



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, April 3, 2012 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Avalos, Kim, Cohen, Wiener

Budget and Finance Sub-Committee
Supervisors Chu, Avalos, Kim

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Public Safety Committee
Supervisors Avalos, Olague, Mar

Rules Committee
Supervisors Kim, Farrell, Campos

Meeting Days

Wednesday
1:00 PM

Wednesday
10:00 AM

4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

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

Agenda Item Information

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

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

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk.

Meeting Procedures

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

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

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

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

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

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

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485.

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the February 28, 2012, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

There are no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

Present: Supervisors Avalos, Olague, Mar

1. [120046](#) **[Administrative Code - Establish Policy Regarding Participation in Federal Counterterrorism Activities]**

Sponsors: Kim; Avalos, Campos, Chiu, Olague and Mar

Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in Federal counterterrorism activities; and 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities.

- Attachments:** [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 030112](#)
[Board Packet 031312](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Board Packet 032012](#)
[Board Packet 032712](#)
[Board Packet 040312](#)

03/13/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

03/13/2012; PASSED ON FIRST READING AS AMENDED.

03/20/2012; CONTINUED ON FINAL PASSAGE.

03/27/2012; CONTINUED ON FINAL PASSAGE.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Chu, Avalos, Kim

2. [120124](#) **[Agreement - BAE Systems - Shoreside Power at Drydock #2 - Pier 70 - Not to Exceed \$5,700,000]**

Sponsors: Mayor; Cohen

Ordinance authorizing the Director of the Port to execute an agreement with BAE Systems San Francisco Ship Repair to install shoreside power equipment at Drydock #2 at Pier 70 for an amount not to exceed \$5,700,000 and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.

(Fiscal Impact)

- Attachments:** [Legislation ver1](#)
[Comm Packet 032812](#)
[Budget Analyst 032812](#)
[Legislative Digest Ver1](#)
[Board Packet 040312](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. [120222](#) **[North Beach Branch Library - Environmental Findings and Bond Proceeds]**

Sponsors: Mayor; Chiu

Ordinance adopting environmental findings with respect to the North Beach Branch Library and approving the expenditure on the North Beach Branch Library of bond proceeds of lease revenue bonds previously authorized and issued to finance various projects under the Branch Library Improvement Program, as further described herein; granting general authority to City officials to take certain actions in connection with the expenditure of bond proceeds; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

- Attachments:** [Legislation Ver1](#)
[Legislative Digest Ver1](#)
[Comm Packet 032812](#)
[Budget Analyst 032812](#)
[Board Packet 040312](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. [120223](#) **[Appropriating \$6,259,742 of Fund Balance and General Obligation Bond Proceed Interest Earnings to the Public Library in FY2011-2012]**

Sponsors: Mayor; Chiu

Ordinance appropriating \$6,259,742 consisting of \$5,778,742 in Library Preservation Fund unappropriated fund balance and \$481,000 in interest earnings from the Branch Library Improvement Program (BLIP) General Obligation Bond proceeds to the Public Library in FY2011-2012 for the completion of remaining projects in the BLIP.

(Fiscal Impact)

Attachments: [Legislation ver1](#)

[Comm Packet 032812](#)

[Budget Analyst 032812](#)

[Board Packet 040312](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. [120178](#) **[2012 Annual Joint Fundraising Drive]**

Resolution designating those agencies qualified to participate in the 2012 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Attachments: [Legislation ver1](#)

[Comm Packet 032812](#)

[Board Packet 040312](#)

Question: Shall this Resolution be ADOPTED?

6. [120201](#) **[Equipment Lease - 2012 Finance Corporation Equipment Program - Revenue Bonds - Not to Exceed \$10,500,000]**

Sponsor: Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 18 (Series 2012A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$10,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact)

Attachments: [Legislation ver1](#)

[Comm Packet 032812](#)

[Budget Analyst 032812](#)

[Board Packet 040312](#)

Question: Shall this Resolution be ADOPTED?

7. [120225](#) **[Accept and Expend Grant - Institute for Local Government - \$40,615]**
Sponsor: Cohen
Resolution authorizing the Adult Probation Department on behalf of the Reentry Council of San Francisco to retroactively accept and expend a grant in the amount of \$40,615 from the Institute for Local Government, as a sub-recipient of a grant award made by the Rosenberg Foundation, for activities related to the implementation of the California Reentry Council Network.

Attachments: [Legislation_ver1](#)
[Comm Packet 032812](#)
[Board Packet 040312](#)

Question: Shall this Resolution be ADOPTED?

8. [120226](#) **[Accept and Expend Grant - Egg Quality Control Program - \$3,883.76]**
Sponsor: Cohen
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a State grant in the amount of \$3,883.76 from the California Department of Food and Agriculture, to participate in a program entitled Egg Quality Control Program for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

Attachments: [Legislation_ver1](#)
[Comm Packet 032812](#)
[Board Packet 040312](#)

Question: Shall this Resolution be ADOPTED?

9. [120228](#) **[Accept and Expend Grant - Boeddeker Park - \$493,000]**
Sponsors: Mayor; Kim
Resolution authorizing the Recreation and Parks Department to accept and expend an Urban Greening Grant in the amount of \$493,000 for Boeddeker Park funded by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

Attachments: [Legislation_ver1](#)
[Comm Packet 032812](#)
[Board Packet 040312](#)

Question: Shall this Resolution be ADOPTED?

10. [120229](#) **[Taxable and/or Tax-Exempt Certificates of Participation for Various Capital Improvements - Official Statement]**

Sponsor: Mayor

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation for Various Capital Improvements and authorizing the preparation, execution and delivery of a final official statement; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.

(Fiscal Impact)

Attachments: [Legislation ver1](#)
[Comm Packet 032812](#)
[Board Packet 040312](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Farrell, Elsbernd, Chiu

11. [120189](#) **[Memorandum of Understanding, Amendment 2 - Service Employees International Union, Local 1021]**

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2011-2012.

Attachments: [Legislation Ver1](#)
[Controller Report 032112](#)
[Comm Packet 032212](#)
[Board Packet 040312](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Cohen, Wiener, Olague

12. [110853](#) [Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]**Sponsors: Mayor; Chiu**

Ordinance: 1) amending the San Francisco Planning Code Section 429 to provide that developers currently required to spend one percent (1%) of construction costs for public artwork on any new development project or addition to an existing building over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that fee to a City fund dedicated to support public art, and to extend the fee to all non-residential projects that involve construction of a new building or addition of floor area in excess of 25,000 square feet and that have submitted their first complete Development Application on or after January 1, 2013, on the following parcels: (a) all parcels in RH-DTR, TB-DTR, SB-DTR, SLI, SLR, SSO, C-M, and UMU Districts; (b) properties that are zoned MUG, MOU, or MUR and that are north of Division/Duboce/13th Streets; and (c) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and 7295 (Stonestown Galleria Mall); 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district and within a half mile of the boundary of the C-3 district or, if the project is in another zoning district, within a half mile of the project boundary, to be administered and expended by the Arts Commission; and 3) 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.

Attachments: [Legislation Ver1](#)[Leg Digest Ver1](#)[Response PLN 082311](#)[Response PLN 103111](#)[Legislation Ver2](#)[Leg Digest Ver2](#)[Comm Packet 010912](#)[Legislation Ver3](#)[Leg Digest Ver3](#)[Comm Packet 013012](#)[Legislation Ver4](#)[Leg Digest Ver4](#)[Comm Packet 022712](#)[Legislation Ver5](#)[Leg Digest Ver5](#)[Comm Packet 030512](#)[Comm Packet 032612](#)[Legislation Ver6](#)[Leg Digest Ver6](#)[Board Packet 040312](#)**Question: Shall this Ordinance be PASSED ON FIRST READING?**

13. [111337](#) **[Planning Code - Extension of Time for Legitimization of Existing Eastern Neighborhoods Uses]**

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code Section 179.1(b) to: 1) extend through November 12, 2012, the period of time in which existing uses in the Eastern Neighborhoods area that have operated without permits may file an application for determination of eligibility for legitimization; 2) establish a deadline within which the applicant must proceed with the legitimization process; and 3) make 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.

Attachments: [Legislation Ver1](#)

[Leg_Digest Ver1](#)

[Response PLN_010512](#)

[Response SBC_022811](#)

[Response PLN_030112](#)

[Comm Packet_031212](#)

[Legislation Ver2](#)

[Leg_Digest Ver2](#)

[Comm Packet_032612](#)

[Board Packet_040312](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 120311.)

14. [120312](#) **[Hearing - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements]**
Hearing of persons interested in or objecting to proposed Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event. (Clerk of the Board)

Attachments: [Board Packet 040312](#)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Chu, Avalos, Kim

15. [120282](#) **[Contract Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Waiver of Certain Bidding and Contracting Requirements]**

Sponsor: Mayor

Ordinance 1) authorizing the Port to amend a contract between the Port and Turner Construction Company to perform certain improvements to Piers 27-29, Piers 19 and 23, and Piers 30-32, and to remove portions of Pier ½ and 64; 2) alternatively, authorizing the Port to execute an agreement between the Port and one of the next highest-ranked proposers, in order of rank, for the Pier 27 Cruise Ship Terminal and Northeast Wharf Plaza Project, to perform certain improvements to Piers 27-29, Piers 19 and 23, and Piers 30-32, and to remove portions of Pier ½ and 64; 3) authorizing the Port to contract with the America's Cup Event Authority for assignment to the Port of its contract with Power Engineering Construction Company for improvements to Piers 30-32 only; 4) authorizing the Port to enter into a contract with AECOM for construction-design engineering services for improvements to Piers 30-32 related to the 34th America's Cup Event; and 5) waiving competitive bidding and solicitation requirements of Administrative Code Sections 6.20, 6.21, 6.68(A)-(F), 6.40, and 6.41, and requirements of Administrative Code Sections 14B.19(C)(1)-(5).

(Fiscal Impact)

Attachments: [Legislation ver1](#)

[Comm Packet 032812](#)

[Legislation ver2](#)

[120282 Leg digest 2](#)

[Board Packet 040312](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4:00 p.m.

16. **120183** **[Public Hearing - Conditional Use Appeal - 1111 California Street]**
 Hearing of persons interested in or objecting to the decision of the Planning Commission's January 19, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2011.0471C, by its Motion No. 18520, pursuant to Planning Code Sections 185(e) and 303, to continue the existing non-conforming assembly and entertainment uses of the "Nob Hill Masonic Center", and to continue the existing food and beverage service uses within the center, on a property within the RM-4 (Residential Mixed, Medium Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, located at 1111 California Street, Assessor's Block No. 0253, Lot No. 020. (District 3) (Appellants: Stephen Gomez on behalf of the Nob Hill Coalition, James Wall on behalf of the Nob Hill Association, William Terrell, Elizabeth Pomada, Donna Muse, and Aldo Caccamo) (Filed February 21, 2012).

Attachments: [Board Packet 032012](#)

[Board Packet 032712](#)

[Board Packet 040312](#)

03/20/2012; CONTINUED.

03/27/2012; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

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

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

17. [120184](#) **[Approving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street]**
Motion approving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)
[Board Packet 032012](#)
[Board Packet 032712](#)
[Board Packet 040312](#)

03/20/2012; CONTINUED.

03/27/2012; CONTINUED.

Question: Shall this Motion be APPROVED?

18. [120185](#) **[Disapproving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 032012](#)
[Board Packet 032712](#)
[Board Packet 040312](#)

03/20/2012; CONTINUED.

03/27/2012; CONTINUED.

Question: Shall this Motion be APPROVED?

19. [120186](#) **[Preparation of Findings Related to the Conditional Use Authorization - 1111 California Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street. (Clerk of the Board)

Attachments: [Legislation Ver1](#)

[Board Packet 032012](#)

[Board Packet 032712](#)

[Board Packet 040312](#)

03/20/2012; CONTINUED.

03/27/2012; CONTINUED.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following item will be considered by the Rules Committee at a Special Meeting on Thursday, March 29, 2012, at 1:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, April 3, 2012.

20. [111082](#) **[Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]**

Sponsors: Kim; Campos, Mar and Avalos

Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify funding of the City's public financing program, to increase expenditure ceilings for supervisorial candidates, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

Attachments: [Leg Digest Ver1](#)

[Legislation Ver1](#)

[Legislation Ver2](#)

[Leg Diget Ver2](#)

[Comm Packet 022312](#)

[Legislation Ver3](#)

[Board Packet 022812](#)

[Legislation Ver4](#)

[Leg Digest Ver4](#)

[Legislation Ver5](#)

[Comm Packet 032912](#)

[Board Packet 040312](#)

02/28/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/28/2012; RE-REFERRED AS AMENDED to the Rules Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. ROLL CALL FOR INTRODUCTIONS

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

22. PUBLIC COMMENT

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 21 through 24

23. [120292](#) **[Supporting Assembly Bill 1831 - Regarding Expansion of California's "Ban the Box" Policy]**
Sponsors: Olague; Campos and Avalos
Resolution supporting Assembly Bill 1831, which expands California's "Ban the Box" policy for state and public employees to city and county workers statewide.
Attachments: [Legislation VER1](#)
[Board Packet 032712](#)
[Board Packet 040312](#)
- 03/21/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 03/27/2012; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**
24. [120311](#) **[Committee of the Whole - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements - April 3, 2012]**
Sponsor: Chiu
Motion scheduling the Board to sit as a Committee of the Whole on April 3, 2012, at 3 p.m., to hold a public hearing and consider an Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event.
Attachments: [Board Packet 040312](#)
- 03/28/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

25. [120306](#) **[Apply For - Housing Related Parks Grants]**
Sponsors: Mayor; Cohen and Kim
 Resolution authorizing the Recreation and Parks Department to apply for grants from the California Department of Housing and Community Development.

Attachments: [Legislation VER1](#)
[Board Packet 040312](#)

03/28/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

26. [120307](#) **[Accept and Expend Grant - Books to Action - Economic Empowerment Book Club - \$2,398]**
Sponsor: Olague
 Resolution authorizing the Public Library to accept and expend a Federal/State pass-through grant in the amount of \$2,398 from the California State Library as part of the Federal Library Services and Technology Act to utilize highly skilled volunteers to assist young adults with their financial management needs.

Attachments: [Legislation VER1](#)
[Board Packet 040312](#)

03/28/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from March 20, 2012, through March 26, 2012, for reference by President to appropriate committee on April 3, 2012.

120271 [Zoning Map Amendment - 8 Washington Street Project (Assessor's Block No. 0201, Lot No. 012)]

Ordinance: 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) 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. (Planning Commission)

Attachments: [120271.DOC](#)

03/26/2012; RECEIVED FROM DEPARTMENT.

04/03/2012; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

120272 [General Plan Amendment - 8 Washington Street Project (Assessor's Block No. 0201, Lot No. 012)]

Ordinance: 1) amending the San Francisco General Plan by amending Map 2 (Height and Bulk Plan) of the Northeastern Waterfront Area Plan as part of the 8 Washington Street Project; and 2) making environmental findings, Planning Code Section 340 findings, and findings of consistency with General Plan, as amended, and with the Priority Policies of Planning Code Section 101.1. (Planning Commission)

03/26/2012; RECEIVED FROM DEPARTMENT.

04/03/2012; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

120274 [Park Code - Golden Gate Park Concourse Underground Parking Facility Fees]

Ordinance amending the San Francisco Park Code, Article 12, by: 1) amending Section 12.35 to increase certain parking rates and eliminate the Early Bird Rate at the Golden Gate Park Concourse Underground Parking Facility, 2) amending Section 12.20 to clarify the requirements for annual fee adjustments, and 3) adding a new Section 12.49 to ratify prior fees and fee adjustments; and making environmental findings and findings of consistency with general plan. (Recreation and Park Department)

03/26/2012; RECEIVED FROM DEPARTMENT.

04/03/2012; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Sub-Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 20, 2012, through March 26, 2012, for reference by President to appropriate committee on April 3, 2012.

120270

[Approval of Public Trust Exchange; Agreement to Sell Portion of Seawall Lot 351 in Exchange for Portion of Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12; Approval of Lease and Maintenance Agreement]

Resolution approving and authorizing a Purchase and Sale Agreement with San Francisco Waterfront Partners II, LLC for the sale by the San Francisco Port Commission of unimproved real property located on Seawall Lot 351 at the corner of The Embarcadero and Washington Street in exchange for a portion of real property located on Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12 having an address at 8 Washington; approving and authorizing a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from such portion of Seawall Lot 351 and impressing the public trust on such portion of real property located on Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12; approving and authorizing a 66-year Lease with San Francisco Waterfront Partners II, LLC for real property near The Embarcadero and former Pacific Street; approving and authorizing a Maintenance Agreement with San Francisco Waterfront Partners II, LLC for the maintenance of open space bound by The Embarcadero, Washington Street and Drumm Street; adopting environmental findings and findings of consistency with the General Plan and the eight Priority Policies of City Planning Code Section 101.1; and authorizing the Port's Executive Director and the City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Port)

03/26/2012; RECEIVED FROM DEPARTMENT.

04/03/2012; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

120273

[Re-Appointment - Local Homeless Coordinating Board]

Resolution re-appointing Christine Ma, M.D., for a term expiring October 21, 2015, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)

Attachments: [Legislation_Ver1](#)

03/27/2012; RECEIVED FROM DEPARTMENT.

04/03/2012; RECEIVED AND ASSIGNED to the Rules Committee.

120303 [Petitions and Communications]

Petitions and Communications received from March 20, 2012, through March 26, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 3, 2012.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

From concerned citizens, regarding Ross Mirkarimi. 8 letters (1)

From Office of the Mayor, regarding the suspension of Sheriff Ross Mirkarimi from the Office of Sheriff, and the appointment of Vicki Hennessey to discharge the duties of Sheriff during the period of Sheriff Mirkarimi's suspension under Charter Section 15.105. (2)

From Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (3)

- Supervisor David Campos, BOS, LAFCo - Annual
- Supervisor David Chiu, BOS - Annual
- Supervisor Sean Elsbernd, BOS - Annual
- Andrea Bruss, Legislative Aide - Annual
- Margaux Kelly, Legislative Aide - Annual
- Matthias Mormino, Legislative Aide - Annual
- Nick Pagoulatos, Legislative Aide - Annual
- Catherine Stefani, Legislative Aide - Annual
- Hanley Chan, SOTF - Annual
- Hope Johnson, SOTF - Annual
- Severin Campbell, Budget Analyst - Annual
- Myong Leigh, Redistricting Task Force - Annual
- Sonia Melara, Redistricting Task Force - Annual
- Mark Schreiber, Redistricting Task Force - Annual
- Melissa Tidwell, Redistricting Task Force - Annual
- Jen Low, Legislative Aide - Leaving
- Ohn Myint, COB, Annual - Leaving
- Christopher Rustom, COB - Leaving

From concerned citizens, regarding murals at the Bernal Heights Branch Library. 2 letters (4)

From concerned citizens, thanking the Board of Supervisors for broadcasting their meetings on the radio. 2 letters (5)

From Aaron Goodman, regarding adequate working class housing in San Francisco. (6)

From James Chaffee, regarding a false arrest lawsuit. Copy: Each Supervisor, 2 letters (7)

From Immigrant Rights Commission, submitting support for the United States Court of Appeals recent stay of deportation ruling on five immigration cases. Copy: Each Supervisor (8)

From Office of the Mayor, submitting the following appointment: Copy: Rules Committee Clerk (9)

Health Commission
Belle Taylor-McGhee, term ending January 15, 2016

From Clerk of the Board, submitting copy of memorandum sent to the Board of

Supervisors regarding the following appointment by the Mayor: (10)
Health Commission
Belle Taylor-McGhee, term ending January 15, 2016

From Dana Bellwether, regarding first amendment rights in San Francisco. Copy: Each Supervisor (11)

From concerned citizens, regarding Conditional Use Authorization on property located at 1111 California Street. File No. 120183, Copy: Each Supervisor, 4 letters (12)

From Recreation and Park Department, submitting the FY2011-2012 Second Quarter Lead Poisoning Prevention Report. Copy: Each Supervisor (13)

From Office of the Controller, submitting the Portsmouth Plaza Parking Corporation Audit Report. (14)

*From Farella, Braun & Martel, regarding Conditional Use Authorization on property located at 1111 California Street. File No. 120183, Copy: Each Supervisor, City Attorney (15)

From State Fish and Game Commission, regarding proposed regulatory action relating to Central marine protected areas. Copy: Each Supervisor (16)

From Sheralyn Bundy, regarding drinking water in San Francisco. (17)

*From Office of the Controller, submitting the FY2011-2012 San Francisco Park Maintenance Standards Annual Report. (18)

From City Administrator, regarding the Diesel and Biodiesel Purchasing Policy. (19)

From Rosemary Newton, commenting that ocean beach has not been maintained, renovated, or cleaned for years. (20)

From Civil Service Commission, submitting notice of amendments to the Civil Service Commission Rule 311, that establishes a pilot program which will allow the release of the rating keys for review by Fire Department promotional candidates of examinations developed by the Department of Human Resources. Copy: Each Supervisor (21)

From Aaron Goodman, regarding student housing impacts on family rental housing stock. File Nos. 113374, 120191, and 120220 (22)

From Department of Public Health, submitting notice of a grant budget revision for primary and behavioral health care integration. Copy: Each Supervisor, Budget and Finance Committee Clerk (23)

*(An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is available at the Clerk's Office Room 244, City Hall.)

ADJOURNMENT