



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, September 18, 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

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
11:00 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

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. Meetings are broadcast live on KPOO 89.5 FM. 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 Derek Evans (415) 554-7702.

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

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

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

Items 1 through 10

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

1. [120824](#) **[Accept and Expend Grant - San Francisco Parks Alliance - \$625,017.53]**
Sponsor: Farrell
Resolution authorizing the Recreation and Park Department to accept and expend a grant of \$625,017.53 from the San Francisco Parks Alliance to support the renovation of the children's play area at Lafayette Park.
Attachments: [Legislation Ver1](#)
[Comm Packet 091012](#)
[Board Packet 091812](#)

Question: Shall this Resolution be ADOPTED?

2. [120827](#) **[Accept and Expend Grant - South Murphy Windmill Project, Phase 1C - \$513,000]**

Sponsor: Mar

Resolution authorizing the Recreation and Parks Department to retroactively accept and expend a grant in the amount of \$513,000 from the San Francisco Parks Alliance for the South Murphy Windmill Project, Phase 1C.

Attachments: [Legislation_Ver1](#)

[Comm_Packet_091012](#)

[Board_Packet_091812](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

3. [120836](#) **[Settlement of Lawsuit - Saeed Ibrahim - \$35,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Saeed Ibrahim against the City and County of San Francisco for \$35,000.00; the lawsuit was filed on February 17, 2011, in U.S. District Court, Case No. CV 11-1695-RS; entitled Saeed Ibrahim v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_090612](#)
[Board_Packet_091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. [120837](#) **[Settlement of Lawsuit - Lepakshi Nadh Jilakara - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Lepakshi Nadh Jilakara against the City and County of San Francisco for \$40,000; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510513; entitled Lepakshi Nadh Jilakara, et al., v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_090612](#)
[Board_Packet_091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. [120845](#) **[Settlement of Lawsuit - Brian Navarro - \$225,000]**
Ordinance authorizing settlement of the lawsuit filed by Brian Navarro against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 1, 2011, in Brian Navarro vs. City and County of San Francisco, Case No.CGC-11-508644; entitled Brian Navarro, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

Attachments: [Comm_Packet_090612](#)
[Board_Packet_091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. [120846](#) **[Settlement of Lawsuit - Fred Broussard - \$125,000]**
Ordinance authorizing settlement of the lawsuit filed by Fred Broussard against the City and County of San Francisco for \$125,000; the lawsuit was filed on October 4, 2010, in the United States District Court for the Northern District of California, Case No. CV10-4997 WHA; entitled Fred Broussard, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_090612](#)
[Board_Packet_091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. [120853](#) **[Settlement of Lawsuit - Raymond Quinn - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Raymond Quinn against the City and County of San Francisco for \$75,000; the lawsuit was filed on February 16, 2012, in US District Court, Case No. CV-12-0766 DMR; entitled Raymond Quinn v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_090612](#)
[Board_Packet_091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. [120855](#) **[Settlement of Lawsuit - Yim Bing Kwong - \$60,000]**
Ordinance authorizing settlement of the lawsuit filed by Yim Bing Kwong against the City and County of San Francisco for \$60,000; the lawsuit was filed on October 27, 2010, in the United States District Court for the Northern District of California, Case No. C-10-4860, entitled Yim Bing Kwong v. City and County of San Francisco. (City Attorney)

Attachments: [Comm_Packet_090612](#)
[Board_Packet_091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. [120856](#) **[Settlement of Lawsuit - James Wilson - \$77,072.75]**
Ordinance authorizing settlement of the lawsuit filed by James Wilson, against the City and County of San Francisco for \$77,072.75; the lawsuit was filed on February 20, 2007, in United States District Court, Case No. C-07-01016 PJH; entitled James Wilson, et al., v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_090612](#)
[Board_Packet_091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. [120838](#) **[Settlement of Claim - Adam Holm - \$34,154.27]**
Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for \$34,154.27; claim was filed on April 30, 2012. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 090612](#)
[Board Packet 091812](#)

Question: Shall this Resolution be ADOPTED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

11. [120671](#) **[Police Code - Secondhand Dealer and Antique Dealer Permit Requirements]**
Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279.2, 1280, 1280.1, and 1281 to eliminate certain requirements for Secondhand and Antique Dealers; and 2) amending Sections 1279, 1279.1, and 1282 to modify the Secondhand Dealer permit requirement; and 3) amending Section 2.26 to set the permit application fee for a Secondhand Dealer permit at \$200.

Attachments: [Legislation Ver1](#)

[CommitteePacket 073012](#)

[Response SBC 080712](#)

[Board Packet 090412](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Board Packet 091112](#)

[Board Packet 091812](#)

09/04/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/04/2012; PASSED ON FIRST READING AS AMENDED.

09/11/2012; AMENDED.

09/11/2012; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Avalos, Kim

12. [120689](#) **[Administrative Code - Aviation Support Services/Airport Leases]**
Ordinance amending the San Francisco Administrative Code Section 2A.173 to authorize the Airport Commission to enter into leases with entities providing aviation support services without competitive bidding for a term not to exceed 10 years. (Airport Commission)

(Fiscal Impact)

Attachments: [Legislation_Ver1](#)
[Legislative_Digest_Ver1](#)
[Comm_Packet_090512](#)
[Budget_Analyst_090512.pdf](#)
[Board_Packet_091112](#)
[Legislation_Ver2](#)
[Board_Packet_091812](#)

09/11/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. [120770](#) **[Waiver of Temporary Street Space Occupancy Fee for the Ocean Avenue Festival]**
Sponsor: Avalos
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy as part of the Ocean Avenue Arts and Culture Festival on September 15, 2012.

Attachments: [Legislation_Ver1](#)
[Comm_Packet_090512](#)
[Board_Packet_091112](#)
[Board_Packet_091812](#)

09/11/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. [120820](#) **[Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2012-2013]**

Sponsor: Mayor

Ordinance providing revenue and levying property taxes at a combined rate of \$1.1691 on each \$100.00 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing pass-through rate of \$0.0810 per \$100.00 of assessed value for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2013.

(Fiscal Impact)

- Attachments:** [Legislation_Ver1](#)
[Legislative_Digest_Ver1](#)
[Comm_Packet_090512](#)
[Budget_Analyst_090512.pdf](#)
[Board_Packet_091112](#)
[Board_Packet_091812](#)

09/11/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Avalos, Kim

15. [120631](#) **[Business and Tax Regulations, Police, and Planning Codes - Parking Tax Simplification for Residential Properties]**

Sponsor: Wiener

Ordinance: 1) amending the San Francisco Business and Tax Regulations Code by adding Section 609 to establish Parking Tax Simplification for Residential Properties to relieve residential property owners and managers renting five or fewer parking spaces in Parking Stations physically attached to or otherwise associated with the building from the requirement to: (a) obtain a certificate of authority, (b) make monthly tax prepayments, (c) obtain a parking tax bond, and (d) providing amnesty from parking taxes, interest, penalties and fees owed for tax periods ending before April 1, 2011; 2) amending the Business and Tax Regulations Code Section 2219.7 to exempt property owners and managers registered pursuant to Section 609 from the requirement to pay the Revenue Control Equipment compliance fee; 3) amending the Planning Code Section 204.5 to allow as an accessory use up to five dwelling unit parking spaces to be leased to persons living off-site anywhere in the City; 4) making conforming changes to the Planning Code Section 150(d); 5) amending the Police Code Section 1215 to eliminate the requirement to hold a commercial parking permit for property owners and managers registered pursuant to Section 609 of the Business and Tax Regulations Code; and 6) making environmental findings and findings of consistency with the general plan.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Response PLN 062112](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Response PLN 081012](#)

[Legislation Ver4](#)

[Leg Digest Ver4](#)

[Comm Packet 091212](#)

[Budget Analyst 091212.pdf](#)

[Legislation Ver5](#)

[Leg Digest Ver5](#)

[Board Packet 091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [111371](#) **[Administrative Code - CleanPowerSF Funds and Appropriating \$19,500,000 of Available Fund Balance to Support Required Reserves and Creating Special Funds for the CleanPowerSF Program at the Public Utilities Commission]**

Sponsor: Campos

Ordinance appropriating \$19,500,000 of Hetch Hetchy fund balance at the Public Utilities Commission to support CleanPowerSF Community Choice Aggregation program consistent with the contractual requirements and budgetary authorizations as approved by the San Francisco Public Utilities Commission and the Board of Supervisors, placing the \$6,000,000 appropriated for CleanPowerSF sustainability services on Budget and Finance Committee Reserve pending detailed appropriation plans for those sustainability services, and adding Administrative Code Sections 10.100.372 and 10.100.373 to establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund. (Public Utilities Commission)

(Supervisor Chu dissented in Committee)
(Fiscal Impact)

Attachments: [Legislation ver1](#)

[Leg_Digest_Ver1](#)

[Legislation ver2](#)

[Leg_Digest_Ver2](#)

[Comm Packet 091212](#)

[Budget Analyst 091212.pdf](#)

[Legislation Ver3](#)

[Leg_Digest_Ver3](#)

[Board Packet 091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [111340](#) **[Contract - Shell Energy North America and Approval of the CleanPowerSF Program Including Local Sustainability Services]**

Sponsor: Campos

Resolution authorizing the Public Utilities Commission, subject to conditions, to launch the CleanPowerSF program, approving local sustainability services for CleanPowerSF customers, and authorizing the General Manager of the Public Utilities Commission to execute a contract with Shell Energy North America for a term of up to five years for services required to launch the CleanPowerSF program; and delegating authority to non-materially amend or modify the contract.

(Supervisor Chu dissented in Committee)
(Fiscal Impact)

- Attachments:** [Legislation_Ver1](#)
[Legislation_Ver2](#)
[Comm_Packet_091212](#)
[Budget_Analyst_091212.pdf](#)
[Legislation_Ver3](#)
[Board_Packet_091812](#)

Question: Shall this Resolution be ADOPTED?

18. [120825](#) **[Accept and Expend Grant - Harding Park Recycled Water Project - \$2,114,000]**

Sponsor: Elsbernd

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources administered grant in the amount of \$2,114,000 for implementation of the Harding Park Recycled Water Project.

- Attachments:** [Legislation_Ver1](#)
[Comm_Packet_091212](#)
[Board_Packet_091812](#)

Question: Shall this Resolution be ADOPTED?

19. [120828](#) **[Accept and Expend Grant - High-Efficiency Toilet Installation Program - \$863,100]**

Sponsor: Chu

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources administered grant in the amount of \$863,100 for the San Francisco Public Utilities Commission High-Efficiency Toilet Installation Program.

- Attachments:** [Legislation_ver1](#)
[Comm_Packet_091212](#)
[Board_Packet_091812](#)

Question: Shall this Resolution be ADOPTED?

20. [120885](#) **[Real Property Lease Amendment - General Assistance Services - 1235 Mission Street]**

Sponsor: Kim

Resolution establishing rent and term for second extension; and confirming second sublease extension of a Lease with the San Francisco Unified School District for real property at 1235 Mission Street for the Human Services Agency for general assistance services.

(Fiscal Impact)

- Attachments:** [Comm Packet 091212](#)
[Budget Analyst 091212.pdf](#)
[Legislation Ver1](#)
[Board Packet 091812](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Elsbernd, Chu, Olague

21. [120695](#) **[Liquor License - 3117-16th Street]**

Resolution to consider the issuance of a Type 40 license to the Roxie Theater located at 3117-16th Street (District 6), will serve the convenience and necessity of the people of the City and County of San Francisco.

- Attachments:** [Comm Packet](#)
[Legislation Ver2](#)
[Board Packet 091812](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

22. [120353](#) **[Planning Code - Mechanical Car Wash Facilities on 19th Avenue]**
Sponsors: Olague; Chu and Elsbernd
Ordinance amending the San Francisco Planning Code by adding Section 187.2 to permit existing gasoline and service stations located on 19th Avenue to provide a mechanical car wash on the same site; making environmental findings and findings of consistency with the General Plan.

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Response PLN 042512](#)
[Response PLN 071612](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Comm Packet 091012](#)
[Board Packet 091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. [120523](#) **[Planning Code - Transit Impact Development Fee Increase and Updates]**
Sponsors: Mayor; Wiener and Olague
Ordinance amending the San Francisco Planning Code, Article 4, by: 1) revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); 2) amending Sections 402, 408, 411 through 411.5, 411.7, and 411.8 and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection; and 3) making environmental findings, 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_052512.pdf](#)
[Response SBC_071112](#)
[Response PLN_072312](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Comm Packet 091012](#)
[Response SBC_091312](#)
[Board Packet 091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. [120819](#) **[Park Code - Petitioning, Leafleting, Picketing, and Soliciting in City Parks]**
Sponsor: Wiener

Ordinance amending the San Francisco Park Code, Section 7.08, to repeal Subsection (d), which prohibits persons from petitioning, leafletting, demonstrating, or soliciting in designated areas of certain City parks while another event is in progress for which a permit has been issued by the Recreation and Park Department.

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 091012](#)
[Board Packet 091812](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

25. [120870](#) **[Appointments, Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force]**

Motion appointing Ashley McCumber, Daniel Redman, Felicia Elizondo, Jazzie Collins, Jorge Rodriguez, Kaushik Roy, Larry Saxxon, Laurence Michael Costa, Marcy Adelman, Michelle Alcedo, Perry Lang, Scott Haitzuka, Stuart Smith, Tommi Mecca, and William Ambrunn, for indefinite terms, to the Lesbian, Gay, Bisexual and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)

Attachments: [Comm Packet 090612](#)
[Legislation Ver1](#)
[Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

26. [120879](#) **[Reappointment, Peninsula Corridor Joint Powers Board - Supervisor Malia Cohen]**

Motion reappointing Supervisor Malia Cohen, term ending June 30, 2014, to the Peninsula Corridor Joint Powers Board. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Comm Packet 090612](#)
[Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

27. [120847](#) **[Appointment, Sunshine Ordinance Task Force - Bruce Wolfe]**
Motion appointing Bruce Wolfe, term ending April 27, 2013, to the Sunshine Ordinance Task Force. (Clerk of the Board)

(Supervisor Farrell dissented in Committee.)

Attachments: [Comm Packet 090612](#)

[Legislation Ver1](#)

[Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

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.

28. [120849](#) **[Public Hearing - Tentative Map Appeal - 1101-1103 Dolores Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated August 9, 2012, approving a Tentative Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (District 8) (Appellants: Kevin Cheng and Todd Mavis) (Clerk of the Board)

Attachments: [Board Packet 091812](#)

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 Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

29. [120850](#) **[Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1101-1103 Dolores Street]**
Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

30. [120851](#) **[Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1101-1103 Dolores Street]**

Motion disapproving the decision of the Department of Public Works and disapproving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

31. [120852](#) **[Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1101-1103 Dolores Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

32. [120866](#) **[Public Hearing - Conditional Use Appeal - 175 Junipero Serra Boulevard]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 26, 2012, Conditional Use Authorization identified as Planning Case No. 2012.0348C, by its Motion No. 18674, under Planning Code Sections 209.3(f) and 303 to allow a child care facility for 15 or more children (dba Alpha Kids Academy) within an RH-1(D) (Residential, One-Family, Detached) District, and a 40-X Height and Bulk District, on property located at 175 Junipero Serra Boulevard, Assessor's Block No. 3250, Lot No. 006. (District 7) (Appellant: Margaret Finley)

Attachments: [Board Packet 091812](#)

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.)

33. [120867](#) **[Approving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]**

Motion approving the Planning Commission's decision, by its Motion No. 18674, approving the Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Attachments: [Legislation Ver1](#)

[Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

34. [120868](#) **[Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]**

Motion disapproving the Planning Commission's decision, by its Motion No. 18674, approving Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Attachments: [Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

35. [120869](#) **[Preparation of Findings Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard. (Clerk of the Board)

Attachments: [Legislation Ver1](#)

[Board Packet 091812](#)

Question: Shall this Motion be APPROVED?

36. **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.

37. 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 38 through 41

38. [120911](#) **[Opening of City College of San Francisco Chinatown-North Beach Campus]**
Sponsors: Chiu; Mar and Chu
Resolution congratulating City College of San Francisco (CCSF) on the completion and opening of the Chinatown-North Beach campus and designating September 21, 2012, the CCSF Chinatown-North Beach Campus Day.

Attachments: [Board Packet 091812](#)

Question: Shall this Resolution be ADOPTED?

39. [120912](#) **[Donation of Surplus Fire Department Equipment to California State University Maritime Academy Program]**
Sponsor: Elsbernd
Resolution authorizing the Fire Department to donate five surplus Self Contained Breathing Apparatus to the California State University Maritime Academy.

Attachments: [Legislation Ver1](#)

[Board Packet 091812](#)

Question: Shall this Resolution be ADOPTED?

40. [120913](#) **[It Can Wait - No Texting While Driving Pledge Day - September 19, 2012]**
Sponsor: Farrell
Resolution declaring "It Can Wait - No Texting While Driving Pledge Day" on September 19, 2012.

Attachments: [Board Packet 091812](#)

Question: Shall this Resolution be ADOPTED?

41. [120914](#) **[Multifamily Housing Revenue Bonds - 2175 Market Street]**
Sponsor: Wiener
Resolution of the City and County of San Francisco approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$31,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein).

Attachments: [Legislation Ver1](#)

[Board Packet 091812](#)

Question: Shall this Resolution be ADOPTED?

42. 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

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Pursuant to Section 2.8 of the Rules of Order of the Board of Supervisors, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

There are no items.

PROPOSED RESOLUTIONS

There are no items.

120919 [Petitions and Communications]

Petitions and Communications received from September 4, 2012, through September 10, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 18, 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 will not be redacted.

From Public Utilities Commission, Citizen's Advisory Committee, supporting on-site water reuse ordinance. Copy: Each Supervisor, Land Use Committee Clerk, File No. 120717 (1)

From Harvey Milk Democratic Club, supporting Bruce Wolfe to the Sunshine Task Force. Copy: Each Supervisor (2)

From Patrick Monette-Shaw, regarding article on Sunshine Ordinance Task Force. (3)

From Crichton Kittredge, regarding noticing of enforcement holidays on parking meters. Copy: Each Supervisor (4)

From Clerk of the Board, regarding Mayor's appointment of Patrick Johnston to the Film Commission. Copy: Each Supervisor (5)

*From Controller's Office, submitting City Services Auditor Division's report. Copy: Each Supervisor (6)

From City Attorney's Office, submitting updated Political Activity Memorandum. Copy: Each Supervisor (7)

From Controller, regarding FYs 2012-2013 and 2012-2014 Budget Certifications from departments. Copy: Each Supervisor, City Attorney, Budget Analyst (8)

From Controller's Office, submitting Government Barometer June 2012 report. Copy: Each Supervisor (9)

From Planning Department, submitting Notice of Preparation of an Environmental Impact Report for the Transportation Sustainability Program. Copy: Each Supervisor (10)

From Clerk of the Board, submitting notice of Board Decision on Referendum Petition: Ordinance No. 104-12 - 8 Washington Street Project - Zoning Map Amendment. Copy: Each Supervisor, File No. 120271 (11)

From North of Market Business Association, regarding Sunshine Ordinance Task Force Appointment. File No. 120847 (12)

From Controller's Office, submitting City Services Auditor Division's memorandum. Copy: Each Supervisor (13)

From Board of Education, submitting resolution in support of the Consideration of Deferred Deportation for Childhood Arrivals Program. Copy: Each Supervisor (14)

From Bay Area Air Quality Management District, submitting Notice of Availability of Draft Environmental Impact Report for Proposed Amendments to BAAQMD New Source Review and Title V Permitting Regulations. (15)

From Anmarie Mabbutt, regarding Recreation and Parks Department permits for the annual Hardly Strictly Bluegrass Festival. (16)

From Airport Commission, submitting report of TEFRA Hearing regarding the Proposed Issuance of Tax-Exempt Airport Revenue Bonds. Copy: Each Supervisor (17)

From Stacey Ballard, supporting expansion of existing ban on plastic checkout bags. (18)

From Human Rights Commission, submitting updated bylaws. (19)

From District Attorney's Office, submitting Real Estate Fraud Annual Report for FY2011-2012. (20)

From concerned citizens, regarding Sheriff Ross Mirkarimi. 6 letters. (21)

From concerned citizens, regarding KPOO radio. 10 letters. (22)

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

ADJOURNMENT