citizens, submitting opposition to closing the intersection of 24th and Noe Streets for a mini-park. 2 letters (25)

From Seth Saavedra, urging the Mayor and the Board of Supervisors to appropriate funds for full-time interim library service for the Park Branch Library while it is under renovation. (26)

From Ivan Pratt, regarding Elaine Zamora's run for Supervisor of District Six. (27)

From Scott Strohmeier, regarding motorist harassment by the Police Department and the Department of Public Works. (28)

From Frank Kennedy, urging the Board of Supervisors to fund the 311 program in San Francisco. (29)

From Office of the Mayor, submitting the reappointment of Anita Friedman as a member of the Human Services Commission. (30)

From Sally Loveland, regarding MUNI service. (31)

From Paul Nisbett, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. (32)

From Katherine Johnson, submitting support for Sunday Streets. (33)

From Arthur Evans, submitting support for proposed legislation concerning the sit/lie law. File No. 100233, 2 letters (34)

From Brian Regan, submitting letter from the Wireless Infrastructure Association and the California Wireless Association regarding the health effects of wireless telecommunications facilities. (35)

ADJOURNMENT