

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, July 26, 2011 - 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

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,  
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

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

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Wednesday

10:00 AM

##### **Budget and Finance Sub-Committee**

Supervisors Chu, Mirkarimi, Kim

Wednesday

10:00 AM

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

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

2nd and 4th Thursday

3:30 PM

##### **City Operations and Neighborhood Services Committee**

Supervisors Avalos, Mar, Elsbernd

2nd and 4th Monday

10:00 AM

##### **Government Audit and Oversight Committee**

Supervisors Campos, Farrell, Chiu

2nd and 4th Thursday

10:00 AM

##### **Land Use and Economic Development Committee**

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

##### **Public Safety Committee**

Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday

10:30 AM

##### **Rules Committee**

Supervisors Kim, Elsbernd, Farrell

1st and 3rd Thursday

1:30 PM

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, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:20 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of June 21, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

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

#### **110656 [Environment Code - Cell Phone Disclosure Requirements]**

**Sponsors: Avalos; Mar**

Ordinance amending the San Francisco Environment Code Sections 1101 through 1105 to require cell phone retailers to provide their customers with information regarding how to limit exposure to the radiofrequency energy emitted by cell phones in place of the mandatory disclosure of Specific Absorption Rate Values for cell phone models.

**Ordinance No. 165-11**

**FINALLY PASSED**

## **Recommendation of the Budget and Finance Committee**

### **110750 [Certificates of Participation - War Memorial Veterans Building Seismic Upgrade and Improvements - Not to Exceed \$170,000,000]**

**Sponsors: Mayor; Chiu**

Ordinance authorizing the execution and delivery of certificates of participation evidencing in an aggregate principal amount of not to exceed \$170,000,000 to: 1) finance the seismic upgrade of and certain improvements to the War Memorial Veterans Building; 2) authorizing the selection of a trustee by the Director of Public Finance and approving the form of a trust agreement for the certificates of participation between the City and County of San Francisco and the trustee named therein (including certain indemnities contained therein); 3) approving the forms of a property lease and a project lease between the City and the trustee of one or more portions of the San Francisco War Memorial Performing Arts Center; 4) 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; 5) authorizing the selection of underwriters by the Director of Public Finance and approving the form of a purchase contract between the City and the underwriters relating to the certificates of participation, if sold by negotiated sale; 6) approving the forms of a preliminary and final official statement with respect to the certificates of participation; 7) approving the form of a continuing disclosure certificate; 8) finding that the proposed project is categorically exempt from the California Environmental Quality Act; 9) finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirements of Charter Section 4.105 and Administrative Code Section 2A.53; 10) granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the certificates of participation; 11) approving modifications to documents and agreements; and 12) ratifying previous actions taken in connection therewith.

(Fiscal Impact)

**Ordinance No. 149-11**

**FINALLY PASSED**

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

### **110277 [Planning Code - Vintage Signs]**

**Sponsor: Campos**

Ordinance amending the San Francisco Planning Code Section 608.14 to 1) authorize vintage signs; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

**Ordinance No. 160-11**

**FINALLY PASSED**

### **110623 [Changing the Official Sidewalk Width - Brotherhood Way]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1588 to change the official sidewalk width on north side of Brotherhood Way west of Chumasero Drive; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

**Ordinance No. 161-11**

**FINALLY PASSED**

**110627 [General Plan Amendment - Community Safety Element]**

Ordinance amending the San Francisco General Plan by amending the Community Safety Element to reference the most recent Hazard Mitigation Plan; and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and environmental findings. (Planning Department)

**Ordinance No. 162-11**

**FINALLY PASSED**

**110180 [Changing the Official Sidewalk Width - Clarence Place]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1590 to change the official sidewalk width on the easterly side of Clarence Place northwesterly of Townsend Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both, of facilities affected by the sidewalk width change. (Public Works Department)

**Ordinance No. 163-11**

**FINALLY PASSED**

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Budget and Finance Committee

**110387 [Consolidated Budget and Annual Appropriation Ordinance - FYs 2011-2012 and 2012-2013]**

**Sponsor: Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures of the City and County of San Francisco for the FY ending June 30, 2012; and for FYs ending June 30, 2012, and June 30, 2013, for the Airport, Port Commission and Public Utilities Commission.

(Fiscal Impact)

**Ordinance No. 147-11**

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110386 [Annual Salary Ordinance - FYs 2011-2012 and 2012-2013]****Sponsor: Mayor**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2012; FY ending June 30, 2013, for the Airport, Port Commission, and the Public Utilities Commission; and continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

**Ordinance No.** 146-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110534 [Administrative Code - Public Works Greening Fund]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-371 to establish the Department of Public Works Greening Fund as a Category Six Fund.

**Ordinance No.** 150-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110549 [Park Code - Harding Park and Fleming Golf Courses Fees]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.12 to: 1) authorize the Recreation and Park Commission to approve special promotions of up to 25% of the applicable rate, and increases of up to 50% for non-resident and tournament fees at Harding Park and Fleming Golf Courses; 2) designate weekday and weekend hours; and 3) making environmental findings.

**Ordinance No.** 151-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110550 [Park Code - Lincoln Park Golf Fees]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.13 to: 1) designate weekday and weekend hours; 2) add a junior non-resident rate to the golf fees at Lincoln Park; and 3) making environmental findings.

**Ordinance No.** 152-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110551 [Park Code - Sharp Park Golf Fees]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.14 to: 1) designate weekday and weekend hours; 2) add junior resident and non-resident rates to the golf fees at Sharp Park; and 3) making environmental findings.

**Ordinance No.** 153-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110552 [Park Code - Golden Gate Park Golf Fees]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.16 to: 1) designate weekday and weekend hours; 2) add a junior non-resident rate to the golf fees at Golden Gate Park; and 3) making environmental findings.

**Ordinance No.** 154-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110706 [Administrative Code - Fee Update]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 31, Sections 31.22, 31.23, and 31.23.1 to: 1) increase all fees based on the Controller's annual two-year average consumer price index; and 2) adopting findings, including environmental findings.

**Ordinance No.** 155-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110707 [Planning Code - Fee Update]****Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code, Article 3.5 to: 1) increase fees based on the Controller's annual two-year average consumer price index and place a cap on the intake fee amount for applications for Planning Commission and Zoning Administrator hearing applications, certificates of appropriateness, and building permit applications; and 2) 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.

**Ordinance No.** 156-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110708 [Health Code - Patient Rates - FY2011-2012]****Sponsor: Mayor**

Ordinance amending the San Francisco Health Code, Article 3, Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2011.

**Ordinance No.** 157-11

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110709 [Public Works - Temporary Street Occupancy Fees]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Public Works Code, Section 724.1 to: 1) modify monthly fees for temporary street occupancy for construction and daily fees for temporary street occupancy unrelated to construction; and 2) making environmental findings.

**Ordinance No. 158-11**

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110710 [Administrative Code - Public Administrator/Public Guardian Representative Payee Services Fee]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Section 2A.211-A to add a fee of \$37 for services provided by the Public Administrator/Public Guardian Representative Payee Program.

**Ordinance No. 159-11**

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110654 [General Obligation Bond Election - Road Repaving and Street Safety - \$248,000,000]****Sponsors: Mayor; Chiu, Wiener, Avalos, Campos, Cohen, Kim, Mar and Mirkarimi**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 8, 2011, for the purpose of submitting to the voters a proposition to incur the following bonded debt of the City and County: \$248,000,000 to finance the repaving and reconstruction of roads, the rehabilitation and seismic improvement of street structures, the replacement of sidewalks, the installation and renovation of curb ramps, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and the construction, rehabilitation and renovation of traffic infrastructure and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act (CEQA); finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code Section 53410; incorporating the provisions of San Francisco Administrative Code Sections 5.30 - 5.36; and waiving the time requirements specified in San Francisco Administrative Code Section 2.34.

(Fiscal Impact)

**Ordinance No. 148-11****FINALLY PASSED by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 2 - Elsbernd, Farrell



## NEW BUSINESS

### Recommendations of the Budget and Finance Sub-Committee

**110503 [Administrative Code - Regulating Overtime Available for City Employees]****Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code, Section 18.13.1 to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and to specify and modify written reports to be submitted regarding overtime information.

**Supervisor Chiu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to August 2, 2011. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**101225 [Landfill Disposal and Facilitation Agreements - Recology San Francisco]**

Resolution approving a ten-year Landfill Disposal Agreement and Facilitation Agreement with Recology San Francisco under Charter Section 9.118. (Environment)

**Resolution No. 322-11****ADOPTED by the following vote:**

Ayes: 9 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 2 - Avalos, Campos

**110380 [Public Education Enrichment Fund - San Francisco Unified School District - FY2011-2012]****Sponsor: Mayor**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for FY2011-2012.  
(Fiscal Impact)

**Resolution No. 309-11****ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110559 [Lease and Use Agreement - Continental Airlines, Inc.]****Sponsor: Mayor**

Resolution approving and authorizing the execution of Modification No. 6 of the 1981 Airline-Airport Lease and Use Agreement L82-0316 with Continental Airlines, Inc., to provide a retroactive rent credit for terminal rent of exclusive use space vacated in Terminal No. 1 due to the merger of United Air Lines, Inc., and Continental Airlines, Inc., at the San Francisco International Airport.

**Resolution No. 310-11****ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110560 [Lease and Use Agreement - Continental Airlines, Inc.]****Sponsor: Mayor**

Resolution approving and authorizing the execution of Modification No. 1 of the 2011 Lease and Use Agreement L10-0275 with Continental Airlines, Inc., to modify the demised premises by elimination of all exclusive use space in Terminal No. 1 due to the merger of United Air Lines, Inc., and Continental Airlines, Inc., at the San Francisco International Airport.

**Resolution No. 311-11****ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110586 [Management Services Agreement - Sewer System Improvement Program - Not to Exceed \$150,000,000]**

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute Sewer System Improvement Program-Funded Agreement No. CS-165, Program Management Services, with AECOM-Parsons Joint Venture, for an amount not to exceed \$150,000,000 with a term of up to 15 years, under Charter Section 9.118. (Public Utilities Commission)

**Resolution No. 307-11****ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110725 [Issuance and Sale of Tax-Exempt Bonds - Children's Day School, Inc. - Not to Exceed \$11,000,000]****Sponsor: Wiener**

Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code, the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$11,000,000 to finance various capital facilities owned or leased by Children's Day School.

**Resolution No. 312-11****ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

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**From the Budget and Finance Sub-Committee Without Recommendation****100672 [Agreement Amendment - Titan Outdoor for Advertising on San Francisco Municipal Transportation Agency Property]****Sponsor: Elsbernd**

Resolution approving Amendment One to the Agreement for Advertising on San Francisco Municipal Transportation Agency Property between the City and Titan Outdoor, LLC, to allow advertising window wraps on up to 5% of the San Francisco Municipal Transportation Agency's buses and up to 10% of the San Francisco Municipal Transportation Agency's light rail vehicles and to change the approval requirements for advertising in parking garages.

*Privilege of the floor was granted to Sonali Bose (Municipal Transportation Agency) who responded to questions raised throughout the discussion.*

**Supervisor Chiu, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 8 - Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Avalos, Campos, Elsbernd

Resolution approving Amendment One to the Agreement for Advertising on San Francisco Municipal Transportation Agency Property between the City and Titan Outdoor, LLC, to allow advertising window wraps on up to 15 transit vehicles and to change the approval requirements for advertising in parking garages.

**Resolution No. 313-11**

**ADOPTED AS AMENDED by the following vote:**

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim

Noes: 5 - Avalos, Campos, Mar, Mirkarimi, Wiener

**Recommendations of the Land Use and Economic Development Committee****110729 [Issuance and Sale of Special Tax Bonds - GreenFinanceSF Program - Not to Exceed \$100,000,000]****Sponsors: Mayor; Mar**

Resolution authorizing the issuance and sale of special tax bonds (federally taxable) in an aggregate principal amount not to exceed \$100,000,000 and authorizing related documents and actions in connection therewith.

**Resolution No. 308-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110730 [Loan Loss Reserve Agreement and Approving Administrative Terms and Conditions - GreenFinanceSF Program]****Sponsors: Mayor; Mar**

Resolution 1) approving the administrative terms and conditions for the GreenFinanceSF owner-arranged financing program; 2) identifying the San Francisco Department of the Environment, or its City agency designee, as the Program Administrator for the City; 3) setting reporting requirements; and 4) authorizing the execution of a loan loss reserve agreement and related matters.

**Supervisor Mar, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Resolution No. 323-11**

**ADOPTED AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**SPECIAL ORDER 3:00 P.M.****Board of Supervisors Sitting as a Committee of the Whole****110738 [Public Hearing - Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]****Sponsor: Mirkarimi**

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for 7 years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 110739. Male Speaker; Walter Paulson; Floyd Tremmel; Karen Hanklin; Megan Mitchell; Greg Johnson; Minetta White; Kass Kajura; Female Speaker; Male Speaker; Ace Washington; Ray Hartz; spoke in support of the assessment district. Male Speaker; Charles; Phil Perkins; spoke in opposition to the assessment district. There were no other speakers. The President continued the public hearing open to September 13, 2011, at 3:00 p.m., and reconvened as the Board of Supervisors.*

**Supervisor Mirkarimi, seconded by Supervisor Mar, moved that this Hearing be CONTINUED to September 13, 2011. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Committee of the Whole Adjourn and Report**

**110739 [Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]****Sponsor: Mirkarimi**

Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for 7 years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

**Supervisor Mirkarimi, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to September 13, 2011, at 3:00 p.m. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**SPECIAL ORDER 3:30 P.M. - Recognition of Commendations****Privilege of the Floor**

**Supervisor Chiu, seconded by Supervisor Kim, 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: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

*Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Dave Lewis of Save the Bay in recognition of their 50th Anniversary, accomplishments, and continued community support.*

## COMMITTEE REPORTS

### Recommendations of the Rules Committee

#### **110591 [Settlement of Lawsuit - T-Mobile West Corporation]**

**Sponsor: Elsbernd**

Ordinance authorizing settlement of the lawsuit filed by T-Mobile West Corporation against the City and County of San Francisco on July 8, 2010, in the United States District Court for the Northern District of California, Case No. C-10-03011-CW; entitled T-Mobile West Corporation v. City and County of San Francisco, according to the terms set forth in the Settlement Agreement and subject to court approval of the parties' Stipulated Judgment; approving as part of the settlement a conditional use authorization enabling T-Mobile West Corporation to construct a wireless facility at 725 Taraval Street containing substantially fewer antennas than originally proposed and subject to all City required conditions; and making environmental findings.

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

*Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener*

*Supervisor Avalos, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener*

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

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 4 - Avalos, Campos, Mar, Mirkarimi

#### **110596 [Settlement of Claim - Shatese Stewart - \$250,000]**

Ordinance authorizing settlement of all claims in the lawsuit filed by Shatese Stewart against the City and County of San Francisco for \$250,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC-09-494967; entitled Shatese Stewart v. City and County of San Francisco, et al. (City Attorney)

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

#### **110694 [Settlement of Lawsuit - Jorei Enterprises, LLC - \$125,000]**

Ordinance authorizing settlement of the lawsuit filed by Jorei Enterprises, LLC, against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 21, 2010, in San Francisco Superior Court, Case No. CGC-10-506527; entitled Jorei Enterprises, LLC v. City and County of San Francisco; other material terms of said settlement are mutual releases of liability in connection with the conveyance of 351 California Street, San Francisco. (City Attorney)

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110714 [Settlement of Lawsuit - Arash Ghanadan - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Arash Ghanadan against the City and County of San Francisco for \$50,000; the lawsuit was filed on December 18, 2009, in San Francisco Superior Court, Case No. CGC-09-495308; entitled Arash Ghanadan, et al. v. City and County of San Francisco, et al. (City Attorney)

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110582 [Settlement of Claim - Weintraub Capital Management, LP - \$117,470.45]**

Resolution approving the settlement of the unlitigated claim filed by Weintraub Capital Management, LP against the City and County of San Francisco for refund of payroll taxes for the 2009 tax year in the amount of \$117,470.45; claim was filed on January 25, 2011. (City Attorney)

**Resolution No. 315-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110713 [Settlement of Unlitigated Claim - Ned Bresnahan - \$265,000]**

Resolution approving the settlement of the unlitigated claim filed by Ned Bresnahan against San Francisco for \$265,000; claim was filed on March 28, 2011.

**Resolution No. 314-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**110715 [Settlement of Unlitigated Claims - Pearl Howell - \$80,000]**

Resolution approving the settlement of unlitigated claims (DFEH No. E201011M0352 and EEOC Charge No. 550-2010-01808) filed by Pearl Howell against the City and County of San Francisco for \$80,000; claims were filed on September 15 and 16, 2010. (City Attorney)

**Resolution No. 316-11**

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

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**Recommendations of the Land Use and Economic Development Committee****110506 [Police, Planning, and Business and Tax Regulations Codes - Limited Live Performance Permits]****Sponsors: Mirkarimi; Wiener, Mar and Campos**

Ordinance amending the San Francisco Police Code Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.19, 1060.20.4, 1060.24, 1060.35, 2901, 2909, and 2916; adding to the San Francisco Police Code Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1; amending the San Francisco Planning Code Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37; and amending the San Francisco Business and Tax Regulations Code Section 8 to 1) create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; 2) to specify application and license fees and hearing requirements for said permit; and 3) making 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.

**Supervisor Mirkarimi, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED ON FIRST READING to August 2, 2011. The motion carried by the following vote:**

Ayes: 7 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Mirkarimi

Noes: 4 - Chu, Cohen, Elsbernd, Wiener

**110592 [Planning Code - Inner Clement, Outer Clement, and Geary Neighborhood Commercial Controls]****Sponsors: Mar; Avalos**

Ordinance amending the San Francisco Planning Code Sections 263.20, 712.1, 716.1, and 781.4 to: 1) allow one additional eating and drinking use as principally permitted in the Inner Clement Neighborhood Commercial Districts and allow any additional eating and drinking use in that district as conditionally permitted; 2) allow eating and drinking uses in the Outer Clement Neighborhood Commercial District with a conditional use permit; 3) remove the prohibition on large fast-food restaurants and prohibit formula retail pet supply stores and formula retail eating and drinking uses in the Geary Boulevard Fast-Food Subdistrict; 4) make video stores a principally permitted use on the ground floor in the NC-3 and the Inner Clement and Outer Clement Neighborhood Commercial Districts; and 5) making 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.

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

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

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Mirkarimi

Noes: 3 - Chu, Elsbernd, Wiener

**110769 [Transportation Code - Car Share Vehicle Parking Restrictions]****Sponsors: Mayor; Chiu**

Ordinance amending the San Francisco Transportation Code, Division I, Articles 7 and 8, by: 1) adding Section 7.2.52 to establish a violation for unauthorized vehicles to park in a designated car share parking space; and 2) amending Section 8.1 to permit the removal of vehicles parked in violation of Section 7.2.52.

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener



**110813 [CEQA Findings for Firehouse Improvements]****Sponsors: Mayor; Chiu**

Resolution of the Board of Supervisors of the City and County of San Francisco determining and making certain findings under the California Environmental Quality Act relating to the construction and improvement of certain firehouses and determining other matters related thereto.

**Resolution No. 317-11****ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Recommendation of the Budget and Finance Sub-Committee****110749 [Administrative, Business and Tax Regulations Codes - 0.50% Sales Tax Increase to Fund Public Safety Programs and Services to Children and Seniors]****Sponsors: Mayor; Chiu, Cohen, Mirkarimi and Wiener**

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Article 16-A to provide funds for public safety programs and services to children and senior citizens in the City and County of San Francisco by imposing a transactions (sales) and use tax at the rate of one-half of one percent (0.50%) for a period of ten years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; adopting an expenditure plan; amending the Administrative Code by adding Section 10.100.321 establishing a special revenue fund; and directing submission of the tax for voter approval at the November 8, 2011, municipal election.  
(Fiscal Impact; Economic Impact.)

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.*  
*Female Speaker; expressed various concerns.*  
*James Chaffee; expressed concerns relating to the SF Public Library.*  
*Male Speaker; expressed various religious concerns.*  
*Walter Paulson; shared in song certain concerns with the Board.*  
*Jonathon Gast, representing Congresswoman Jackie Speier; spoke in support of District 12.*  
*Leon Walker; expressed various concerns relating to South Park.*  
*Laverne Woods; expressed various concerns relating to South Park.*  
*Michael MacTrellis; expressed various concerns relating to gay rights.*  
*Male Speaker; expressed various concerns relating to harassment.*  
*Emil Lawrence; expressed various concerns.*  
*Nancy Cross; expressed various concerns relating to homelessness.*  
*Mark; spoke in support of legislation relating to credit card charges to taxi cab drivers.*  
*John Heim; spoke in support of legislation relating to credit card charges to taxi cab drivers.*  
*David Kaan; spoke in support of legislation relating to credit card charges to taxi cab drivers.*  
*Ray Hartz; expressed concerns relating to government.*  
*Peter Warfield; expressed concerns relating to the SF Public Library.*  
*Otto Duffy; expressed various concerns relating to the Federal budget.*  
*Larry Mamood; spoke in support of legislation relating to credit card charges to taxi cab drivers.*

## CLOSED SESSION

## CONFERENCE WITH CITY ATTORNEY

### 110868 [Closed Session - Potential Litigation - Health Care Security Ordinance]

#### **Sponsor: Campos**

Motion that the Board of Supervisors convene in closed session on July 26, 2011, to consult with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation against the City involving amendments to the Health Care Security Ordinance. Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

*The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.*

#### **Motion No. M11-123**

**Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**CONVENED IN CLOSED SESSION**

The Board recessed at the hour of 5:59 p.m. to convene in closed session pursuant to the above motion with the following attendance: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Persons in attendance:**

Cheryl Adams, Deputy City Attorney  
Vince Chhabria, Deputy City Attorney  
Angela Calvillo, Clerk of the Board  
Rick Caldeira, Legislative Deputy Director

Matter was heard in Closed Session and Filed.

**RECONVENING OF THE BOARD**

The Board reconvened at the hour of 7:00 p.m. with the following attendance: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**[Elect Not to Disclose]**

Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

**Supervisor Mirkarimi, seconded by Supervisor Chu, moved not disclose its Closed Session deliberations. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**CALLED FROM COMMITTEE****110546 [Administrative Code - Health Care Security Ordinance]**

**Sponsors: Campos; Mar, Avalos, Mirkarimi, Cohen, Chiu and Kim**

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1, 14.3, and 14.4 of the Health Care Security Ordinance to provide that only amounts actually paid or irrevocably committed to pay for providing employee health care services shall satisfy the employer expenditure requirements of the Ordinance, add an employee notification requirement, and to modify penalty provisions.

(Economic Impact)

**Supervisor Campos, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED ON FIRST READING to August 2, 2011. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

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**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****110859 [Approval of a 90 Day Extension for Planning Commission Review]****Sponsor: Chiu**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; 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.

**Resolution No. 318-11****ADOPTED****110860 [Approval of a 90 Day Extension for Planning Commission Review]****Sponsor: Chiu**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; 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.

**Resolution No. 319-11****ADOPTED****110865 [Pedicab Fare Schedule - Cabrio Taxi]****Sponsor: Chiu**

Resolution approving the pedicab fare schedule for Cabrio Taxi.

**Resolution No. 320-11****ADOPTED**

**110866 [Commending the 50th Anniversary of Save the Bay]****Sponsors: Chiu; Mar**

Resolution commending Save the Bay on its 50th Anniversary in 2011.

*Supervisor Mar requested to be added as a co-sponsor.***Resolution No. 324-11****ADOPTED****110867 [Accept and Expend Grant - Criminal Restitution Compact - \$85,658.40]****Sponsor: Cohen**

Resolution authorizing the Department of the District Attorney to retroactively contract for, accept, and expend up to \$85,658.40 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2011, through June 30, 2012

**Resolution No. 321-11****ADOPTED****110839 [Final Map 4456: 833 - 835 Jamestown Avenue]**

Motion approving Final Map 4456, a 198 Residential Unit Condominium Project, located at 833-835 Jamestown Avenue being a subdivision of Lot 277 in Assessors Block No. 4991; adopting findings pursuant to the General Plan and City Planning Code Section 101.1; conditionally accepting offers of easements; and approving a Public Improvement Agreement related to the Final Map. (Public Works Department)

**Motion No. M11-122****APPROVED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Severed from the For Adoption Without Committee Reference Agenda***Supervisor Chu requested that File No. 110740 be severed so that it may be considered separately.***110740 [Urging the United States Food and Drug Administration to Ban Menthol in Tobacco Products]****Sponsors: Cohen; Mar and Avalos**

Resolution urging the U.S. Food and Drug Administration to ban menthol in cigarettes and other tobacco products.

**Resolution No. 325-11****ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Chu

*Supervisor Campos requested that File No. 110743 be severed so that it may be considered separately.*

**110743 [Urging the Municipal Transportation Agency to Halt Action on the Transfer of Credit Card Charges to Taxi Cab Drivers]**

**Sponsors: Campos; Mar, Avalos and Mirkarimi**

Resolution urging the San Francisco Municipal Transportation Agency to reconsider and abandon the decision to shift the burden of credit card merchant charges to the City cab drivers.

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

**ADOPTED. The motion FAILED by the following vote:**

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

*Supervisor Elsbernd requested that File No. 110869 be severed so that it may be considered separately.*

**110869 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 8, 2011, Consolidated General Municipal Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2011, Consolidated General Municipal Election. (Clerk of the Board)

**Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

**Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Motion be CONTINUED AS AMENDED to August 2, 2011. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

## **IMPERATIVE AGENDA**

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

#### Ordinance

##### **110221 [Administrative Code - Community Policing]**

**Sponsors: Campos; Mirkarimi, Cohen, Mar and Avalos**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.83 to: 1) set a policy of community policing in the City and County of San Francisco; 2) define community policing; and 3) urge the Police Commission and Chief of Police to review and as necessary amend the Police Department's policies and procedures for consistency with the community policing policy.

03/01/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 3/31/2011.

07/26/11; SUBSTITUTED AND ASSIGNED to Public Safety Committee.

#### Resolutions

##### **110883 [Accept and Expend Grant - Mass Notification System Security Improvements - \$551,552]**

**Sponsor: Chiu**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$551,552 from the Department of Homeland Security, 2010 Port Security Grant Program, for Ferry Building and Ferry Terminal Mass Notification System improvements at the Port of San Francisco.

07/26/11; RECEIVED AND ASSIGNED to Public Safety Committee.

##### **110884 [Accept and Expend Grant - the STOP Study - \$443,333]**

**Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Centers for Disease Control and Prevention in the amount of \$443,333 to fund the STOP Study for the period of June 15, 2011, through June 14, 2012.

07/26/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

##### **110885 [Accept and Expend Grant - Maritime CCTV System Security Improvements - \$45,000]**

**Sponsor: Chiu**

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$45,000 from the Department of Homeland Security, FY2008 Infrastructure Protection Program Port Security Grant Program for the deployment of CCTV/intrusion detection system for the SFPD Marine Unit, the Harbor Master's small boat berthing area, and the fueling dock, all located at Hyde Street Harbor.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110886 [Accept and Expend Grant - Improving Blood Safety and HIV Testing - \$42,580]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$42,580 from the Blood Systems, Inc., to participate in a program entitled "Improving Blood Safety and HIV Testing in Brazil: A Randomized Controlled Trial" for the period of April 12, 2011, through March 31, 2012.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110887 [Accept and Expend Grant - Technical Assistance to Support President's Emergency Plan for Aid - \$62,123]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$62,123 from the University of California San Francisco, to participate in a program entitled "Atlanta HQ UCSF Technical Assistance to Support President's Emergency Plan for Aid" for the period of April 1, 2011, through March 31, 2012.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110888 [Accept and Expend Grant - Support for President's Emergency AIDS Plan - \$72,877]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$72,877 from the University of California San Francisco, 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, 2011, through March 31, 2012.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110890 [Salvadoran's Day - August 6, 2011]****Sponsor: Avalos**

Resolution proclaiming August 6, 2011, as Salvadoran's Day in the City and County of San Francisco to acknowledge the Salvadorian contributions in the Bay Area.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110891 [Visitacion Valley Branch Library Grand Opening]****Sponsor: Cohen**

Resolution recognizing the grand opening of the new Visitacion Valley Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**110892 [Commending VetSTRONG, the San Francisco Chapter of Returning Veterans of America, City College of San Francisco Veterans Alliance, and Our Veterans Club at San Francisco State University]**

**Sponsors: Farrell; Cohen, Chu, Elsbernd, Mar, Mirkarimi, Kim, Chiu, Campos and Avalos**  
Resolution commending VetSTRONG, the San Francisco Chapter of Returning Veterans of America, City College of San Francisco Veterans Alliance, and Our Veterans Club at San Francisco State University in their work to strengthen a community amongst Post 9-11 veterans, veteran resource providers, and residents of the City and County of San Francisco.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110893 [KALW Day - September 8, 2011]**

**Sponsor: Mar**

Resolution honoring KALW and proclaiming September 8, 2011, as "KALW Day" in the City and County of San Francisco.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110894 [Urging the Suspension of or Termination of Agreements with Immigration and Customs Enforcement on the Police/ICE Collaboration Program Known as "Secure Communities" and Supporting AB 1081]**

**Sponsors: Mirkarimi; Campos, Mar, Chiu, Avalos and Kim**

Resolution urging Governor Jerry Brown and Attorney General Kamala Harris to join the Governors of Illinois, Massachusetts, and New York in suspending or terminating agreements with Immigration and Customs Enforcement (ICE) on the Police/ICE collaboration program known as "Secure Communities" and to support Assembly Bill 1081, the TRUST Act - state legislation that would permit localities to opt out of the program.

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Motion**

**110889 [Suspending Board Rule 4.29 of the Rules of Order to Schedule Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. at the September 6, 2011, Board Meeting]**

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. rather than 4:00 p.m., at the September 6, 2011, Board Meeting. (Clerk of the Board)

07/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Requests for Hearing**

### **110896 [Hearing - Illegal Conversions of Rental Housing]**

**Sponsor: Avalos**

Hearing on conversions of housing and rental housing to vacation rentals, requesting presentations from the Planning Department, Department of Building Inspection, Rent Board, City Attorney, and Treasurer on the magnitude of this problem and of the conversions and potential solutions.

07/26/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### **110897 [Hearing - Public Safety Policies and Programs on Citywide MUNI Lines]**

**Sponsor: Cohen**

Hearing to discuss public safety policies and programs implemented by City departments, such as the San Francisco Municipal Transportation Agency and San Francisco Police Department, on Citywide MUNI lines including the enforcement of MUNI fare collection.

07/26/11; RECEIVED AND ASSIGNED to Public Safety Committee.

### **110898 [Hearing - Moderate and Middle Income Housing Production, Attraction, and Retention of Jobs in San Francisco]**

**Sponsors: Wiener; Chu**

Hearing to discuss among the Mayor's Offices of Housing and Economic and Workforce Development, City Planning, and Controller regarding the City's plans for significantly increasing the production of moderate and middle income housing, the status of the review of the Inclusionary Housing Program, how that review will address a needed increase in moderate income housing, and the connection between the production of middle and moderate income housing and the City's ability to attract, retain, and increase private and non-profit sector jobs.

07/26/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## **Introduced by the President at the Request of a Department**

## **PROPOSED ORDINANCE**

### **110692 [Settlement of Lawsuit - West Bay Builders, Inc. - City to Retain \$900,000]**

Ordinance authorizing settlement of the lawsuit entitled West Bay Builders, Inc. v. City and County of San Francisco, San Francisco Superior Court Case No. CGC-10-503366, arising from a breach of contract dispute regarding Contract No. 6159A for construction of a new Recreation and Park Department (RPD) facility known as the Minnie and Lovie Ward Recreation Center and Ocean View Park, for which West Bay Builders, Inc. (West Bay) served as the prime contractor, calling for the RPD to retain \$900,000 from the contract balance and including other material terms of said settlement. (City Attorney)

07/19/11; RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

**110390 [Suit Against Responsible Relatives of Recipient of Services at City Hospitals to Recover Value of Services]**

Resolution authorizing Tax Collector Attorney to file suit against responsible relatives to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

07/19/11; RECEIVED AND ASSIGNED to Rules Committee.

**110695 [Lease and Use Agreement - Cathay Pacific Airways Limited]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L-10-0081 with Cathay Pacific Airways Limited for lounge space in the International Terminal of San Francisco International Airport. (Airport Commission)  
(Fiscal Impact)

07/19/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110778 [Lease of Real Property - 1360 Mission Street]**

Resolution authorizing the lease of 1360 Mission Street, Suite 401, for the Department of Public Health. (Real Estate Department)

07/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110870 [Engineering Design Agreement No. CS-879A - Water System Improvement Program - Not to Exceed \$14,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879A for Water System Improvement Program (WSIP)-funded projects with total revised agreement amounts not to exceed \$14,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

07/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110871 [Engineering Design Agreement No. CS-879B - Water System Improvement Program - Not to Exceed \$15,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879B for Water System Improvement Program (WSIP)-funded projects with total revised agreement amounts not to exceed \$15,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

07/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110872 [Engineering Design Agreement No. CS-879C - Water System Improvement Program - Not to Exceed \$16,500,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879C for Water System Improvement Program (WSIP)-funded projects with total revised agreement amounts not to exceed \$16,500,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

07/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110873 [Management Services Agreement No. CS-914 - Water System Improvement Program - Not to Exceed \$30,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Bay Division Region Construction Management Services Agreement No. CS-914 for Water System Improvement Program (WSIP)-funded projects with total revised agreement amounts not to exceed \$30,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

07/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110874 [Management Services Agreement No. CS-918 - Water System Improvement Program - Not to Exceed \$17,500,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase New Irvington Tunnel Construction Management Services Agreement No. CS-918 for Water System Improvement Program (WSIP)-funded projects with total revised agreement amounts not to exceed \$17,500,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

07/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110875 [Management Services Agreement No. CS-963 - Water System Improvement Program - Not to Exceed \$34,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Program Construction Management Services Agreement No. CS-963 for Water System Improvement Program (WSIP)-funded projects with total revised agreement amounts not to exceed \$34,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

07/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*There were none.*

**In Memoriams**

*Nancy Ho – Board President David Chiu  
Miguel Wooding – Entire Board*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 7:04 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 September 6, 2011.*

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Angela Calvillo, Clerk of the Board