

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - FINAL

Tuesday, October 26, 2010 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

Wednesday

11:00 AM

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

2nd and 4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Dufty

2nd and 4th Monday

10:30 AM

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

2nd and 4th Thursday

10:30 AM

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Monday

1:00 PM

Public Safety Committee

Supervisors Chiu, Mirkarimi, Elsbernd

1st and 3rd Monday

10:00 AM

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

1st and 3rd Thursday

10:00 AM

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

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisor Alioto-Pier was noted absent. There was a quorum.

Supervisor Alioto-Pier Excused from Voting

Supervisor Dufty, seconded by Supervisor Avalos, moved that Supervisor Alioto-Pier be excused from voting. The motion carried by the following vote:

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

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Maxwell, moved to approve the Board Meeting Minutes of September 14, 2010, and September 21, 2010. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

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

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

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

101104 [Public Employment - Department of the Environment]

Sponsor: Mayor

Ordinance amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of two positions: one (1) Class 5640 Environmental Specialist, one (1) Class 5644 Environmental Manager in the Department of the Environment.
(Fiscal Impact.)

Ordinance No. 263-10

FINALLY PASSED

101154 [Accept and Expend Grant - Office of the Public Defender - Rosenberg Foundation and Amendment to the Annual Salary Ordinance FY2010-2011 - \$47,000]

Sponsor: Mirkarimi

Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$47,000 from the Rosenberg Foundation, via Institute for Local Governance, to develop a California Reentry Council Network to assist in the development of statewide capacity to improve reentry policies and programs, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect addition of one (1) temporary Class 8173 Legal Assistant, grant-funded position (0.55 FTE), in the Office of the Public Defender.

Ordinance No. 262-10

FINALLY PASSED

101159 [Taxable and/or Tax Exempt Certificates of Participation for Various Capital Improvements - Not to Exceed \$48,000,000]**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Certificates of Participation in an aggregate principal amount not to exceed \$48,000,000 to finance the acquisition, construction, improvement and installation of certain street improvements and of various disability access improvement projects; approving the form of a Second Supplement to Trust Agreement between the City and County of San Francisco and the Trustee named therein (including certain indemnities contained therein); approving the form of a Second Supplement to Property Lease between the City, as lessor, and the Trustee, as lessee; approving the form of a Second Supplement to Project Lease between the Trustee, as lessor, and the City, as lessee; approving the form of an Official Notice of Sale and Notice of Intention to Sell for the Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Certificates of Participation, if sold by negotiated sale; delegating to the Director of Public Finance the authority to sell the Certificates of Participation by either a competitive or negotiated sale; approving the form of a Purchase Contract between the City and the underwriter(s) selected in accordance herewith, if the Certificates of Participation are sold by negotiated sale; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Ordinance No. 264-10

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee**100881 [Zoning Map Amendment - 1717-17th Street to Conform with Lot Line Adjustment]****Sponsor: Maxwell**

Ordinance amending the San Francisco Zoning Map by amending the lot reference applicable to 1717-17th Street, and an adjacent property, referred to as 495 DeHaro Street, so that the height district applicable to each lot in its entirety is 48-X and 45-X, respectively, in conformance with a lot line adjustment between the subject properties; and making various findings, including environmental findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Ordinance No. 261-10

FINALLY PASSED

100917 [Planning Code - Area Plan Impact Fee and Jobs-Housing Linkage Program]**Sponsors: Avalos; Mar**

Ordinance amending the San Francisco Planning Code sections related to Area Plan Impact Fees (Rincon Hill, Market and Octavia, Eastern Neighborhoods, and Balboa Park) and Jobs-Housing Linkage Fee to (1) improve Planning Code readability and ease of application with regard to impact fees; (2) create consistent definitions and application across the Area Plan Impact Fee and Jobs-Housing Linkage Fee provisions; (3) better recognize and account for the impact of existing conditions of development sites affected by the Area Plan Impact Fees and the Jobs-Housing Linkage Fee; (4) promote adaptive re-use of existing buildings in the Eastern Neighborhoods; and (5) clarify the impact fees associated with the Eastern Neighborhoods' on-going "legitimization" program; and adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

Supervisor Mar requested to be added as a co-sponsor.

Ordinance No. 270-10**FINALLY PASSED****101200 [Planning Code - Preservation, Rehabilitation and Maintenance of Preservation Lots; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]****Sponsors: Chiu, Maxwell and Mar**

Ordinance amending Section 128 of the San Francisco Planning Code to require approval of a plan for preservation, rehabilitation, and maintenance of a Preservation Lot property prior to receipt of a Statement of Eligibility for Transferable Development Rights (TDR), to establish reporting procedures regarding the preservation, rehabilitation, and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Mar requested to be added as a co-sponsor.

Ordinance No. 256-10**FINALLY PASSED****101258 [Functional Classification Change for Local Streets]**

Resolution approving the Department of Public Works recommended changes to the Functional Classification of local streets and roads and directing the Department to submit this resolution to the State of California, Department of Transportation. (Public Works Department)

Resolution No. 504-10**ADOPTED**

Recommendation of the Public Safety Committee**100963 [Healthy Nail Salon Recognition Program]****Sponsors: Chiu; Maxwell, Alioto-Pier, Chu, Mirkarimi, Mar and Campos**

Ordinance amending the San Francisco Administrative Code by adding Chapter 27, Sections 27.1 through 27.6, to create a program to recognize nail salons that use nail polishes free of the toxic chemicals toluene, dibutyl phthalate, and formaldehyde.

Ordinance No. 269-10**FINALLY PASSED****Recommendations of the Rules Committee****100472 [Access Appeals Commission - Notice to the Mayor's Office of Disability]****Sponsor: Alioto-Pier**

Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

Ordinance No. 268-10**FINALLY PASSED****100910 [Settlement of Lawsuit - California Department of Fair Employment and Housing (Zimmerman) - \$105,000]**

Ordinance authorizing settlement of the lawsuit filed by the California Department of Fair Employment and Housing (Plaintiff), Linda Zimmerman (Real Party in Interest) against the City and County of San Francisco for \$105,000, the lawsuit was filed on March 4, 2009, in San Francisco Superior Court, Case No. CGC-09-485723; entitled Department of Fair Employment and Housing (Zimmerman) v. City and County of San Francisco. (City Attorney)

Ordinance No. 260-10**FINALLY PASSED****100911 [Settlement of Lawsuit - Michael Lew - \$90,000]**

Ordinance authorizing settlement of the lawsuit filed by Michael Lew against the City and County of San Francisco for \$90,000, including re-employment and restoration of vacation and sick leave; the lawsuit was filed on May 11, 2009, in San Francisco Superior Court, Case No. CGC-09-488262; entitled Michael Lew v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 259-10**FINALLY PASSED**

100959 [Settlement of Lawsuit - Carlos Garcia - \$2,400,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Garcia against the City and County of San Francisco for \$2,400,000; the lawsuit was filed on December 5, 2005, in San Francisco Superior Court, Case No. CGC-05-447342; entitled Carlos Garcia, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 255-10

FINALLY PASSED

101008 [Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]

Sponsors: Chiu; Chu, Alioto-Pier and Mar

Ordinance amending the San Francisco Administrative Code by adding Sections 1.57-1 through 1.57-5, to provide for the establishment and maintenance of a centralized and publicly accessible online database of information concerning appointments made by Appointing Authorities to City and County of San Francisco advisory bodies.

Ordinance No. 265-10

FINALLY PASSED

101231 [Settlement of Lawsuit - Galliera, Inc. dba Trico Construction - \$700,000]

Ordinance authorizing settlement of the lawsuit filed by Galliera, Inc. dba Trico Construction against the City and County of San Francisco for \$700,000; the lawsuit was filed on December 29, 2008, in San Francisco Superior Court, Case No. CGC-08-483555, entitled Galliera, Inc. dba Trico Construction v. City and County of San Francisco, et al.; other material terms of the settlement are: (1) the settlement includes the consolidated action Cal Centurian Construction, Inc. dba RWR Construction v. Galliera, Inc. dba Trico Construction, et al., San Francisco Superior Court, Case No. CGC-09-485849, (2) the settlement includes all cross-complaints, (3) mutual releases except for warranties, guarantees, latent defects, and personal injury, (4) dismissal of all complaints and cross-complaints with prejudice, and (5) each party to bear its own attorneys fees and costs. (City Attorney)

Ordinance No. 258-10

FINALLY PASSED

101232 [Settlement of Lawsuit - Jeri D. Sessler - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Jeri D. Sessler against the City and County of San Francisco for \$75,000; the lawsuit was filed on June 3, 2009, in San Francisco Superior Court, Case No. CGC-09-488998; entitled Jeri D. Sessler, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 257-10

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

101158 [Taxable and/or Tax Exempt Certificates of Participation (HOPE SF) - Not to Exceed \$38,000,000]

Sponsor: Mayor

Ordinance authorizing the execution and delivery of Taxable and/or Tax Exempt Certificates of Participation (HOPE SF) in an aggregate principal amount not to exceed \$38,000,000 to finance certain capital improvement projects; approving the form of a Trust Agreement between the City and County of San Francisco and the trustee (including certain indemnities contained therein); granting authorization for the selection of a trustee; approving the form of a Property Lease between the City and the Trustee named therein relating to certain property generally known as the Mission Police Station, certain property generally known as the Bayview Station of the San Francisco Police Department and certain other City-owned property; approving the form of a Project Lease between the City and the Trustee (including certain indemnities contained therein); delegating to the Director of Public Finance the authority to sell the Certificates of Participation by either a competitive or negotiated sale; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF), if sold by competitive sale; authorizing certain actions relating to the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF), if sold by negotiated sale including approving the form of a Purchase Contract between the City and an underwriter named therein; approving the form of an Official Statement in preliminary form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Taxable and/or Tax Exempt Certificates of Participation (HOPE SF); approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Ordinance No. 266-10

FINALLY PASSED by the following vote:

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

Noes: 1 - Daly

Excused: 1 - Alioto-Pier

101192 [Appropriating \$38,000,000 of Certificate of Participation Proceeds for the HOPE SF Development Project in the Mayor's Office of Housing for FY2010-2011]**Sponsors: Mayor; Maxwell**

Ordinance appropriating \$38,000,000 of Certificate of Participation Series 2011B proceeds to fund the HOPE SF Development Project sponsored by Hunters View Associates in the Mayor's Office of Housing for FY2010-2011 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2010-2011.
(Fiscal Impact.)

Ordinance No. 267-10**FINALLY PASSED by the following vote:**

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

Noes: 1 - Daly

Excused: 1 - Alioto-Pier

NEW BUSINESS**Recommendations of the Budget and Finance Committee****101197 [Contract Approval - Municipal Transportation Agency - Capital Program Controls System Procurement and Related Support Services - Not to Exceed \$22,268,541]****Sponsor: Chu**

Resolution approving the San Francisco Municipal Transportation Agency Contract No. CS-156, Agency Capital Program Controls System Procurement, and Related Support Services, to Hill International, as negotiated, for an amount not to exceed \$22,268,541 for a term not to exceed eight years, with expenditures limited to \$13,481,000 pending receipt and certification of additional funding.

(Fiscal Impact.)

Privilege of the floor was granted to Arthur Wong (MTA) who responded to questions raised throughout the discussion regarding File No. 101197.

Resolution No. 501-10**ADOPTED by the following vote:**

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

Excused: 1 - Alioto-Pier

101199 [Accept and Expend Grant - Department of Public Health - State Vocational Rehabilitation Services Program - \$7,685,055]**Sponsor: Maxwell**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Rehabilitation in the total amount of \$7,685,055 to provide vocational rehabilitation services to clients for the period July 1, 2010, through June 30, 2013, waiving indirect costs.
(Fiscal Impact.)

Resolution No. 503-10**ADOPTED by the following vote:**

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

101215 [Leases of Real Property at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street]

Resolution authorizing the amendment of four existing leases (at 729 Filbert Street, 650 Fifth Street, 160 South Van Ness Avenue, and 109 New Montgomery Street) to reduce the rent and extend the lease term for the Department of Public Health, Human Services Agency, and the Department of Child Support Services. (Real Estate Department)

Resolution No. 506-10**ADOPTED by the following vote:**

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

101252 [Amendment to the Redevelopment Agency Budget - Not to Exceed \$520,743]**Sponsor: Mayor**

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011 by authorizing expenditures in an amount not to exceed \$520,743 for personnel positions associated with the implementation of the Candlestick Point - Hunters Point Shipyard Phase 2 Project.

Resolution No. 510-10**ADOPTED by the following vote:**

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

101213 [Airline/Airport 2011 Lease and Use Agreement with Various Airlines]

Resolution approving six new Airline/Airport Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such airlines to conduct domestic and international flight operations at San Francisco International Airport. (Airport Commission)

Resolution No. 505-10**ADOPTED by the following vote:**

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

101214 [Airline/Airport Lease and Use Agreement and Lease and Operating Agreement Modifications with Alaska Airlines, Inc., and Continental Airlines, Inc.]

Resolution approving modifications to the terms of two Airline/Airport Lease and Use Agreements between the City and County of San Francisco and Alaska Airlines, Inc., and Continental Airlines, Inc., to allow such airlines to modify the rental of Terminal Space. (Airport Commission)

Resolution No. 502-10

ADOPTED by the following vote:

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

Excused: 1 - Alioto-Pier

Recommendations of the Government Audit and Oversight Committee**101156 [Memorandum of Understanding, Amendment No. 2 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2007-2012 Memorandum of Understanding between the City and County of San Francisco and Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by extending the term of the parties' agreement through June 30, 2013, and by implementing specified terms and conditions of employment for FYs 2010-2011, 2011-2012, and 2012-2013.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

101157 [Administrative Code - Updating Provisions Consistent with State and Local Law and Related Clean-Up Provisions on Employee Relations]

Sponsor: Mayor

Ordinance amending Section 16.200 through Section 16.222 of the San Francisco Administrative Code regarding Employee Relations to update provisions consistent with state and local law and related clean-up provisions.

Supervisor Mar, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED ON FIRST READING to November 9, 2010. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

100878 [Fire Code - Repealing and Replacing]

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2010 San Francisco Fire Code consisting of the 2010 California Fire Code and portions of the 2009 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

PASSED, ON FIRST READING by the following vote:

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

100946 [Building Code - Repealing and Replacing]

Ordinance repealing the 2007 San Francisco Building Code in its entirety and replacing that Code with a new 2010 San Francisco Building Code that consists of the 2010 California Building Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

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

100950 [Building Code - Residential Building - Repealing and Replacing]

Ordinance incorporating the provisions of the 2010 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

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

101128 [Building Code - Green Building - Repealing and Replacing]

Ordinance repealing Chapter 13C of the San Francisco Building Code in its entirety and enacting a new Chapter 13C that consists of the 2010 California Green Building Standards Code with local amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and Public Resources Code Section 25402.1(h)(2), and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

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

100952 [Electrical Code - Repealing and Replacing]

Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and replacing that code with a new 2010 San Francisco Electrical Code that consists of the 2010 California Electrical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

101126 [Mechanical Code - Repealing and Replacing]

Ordinance repealing the 2007 San Francisco Mechanical Code in its entirety and replacing that code with a new 2010 San Francisco Mechanical Code that consists of the 2010 California Mechanical Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

101127 [Plumbing Code - Repealing and Replacing]

Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011. (Building Inspection Department)

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Alioto-Pier

Recommendations of the Public Safety Committee

100455 [Environment Code - San Francisco Safe Drug Disposal Ordinance]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2209, to require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources and to provide for implementation, enforcement, fees, and penalties, and making environmental findings.

(Supervisor Elsbernd dissented in Committee.)

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

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

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to November 23, 2010. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

101062 [Health Code - Updating Enforcement and Compliance Procedures for Nuisance]

Sponsors: Avalos; Campos

Ordinance amending the San Francisco Health Code Articles 6 and 11 by amending Sections 580, 581, 596, 599, and 600, and adding Sections 292.5, 596.5, 602.3, and 610 to: 1) add requirements for refuse collection and storage in multi-story residential facilities; 2) update nuisance definitions; 3) add potential attorneys' fees recovery for the prevailing party in those cases which the City elects to recover attorneys' fees; 4) require owners of rental property to provide contact information to the Department; 5) add civil penalties; and 6) expand administrative penalties and procedures.

(Supervisor Elsbernd dissented in Committee.)

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Avalos, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED ON FIRST READING to November 16, 2010. The motion carried by the following vote:

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

Excused: 1 - Alioto-Pier

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

Privilege of the Floor

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

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

Excused: 1 - Alioto-Pier

Supervisor Daly, shared in song by introducing, welcoming, and presenting a Certificate of Honor to Walter Paulson in recognition of his continued community interest.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Tom Hennessy and Abbie Yant of the St. Francis Hospital in recognition of their assistance during a recent fire on Hyde Street and for their continued community support.

Supervisor Dufty, on behalf of Supervisor Alioto-Pier, provided an overview of the Restaurant Appreciation Month commendation proceedings. Introductions and Certificates of Honor, in recognition of Restaurant Appreciation Month were presented as follows:

*Supervisor Mar to Burma Superstar;
Supervisor Dufty, on behalf of Supervisor Alioto-Pier, to The Grove;
Supervisor Chu, shared by Supervisor Elsbernd, to Java Beach Café;
Supervisor Mirkarimi to Ebisu Japanese/Sushi and 1300 Restaurant;
Supervisor Daly to Fritz;
Supervisor Dufty to Chenery Park;
Supervisor Campos to Escape from New York Pizza;
Supervisor Maxwell to Piccino Restaurant;
Supervisor Avalos to Zabb Thai Cuisine;
Supervisor Chiu to Helmand Palace; and
Kelly Pretzer (OEWD), on behalf of Mayor Newsom, to Beretta.*

Privilege of the floor was granted to Kevin Weslye (Golden Gate Restaurant Association) who shared in the recognitions for Restaurant Appreciation Month.

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to the staff of Jail Health Services in recognition of their accomplishments and continued community support. Supervisors Campos and Maxwell shared in the recognition.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Privilege of the floor was granted to Joseph Smooke, Executive Director of the Bernal Heights Neighborhood Center, and Carlos Vela, who shared in the memory of Mauricio Vela.

Supervisor Elsbernd was noted absent at 3:15 p.m. and noted present at 3:47 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; shared in the memory of Mauricio Vela and expressed concerns relating to the SF Public Library.

Male Speaker; expressed various concerns.

Female Speaker; expressed concerns relating to Ferry Park.

Doug Muller; expressed various concerns relating to current labor strike.

Peter Alexander; expressed various concerns relating to current labor strike.

Marilyn Amini; expressed concerns relating to bicycle legislation.

Kenneth Tibet; expressed concerns relating to diet related diseases.

Carla Beba; expressed concerns relating to diet related diseases.

Nino Parker; expressed concerns relating to graffiti.

Male Speaker; expressed various religious concerns.

Rosario Serrvantes; expressed concerns relating to child care funding legislation.

Willow Lancaster; expressed concerns relating to child care funding legislation.

Junebug; expressed concerns relating to child care funding legislation.

Mary Markowitz; expressed concerns relating to child care funding legislation.

Maria Gustav; expressed concerns relating to child care funding legislation.

Renee Rivera; expressed concerns relating to bicycle legislation.

Donna Wilma; expressed concerns relating to Clipper Card transition.

Isiah Wilson; expressed concerns relating to poll worker training.

Peter Warfield; shared in the memory of Mauricio Vela and expressed concerns relating to the SF Public Library.

Jan Bornprom; expressed concerns relating to identify fraud.

Edmond Juicye; expressed various concerns.

Mr. Wright; expressed concerns relating to child care funding legislation..

Rachel; expressed various concerns.

John Jankel; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

101319 [Encourage a Goal of 20% of Trips by Bicycle by 2020]

Sponsors: Chiu; Dufty, Mirkarimi, Maxwell, Mar and Campos

Resolution encouraging departments and agencies of the City and County of San Francisco to adopt a goal of 20% of trips by bicycle by 2020.

Supervisors Mar and Campos requested to be added as co-sponsors.

Resolution No. 511-10

ADOPTED

101320 [Parkside Branch Library Reopening]

Sponsors: Chu; Campos

Resolution recognizing the Grand Reopening of the Parkside Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 512-10

ADOPTED

101321 [Issuance and Sale of Revenue Bonds - Crescent Manor - 467 Turk Street]**Sponsor: Daly**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principle amount not to exceed \$11,000,000 for financing the acquisition, construction, and rehabilitation of Crescent Manor - 467 Turk Street, subject to the policies for such approvals adopted by the Board of Supervisors.

Resolution No. 509-10

ADOPTED

101322 [Accept and Expend Grant - PSI/Myanmar Collaborative Impact Study Planning - \$7,993]**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$7,993 from the University of California San Francisco (UCSF), to participate in a program entitled "PSI/Myanmar Collaborative Impact Study Planning" for the period of May 1, 2010, through June 29, 2010.

Resolution No. 508-10

ADOPTED

101323 [Accept and Expend Grant - Tanzania Support President's Emergency AIDS Plan - \$27,062]**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$27,062 from the University of California San Francisco (UCSF), to participate in a program entitled "Tanzania UCSF Technical Assistance to Support the President's Emergency Plan for AIDS" for the period of April 1, 2010, through September 29, 2010.

Resolution No. 507-10

ADOPTED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Alioto-Pier

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 101328 be severed so that it may be considered separately.

101328 [Urging the Governor of California to Reinstate Stage 3 Child Care Funding]

Sponsors: Mar; Chiu, Campos and Dufty

Resolution urging the Governor of California to reinstate Stage 3 child care funding of \$256,000,000 to protect 1,214 children in San Francisco and 81,000 children in California and to save thousands of jobs and urge the First 5 Commission to provide bridge funding until December 2010.

Supervisors Campos and Dufty requested to be added as co-sponsors.

Privilege of the floor was granted to Michele Rutherford (DHS) who responded to questions raised throughout the discussion regarding File No. 101328.

Resolution No. 513-10

ADOPTED by the following vote:

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

Excused: 1 - Alioto-Pier

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or Mayor****Ordinances****101349 [Administrative Code - DNA Testing in Sexual Assault Cases]**

Sponsor: Alioto-Pier

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

10/26/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 11/25/2010.

101350 [Planning Code – Zoning – Parking in South of Market and Mission Bay Districts]**Sponsor: Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 155, 161, 249.1, 249.23, and Part VII of Article 9 (1) to remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts, (2) to require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking, (3) to make parking controls in the Mission Bay Districts that are subject to the Planning Code consistent with requirements of neighboring districts; and (4) adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/26/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/25/2010.

101351 [Planning Code - Zoning - Temporary Uses and Mobile Food Facilities]**Sponsor: Dufty**

Ordinance amending the San Francisco Planning Code by adding Section 102.31 to define a Mobile Food Facility, amending Section 205 and adding Section 205.4 to establish a new category of temporary uses, and amending Sections 212, 790.91, 790.93 and 890.90 to clarify that Mobile Food Facilities need not be conducted within enclosed buildings; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

10/26/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101352 [Various Codes - Mobile Food Facilities - Department of Public Works Permitting Authority]**Sponsor: Dufty**

Ordinance amending the San Francisco Police Code and San Francisco Public Works Code by repealing Articles 17.2 (Regulations for Mobile Caterers; Permit and License Provisions) and 17.3 (Permit Regulations for Pushcart Peddlers), transferring the regulations to a new Article 5.8 of the Public Works Code commencing with Section 184.80, redefining Mobile Caterers and Pushcart Peddlers as Mobile Food Facilities; making other amendments to implement the transfer, including new fee and penalty provisions and new notice and hearing procedures; amending Sections 440 and 451 of the San Francisco Health Code and repealing Section 249, amending Section 249.1, and adding Section 249.23 to the San Francisco Business and Tax Regulations Code to update definitions and add annual fees and plan check fees for Mobile Food Facilities; and adopting environmental findings.

10/26/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101098 [Administrative Code - Electronic Distribution of Multi-Page Documents]**Sponsors: Mirkarimi; Chiu, Campos and Mar**

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

08/10/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/9/2010. 9/9/10 - Recommendation letter received from the Planning Department.

9/29/10 - Recommendation letter received from the Planning Department.

10/19/10; SUBSTITUTED AND ASSIGNED to Rules Committee.

10/26/10; SUBSTITUTED AND ASSIGNED to Rules Committee.

Resolutions

101355 [Resolution to Establish the Ocean Avenue Community Benefits District]

Sponsor: Avalos

Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

10/26/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

101356 [Assessment Ballots for City-Owned Parcels for Proposed Ocean Avenue Community Benefits District]

Sponsor: Avalos

Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of two parcels and part of a third parcel of real property over which the Board of Supervisors has jurisdiction, where those two parcels and the partial parcel would be subject to assessment in the proposed property and business improvement district to be named the Ocean Avenue Community Benefits District.

10/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101357 [Settlement of Unlitigated Claims - Skyline Stables Corporation - \$650,000]

Sponsor: Avalos

Resolution approving the settlement of the unlitigated claims by and between Skyline Stables Corporation (Skyline) and City and County of San Francisco, related to the lease between Skyline and the San Francisco Public Utilities Commission (SFPUC) of a portion of the SFPUC Harry Tracy Water Treatment Plant (HTWTP) site in San Mateo County, the SFPUC approval of the HTWTP Long Term Improvement Project to improve water service reliability and seismic stability of the HTWTP, the SFPUC termination of Skyline's lease and Skyline's vacation of the lease premises, and SFPUC's offer to acquire the leasehold interest, calling for SFPUC to pay \$650,000 to Skyline, and including other material terms and conditions in a settlement and release agreement.

10/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101358 [Annual Reports - Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District]

Sponsor: Chiu

Resolution approving annual reports to the City for Fisherman's Wharf Community Benefit District and for Fisherman's Wharf Portside Community Benefit District, receiving and approving the Districts' Annual Reports for FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the Districts' management contracts with the City.

10/26/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

101359 [Annual Report - Greater Union Square Business Improvement District and Modifying Management District Plan]**Sponsor: Chiu**

Resolution regarding Greater Union Square Business Improvement District, receiving and approving the District's Annual Report for FY2009-2010 as submitted pursuant to Section 36650 of the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's Management Agreement with the City, which includes the District's proposed budget for FY2010-2011; modifying the Management District Plan in accordance with the Annual Report; and conforming the Management Agreement to changes in the Management District Plan.

10/26/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

101360 [Accept and Expend Grant - HIV Testing Disproportionately Affected Populations - \$877,273]**Sponsor: Dufty**

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$877,273 from the Centers for Disease Control to fund the project Expanded HIV Testing for Disproportionately Affected Populations for the period of September 30, 2010, through September 29, 2011, waiving indirect costs.

10/26/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101361 [Annual Reports - Noe Valley Community Benefit District]**Sponsor: Dufty**

Resolution regarding Noe Valley Community Benefit District annual reports to the City, receiving and approving the District's annual reports for District FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

10/26/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

101362 [Accept and Expend Gift - Joseph Lee Recreation Center - \$162,063]**Sponsor: Maxwell**

Resolution authorizing the Recreation and Park Department to accept and expend a gift from the John and Lisa Pritzker Family Fund for \$54,021 annually for FYs 2010-2011, 2011-2012, and 2012-2013, for a total of \$162,063, for general operating support of Joseph Lee Recreation Center.

10/26/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101363 [Accept and Expend Grant - No Violence Alliance One Family Reentry Initiative - \$300,000]**Sponsor: Mayor**

Resolution authorizing the Sheriff's Department to retroactively apply for, accept, and expend \$300,000 in funds from the Bureau of Justice Assistance, through the Second Chance Act Prisoner Reentry Initiative; the No Violence Alliance One Family Reentry Initiative will provide a comprehensive, family-focused continuum from in-custody to post-release for sentenced probationers incarcerated in the San Francisco County Jail with a history of substance abuse and minor children.

10/26/10; RECEIVED AND ASSIGNED to Public Safety Committee.

101364 [Accept and Expend Grant - FY2010 Forensic DNA Backlog Reduction Program - \$320,274]**Sponsors: Mayor; Alioto-Pier**

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a grant totaling \$320,274 from the U.S. Department of Justice/National Institute of Justice for the FY2010 Forensic DNA Backlog Reduction Program.

10/26/10; RECEIVED AND ASSIGNED to Public Safety Committee.

101365 [Accept and Expend Grant - The Keystone Project - \$599,298]**Sponsor: Mayor**

Resolution authorizing the Sheriff's Department to retroactively apply for, accept, and expend \$599,298 in funds from the Bureau of Justice Assistance, through the Second Chance Act Prisoner Reentry Initiative; the Keystone Project will strive to increase public safety and reduce recidivism among offenders with co-occurring disorders in the City and County of San Francisco, and waiving any indirect costs.

10/26/10; RECEIVED AND ASSIGNED to Public Safety Committee.

101366 [Accept and Expend Grant - FY2010 Technology Program Gunshot Location System - \$750,000]**Sponsor: Mayor**

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a \$750,000 grant from the U.S. Department of Justice/Office of Community Oriented Policing FY2010 Technology Program for a Gunshot Location System.

10/26/10; RECEIVED AND ASSIGNED to Public Safety Committee.

101367 [Accept and Expend Gift - Gene Friend Recreation Center - \$100,000]**Sponsor: Daly**

Resolution authorizing the Recreation and Park Department to accept and expend a gift of \$100,000 from the San Francisco Parks Trust, on behalf of the Friend Family Foundation, for the renovation of the Gene Friend Recreation Center. (Recreation and Park Department)

10/26/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101368 [Accept and Expend Gift - Music Concourse Trees - \$30,000]**Sponsor: Mar**

Resolution authorizing the Recreation and Park Department to accept and expend a gift of \$30,000 from the San Francisco Parks Trust on behalf of Chase Freedom for the purchase, planting, and care of approximately 40 London Plane trees in Golden Gate Park's Music Concourse. (Recreation and Park Department)

10/26/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion**101353 [Committee of the Whole - Public Hearing to Establish the Ocean Avenue Community Benefits District]****Sponsor: Avalos**

Motion directing the Board of Supervisors to hold a public hearing on November 16, 2010, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution to Establish the Ocean Avenue Community Benefits District.

10/26/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**101354 [Public Hearing - Resolution to Establish the Ocean Avenue Community Benefits District]****Sponsor: Avalos**

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Ocean Avenue Community Benefits District," ordering the levy and collection of assessments against property located in that district for fifteen years commencing with FY2010-2011, subject to conditions as specified, and making environmental findings.

10/26/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

101369 [Hearing - Childcare and Early Child Education Audit]**Sponsor: Alioto-Pier**

Hearing to consider the findings of the Budget and Legislative Analyst's audit of the City's childcare and early child education programs. The hearing will address recommendations of the audit, and consider responses from the Department of Children, Youth and Their Families, Human Services Agency, Children and Families First Commission, and Department of Public Health.

10/26/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

101370 [Hearing - Parking Meter Rates and Penalties]**Sponsor: Alioto-Pier**

Hearing to consider the report of the Budget and Legislative Analyst analyzing the parking meters rates and penalties and exploring whether the San Francisco Municipal Transportation Agency would be willing to reduce or cap these rates and penalties to provide relief to working San Franciscans.

10/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101371 [San Francisco Unified School District's New Student Assignment System]**Sponsor: Dufty**

Hearing to consider the San Francisco Unified School District's: 1) new student assignment system; 2) the potential impact on the transportation system; and 3) how the City and District are collaborating to optimize the transportation options for our children and youth.

10/26/10; RECEIVED AND ASSIGNED to City and School District Select Committee.

101372 [Hearing - City Services Auditor's Audit on Public Utilities Commission]**Sponsor: Mar**

Hearing on the Controller's Office recent City Services Auditor's audit on the San Francisco Public Utilities Commission.

10/26/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

101373 [Hearing - City Services Auditor's Audit on Police Department]**Sponsor: Mar**

Hearing on the Controller's Office recent City Services Auditor's audit on the San Francisco Police Department.

10/26/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of a Department**PROPOSED RESOLUTIONS****101301 [Approval of Contract - AnsaldoBreda, Inc. - Repair of Damaged LRVs - Not to Exceed \$32,854,622]**

Resolution approving Contract No. CPT 626.02, repair of damaged light rail vehicles, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda, Inc., to rebuild up to seven damaged light rail vehicles, in an amount not to exceed \$32,854,622, and for a term not to exceed six years, with expenditures limited to \$13,000,000 pending certification of additional funding. (Municipal Transportation Agency) (Fiscal Impact.)

10/18/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101302 [Harry Tracy Water Treatment Plant Improvements Project Findings]

Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Harry Tracy Water Treatment Plant Long-Term Improvements Project No. CUW36701, part of the Water System Improvement Program, for the improvements to the regional water supply system and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101304 [Crystal Springs Pipeline Number Two Replacement Project Findings]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Crystal Springs Pipeline Number 2 Replacement Project No. CUW37801, part of the Water System Improvement Program for the improvements to the regional water supply system, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101305 [Lower Crystal Springs Dam Improvements Project Findings]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Lower Crystal Springs Dam Improvements Project No. CUW35401, including the Mitigation Habitat Actions at ten sites mostly in San Mateo County, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

101306 [Purchase Agreement - Permanent Access Road Easement - Parcel Nos. 016-002-011 and 016-002-012 - Stanislaus County - \$500]

Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 751 square feet over a portion of Assessor's Parcel Nos. 016-002-011 and 016-002-012 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

10/18/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101307 [Purchase Agreement - Permanent Access Road Easement - Parcel No. 016-002-048 - Stanislaus County - \$2,500]

Resolution approving and authorizing an agreement for the purchase of a permanent access road easement totaling 398 square feet over a portion of Assessor's Parcel No. 016-002-048 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301, for a purchase price of \$2,500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

10/18/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

San Francisco Bay Guardian

Southeast corner of Fillmore and Post

Southwest corner of Divisadero and Sutter

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

SF Daily

Northwest corner of Hayes and Gough

City Star

Northwest corner of Hayes and Gough

Southeast corner of Fillmore and Haight

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes

Northeast corner of Eddy and Fillmore

South of 940 Fillmore

Across the street from 235 Buchanan

Northeast corner of Linden and Buchanan

Southwest corner of Central and Fulton

Bus Shelter

Northeast corner of Eddy and Fillmore

Northeast corner of Hayes and Fulton

Southwest corner of Pierce and Haight

Southeast corner of Buchanan and Haight

Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Metal Pole

Across the street from 226 Haight

Wood Pole

In front of 624 Fulton

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1689 Fulton

1056 Divisadero

736 Divisadero

500 Fell, on the Fillmore side

295 Buchanan, on the Haight side

630 Haight

645 Haight

546 Haight

707 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Garbage Cans

Northeast corner of Page and Stanyan

Southeast corner of Fell and Fillmore

From: Supervisor Dufty

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Encouraging that the Municipal Transportation Agency make announcements that seats in the front of Muni buses and streetcars also be made available to pregnant women or mothers accompanied by young children. This inquiry was initiated by Nino Parker of San Francisco Pretrial Diversion Project.

In Memoriams

Mauricio Vela – Entire Board

Lucia Di Grande – Supervisor Chiu

Neil Chaitin – Supervisors Chiu, Chu and Dufty

Ellen “Muffie” Meier – Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:01 p.m.

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

Approved by the Board of Supervisors on December 7, 2010.

Angela Calvillo, Clerk of the Board