



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 25, 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 7

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

1. [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](#)
[Board Packet 092512](#)

09/18/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [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](#)
[Board Packet 092512](#)

09/18/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [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](#)
[Board Packet 092512](#)

09/18/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [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](#)
[Board Packet 092512](#)

09/18/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. [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](#)
[Board Packet 092512](#)

09/18/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. [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](#)
[Legislation Ver1](#)
[Board Packet 092512](#)

09/18/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [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](#)
[Board Packet 092512](#)

09/18/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Avalos, Kim

8. [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)

(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](#)
[Legislation Ver4](#)
[Board Packet 092512](#)

09/18/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

09/18/2012; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

9. [120631](#) **[Business and Tax Regulations, Police, and Planning Codes - Parking Tax Simplification for Residential Properties]**

Sponsor: Wiener

Ordinance 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: 1)(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](#)

[Legislation Ver6](#)

[Board Packet 092512](#)

09/18/2012; AMENDED.

09/18/2012; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

10. [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](#)
[Board Packet 092512](#)

09/18/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. [120819](#) **[Park Code - Petitioning, Leafletting, 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](#)
[Board Packet 092512](#)

09/18/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. [120191](#) **[Building Code - Definition of Efficiency Unit]**

Sponsor: Wiener

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

- Attachments:** [Legislation Ver1](#)
[Response PLN 030512](#)
[Comm Packet 052112](#)
[Legislation Ver2](#)
[Comm Packet 060412](#)
[Board Packet 061212](#)
[Board Packet 071012](#)
[Legislation Ver3](#)
[Leg Digest Ver3](#)
[Board Packet 072412](#)
[Board Packet 073112](#)
[Board Packet 092512](#)

06/12/2012; CONTINUED ON FIRST READING.

07/10/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/10/2012; CONTINUED AS AMENDED ON FIRST READING.

07/24/2012; CONTINUED ON FIRST READING.

07/31/2012; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Kim

13. [120751](#) **[Appropriating \$543,200,000 of Proceeds from the Sale of Bonds for Capital Improvement Projects to the Airport Commission - FY2012-2013]**

Sponsors: Mayor; Chiu

Ordinance appropriating \$543,200,000 of proceeds from the sale of bonds for capital improvement projects to the Airport Commission for FY2012-2013, and placing the total appropriation of \$543,200,000 on Controller's Reserve pending sale of the bonds.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 091212](#)

[Budget Analyst 091212.pdf](#)

[Legislation Ver2](#)

[Budget Analyst 091912.pdf](#)

[Comm Packet 091912](#)

[Board Packet 092512](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. [120759](#) **[Airport Capital Plan Bonds - \$502,200,000]**

Sponsors: Mayor; Chiu

Resolution approving the issuance of up to \$502,200,000 aggregate principal amount of San Francisco Airport Commission Capital Plan Bonds; and approving certain related matters.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 091212](#)

[Budget Analyst 091212.pdf](#)

[Budget Analyst 091912.pdf](#)

[Comm Packet 091912](#)

[Board Packet 092512](#)

Question: Shall this Resolution be ADOPTED?

15. [120822](#) **[Lease Amendment - Union Square Garage - 333 Post Street]**
Sponsor: Chiu
Resolution approving and authorizing an amendment to the Lease of the Union Square Garage at 333 Post Street with the City and County of San Francisco Uptown Parking Corporation to continue the term of the Lease for a period not to exceed 180 days following the retirement of certain parking revenue bonds until the City and the Corporation either execute a new lease to replace the existing Lease, or complete an agreement to terminate the Lease and create a new advisory body in place of the Corporation; and ratifying prior acts.

Attachments: [Legislation Ver1](#)
[Budget Analyst 091912.pdf](#)
[Comm Packet 091912](#)
[Legislation Ver2](#)
[Board Packet 092512](#)

Question: Shall this Resolution be ADOPTED?

16. [120823](#) **[Accept and Expend Grant - The Stop Study - \$747,833]**
Sponsor: Wiener
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$747,833 from Centers for Disease Control and Prevention to participate in a program entitled "The Stop Study" for the period of June 15, 2012, through June 14, 2013.

Attachments: [Legislation Ver1](#)
[Comm Packet 091912](#)
[Board Packet 092512](#)

Question: Shall this Resolution be ADOPTED?

17. [120860](#) **[Contract Amendment - En Pointe Technology Sales, Inc. - \$54,150,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc., part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$38,490,000 to \$54,150,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Budget Analyst 091912.pdf](#)
[Comm Packet 091912](#)
[Board Packet 092512](#)

Question: Shall this Resolution be ADOPTED?

18. [120861](#) **[Contract Amendment - Xtech - \$67,890,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and Xtech, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$51,490,000 to \$67,890,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Budget Analyst 091912.pdf](#)
[Comm Packet 091912](#)
[Board Packet 092512](#)

Question: Shall this Resolution be ADOPTED?

19. [120862](#) **[Contract Amendment - CCT Technologies, Inc., dba ComputerLand of Silicon Valley - \$34,460,000]**
Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and CCT Technologies, Inc., dba ComputerLand of Silicon Valley, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$24,490,000 to \$34,460,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Budget Analyst 091912.pdf](#)
[Comm Packet 091912](#)
[Board Packet 092512](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

20. [120142](#) [Transportation Code - Large Vehicle Parking Restrictions]

Sponsors: Chu; Cohen

Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or seven feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

Attachments: [Legislation Ver1](#)

[Response PLN 021412](#)

[Response MTA 022412](#)

[Response PLN 022312](#)

[Comm Packet 091712](#)

[Board Packet 092512](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. [120318](#) [Police Code - Additional Penalties for Foreclosed Properties]

Sponsor: Cohen

Ordinance amending the San Francisco Police Code Article 1 and adding Sections 96 to 96.6 to permit the City and County of San Francisco to: 1) declare that public nuisances occurring at foreclosed properties be considered aggravating factors in imposing civil penalties and injunctive relief; 2) hold individuals and entities who own significant numbers of foreclosed properties to increased civil penalties for failing to maintain the properties; and 3) make environmental findings.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 091712](#)

[Board Packet 092512](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. [120773](#) **[Planning Code - Reinstating Liquor License Controls and Establishing Conditional Use Requirement for Limited Restaurants - Union Street Neighborhood Commercial District]**

Sponsors: Farrell; Wiener

Ordinance amending the San Francisco Planning Code Section 725.1 to: 1) reinstate controls to prohibit liquor license types 47 and 49 in the Union Street Neighborhood Commercial District; and 2) requiring conditional use authorization for Limited Restaurants; and making environmental findings and findings of consistency with the General Plan.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 072512](#)

[Response PLN 091312](#)

[Response SBC 091212](#)

[Comm Packet 091712](#)

[Legislation Ver2](#)

[Board Packet 092512](#)

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

23. [120942](#) **[Committee of the Whole - Public Hearing - Ordinance of the Successor Agency to the Former Redevelopment Agency]**

Sponsor: Cohen

Hearing on Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law. (File No. 120898)

Attachments: [Board Packet 092512](#)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

24. [120898](#) [Successor Agency to the Former Redevelopment Agency]**Sponsors: Mayor; Kim, Cohen and Olague**

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

Attachments: [Legislation Ver1](#)

[Board Packet 092512](#)

[Legislation Digest Ver1](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

COMMITTEE REPORTS

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

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on September 24, 2012, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a Committee Report on Tuesday, September 25, 2012.

25. [120928](#) **[Summary Vacation of Public Service Easement; Approval of Sale of Easement Interest - 1407-1435 Market Street]**
Sponsor: Kim
Ordinance ordering the summary vacation of public service easement and approving sale for \$77,000 of City's interest in vacated easement over property located at 1407-1435 Market Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.
- Attachments:** [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Comm_Packet_092412](#)
[Board_Packet_092512](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Regular Meeting on September 20, 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, September 25, 2012.

26. [120872](#) **[Reappointment, Public Utilities Commission - Ann Moller Caen]**
Motion approving/rejecting the Mayor's reappointment of Ann Moller Caen, to the Public Utilities Commission, Seat No. 3, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)
- Attachments:** [Legislation_Ver1](#)
[Legislation_Ver2](#)
[Board_Packet_092512](#)

Question: Shall this Motion be APPROVED?

27. [120873](#) **[Reappointment, Public Utilities Commission - Francesca Vietor]**
Motion approving/rejecting the Mayor's reappointment of Francesca Vietor, to the Public Utilities Commission, Seat No. 1, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Legislation Ver2](#)
[Board Packet 092512](#)

Question: Shall this Motion be APPROVED?

28. [120874](#) **[Reappointment, Public Utilities Commission - Vince Courtney]**
Motion approving/rejecting the Mayor's reappointment of Vince Courtney, to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)

Attachments: [Legislation VEr1](#)
[Legislation Ver2](#)
[Board Packet 092512](#)

Question: Shall this Motion be APPROVED?

29. 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.

30. 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 31 through 36**31. [120941](#) [Committee of the Whole - Public Hearing - Successor Agency to the Former Redevelopment Agency]****Sponsor: Cohen**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 25, 2012, at 3:00 p.m., to hold a public hearing on the Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

Attachments: [Legislation Ver1](#)[Board Packet 092512](#)**Question: Shall this Motion be APPROVED?****32. [120948](#) [Committee of the Whole - Public Hearing - Charges of Official Misconduct Filed by Mayor Edwin Lee Against Sheriff Ross Mirkarimi]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole for a Special Meeting on October 9, 2012, at 2:00 p.m., to hear the matter related to the charges of official misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi pursuant to Charter Section 15.105. (Clerk of the Board)

Attachments: [Legislation Ver1](#)[Board Packet 092512](#)**Question: Shall this Motion be APPROVED?**

33. [120940](#) **[Welcoming Daw Aung San Suu Kyi]**
Sponsor: Kim
Resolution welcoming Daw Aung San Suu Kyi to the City and County of San Francisco and Honoring our Commitment to Ongoing Human Rights Struggle in Burma
Attachments: [Legislation Ver1](#)
[Board Packet 092512](#)

Question: Shall this Resolution be ADOPTED?
34. [120945](#) **[Final Map 6450 - 626-628 Natoma Street]**
Motion approving Final Map 6450, a Five Unit Residential Condominium Project, located at 626-628 Natoma Street being a subdivision of Lot 048 in Assessors Block No. 3727 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
Attachments: [Legislation Ver1](#)
[Board Packet 092512](#)

Question: Shall this Motion be APPROVED?
35. [120946](#) **[Final Map 7042 - 750-2nd Street]**
Motion approving Final Map 7042, a One Lot Merger and Resubdivision and a 14 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 750-2nd Street being a subdivision of Lot 002A in Assessors Block No. 3794 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
Attachments: [Legislation Ver1](#)
[Board Packet 092512](#)

Question: Shall this Motion be APPROVED?
36. [120947](#) **[Final Map 6431 - 55 Trumbull Street, 4 Craut Street]**
Motion approving Final Map 6431, a Two Lot Subdivision and 18 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 55 Trumbull Street, 4 Craut Street being a subdivision of Lot 006 & 007 in Assessors Block No. 5868, and a portion of Lot 034 in Assessor's Block No. 5867, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1
Attachments: [Legislation Ver1](#)
[Board Packet 092512](#)

Question: Shall this Motion be APPROVED?
37. **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 BY THE PRESIDENT AT THE REQUEST OF A DEPARTMENT

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 ORDINANCE

Proposed ordinance received from September 11, 2012, to September 17, 2012, for reference by President to appropriate committee on September 25, 2012.

120929**[Settlement of Lawsuit - City and County of San Francisco - \$95,000]**

Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory judgment and permanent injunction filed by the City and County of San Francisco against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity Residential, for \$95,000; the lawsuit entitled City and County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San Francisco Superior Court.

Attachments: [Legislation Ver1](#)

09/14/2012; RECEIVED FROM DEPARTMENT.

09/18/2012; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

There are no items.

120930 [Petitions and Communications]

Petitions and Communications received from September 10, 2012, through September 17, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 25, 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 the Clerk of the Board, individuals who have submitted a Form 700 Statement: (1)
Jeremy Pollock - Legislative Aide - Assuming

From the Yerba Buena Community Benefit District, submitting their 2011-2012 annual report. (2)

From the Controller, regarding an audit of how the OCA and DPH use the City contract with GRM. (3)

From the City and County Surveyor, regarding the Monument Preservation Fund annual report. (4)

From the Treasurer and Tax Collector, regarding CCSF Investment Report for August 2012. (5)

From the Residential Rent Stabilization and Arbitration Board, regarding their Statistical Report for 2011-2012. (6)

From the Controller, submitting audit memorandum of SFMTA internal controls over the tools used to maintain its motor coach transit fleet. (7)

From Labor Standards Enforcement, regarding responses to Civil Grand Jury Report. (8)

From Community Youth Center, regarding scam artists. (9)

From the Sierra Club, regarding their opposition on the proposed Condominium Conversion Ordinance. File No. 120669. (10)

From James Chaffee, regarding repealing outdated code provisions. File No. 120672. (11)

From Patrick Monk, regarding Whole Foods Market. (12)

From concerned citizens, regarding Prop 37. Copy: Each Supervisor. (13)

From Michael Krasnobrod, regarding an audit of CCSF. (14)

From Steve Ward, regarding parking of oversized vehicles. File No. 120142. (15)

From Terrie Frye, regarding clean energy. File No. 120099. (16)

From concerned citizens, regarding Sheriff Mirkarimi. 8 Letters. (17)

From concerned citizens, regarding KPOO Radio. 4 letters. (18)

From concerned citizens, regarding the landscape architect Thomas Dolliver Church. 8 letters. (19)

From JoAnn Vail, regarding Beach Chalet Athletic Fields. (20)

From Patrick Monette-Shaw, regarding the reappointment of Bruce Wolfe to the Sunshine Ordinance Task Force. (21)

From Serena Bardell, regarding Rosh Hashanah. (22)

From Jannelly D. Sussman, regarding Noe Valley parking meters. (23)

From concerned citizen, regarding the SF Muni Code. (24)

From S. Gilman, regarding public nudity. (25)

From Peter Warfield, regarding a mural at the Bernal Heights Library. (26)

*(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