



# 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, October 2, 2012 - 2:00 PM

#### Regular Meeting

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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](http://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](mailto: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 3

#### Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

1. [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.  
  
09/25/2012; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Kim, Farrell, Campos*

- 2. [120854](#) **[Settlement of Lawsuit - Brock Rasmussen - \$175,000]**  
Ordinance authorizing settlement of the lawsuit filed by Brock Rasmussen against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 11, 2010, in San Francisco Superior Court, Case No. CGC-10-495963; entitled Brock Rasmussen v. City and County of San Francisco, et al. (City Attorney)  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
  
- 3. [120897](#) **[Settlement of Claim - Laurel Dawn Teixeira - \$80,000]**  
Resolution approving the settlement of the unlitigated claim filed by Laurel Dawn Teixeira against the City and County of San Francisco for \$80,000; claim was filed on November 7, 2011. (City Attorney)  
  
**Question: Shall this Resolution be ADOPTED?**

**REGULAR AGENDA**

## UNFINISHED BUSINESS

### From the Board

4. [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.

09/25/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/25/2012; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Budget and Finance Committee**

*Present: Supervisors Chu, Kim*

5. **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)

09/25/2012; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Mar, Cohen, Wiener*

6. **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 7 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.

09/25/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/25/2012; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

7. **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.

09/25/2012; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

8. [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.

09/25/2012; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

9. [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.

09/18/2012; 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, Avalos, Kim*

10. [120903](#) **[Approving Updated Security Provisions for America's Cup Lease Disposition Agreement]**  
**Sponsor: Chu**  
Resolution approving revisions to the America's Cup Lease Disposition Agreement with respect to the security for certain obligations of the City; authorizing and directing the procurement of insurance coverage for the City's satisfaction of certain of such obligations; reaffirming the direction for ongoing staff progress reports as to the implementation of the America's Cup events; and authorizing related actions.

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**



11. [120908](#) **[Contract - New Flyer of America Inc. - Low Floor Diesel-Hybrid Buses - Not to Exceed \$36,889,364]**  
**Sponsor: Wiener**  
Resolution approving a contract with New Flyer of America Inc., for the purchase of 45 40-foot low floor diesel-hybrid buses, and related tools, training and spare parts, through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, in an amount not to exceed \$36,889,364 and for a term not to exceed six years.  
  
(Fiscal Impact)  
  
**Question: Shall this Resolution be ADOPTED?**
12. [120931](#) **[Real Property License Agreement - American Towers, LLC - 99 Moultrie]**  
**Sponsor: Mayor**  
Resolution authorizing a renewal license agreement, with retroactive effective date, for telecommunications equipment from American Towers, LLC at 99 Moultrie for use by the Department of Technology, the Department of Emergency Management, the Police Department and the Municipal Transportation Agency.  
  
**Question: Shall this Resolution be ADOPTED?**

### **Recommendations of the City Operations and Neighborhood Services Committee**

*Present: Supervisors Elsbernd, Chu, Olague*

13. [120818](#) **[Administrative Code - Repealing Provisions Extending the Expiration Date of the 2003 Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance]**  
**Sponsor: Elsbernd**  
Ordinance amending the San Francisco Administrative Code by: 1) repealing Section 12D.A.22 and amending Section 14B.18, to repeal provisions extending expiration of Chapter 12D.A in the event the injunction in Coral Construction, Inc., v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed; and 2) amending a cross-reference to Section 14B.18 in Section 14B.13(D)(5).  
  
**Question: Shall this Ordinance be PASSED ON FIRST READING?**
14. [120643](#) **[Liquor License Transfer - 398-12th Street]**  
Resolution determining that the premises to premises transfer of a Type 48 on-sale general public premises liquor license from 2700-16th Street to 398-12th Street (District 6) to Mark E. Rennie for Double Rainbow, LLC, dba Roadhouse Tavern, will serve the convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.  
  
**Question: Shall this Resolution be ADOPTED?**

15. [120465](#) **[Liquor License - 937 Geary Street]**  
Resolution determining that the issuance of a Type 42 on-sale beer and wine for public premises bar license to Mohammad Awadalla for Amsterdam Cafe, located at 937 Geary Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

**Question: Shall this Resolution be ADOPTED?**

16. [120721](#) **[Liquor License Transfer - 222 Powell Street]**  
Resolution determining that the transfer of a Type 48 on-sale general public liquor license from 2237 Mason Street to 222 Powell Street (District 3), to Mark E. Rennie for Sirhed Enterprises, LLC, dba Sam's Cable Car Lounge, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Mar, Cohen, Wiener*

17. [120463](#) **[General Plan - 2012 Community Safety Element Update]**  
**Sponsor: Wiener**  
Ordinance amending the San Francisco General Plan by adopting the 2012 Community Safety Element update; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b). (Planning Commission)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

18. [120464](#) **[Planning Code - Threshold for Application of Inclusionary Affordable Housing Program]**  
**Sponsors: Mayor; Chiu, Kim and Wiener**  
Ordinance amending the San Francisco Planning Code Section 415.3 to: 1) provide that, as of January 15, 2013, the requirements of the Inclusionary Affordable Housing Program apply only to housing projects of 10 units or more and will no longer apply to buildings of 5 to 9 units that have not yet received a first construction document; 2) make conforming amendments to Planning Code Section 419.3 related to the Application of the UMU Affordable Housing Requirements to clarify that those requirements only apply to housing projects of 10 units or more; and 3) condition operation of the Ordinance on the adoption and implementation of the Housing Trust Fund Charter Amendment at the November 6, 2012, election; setting an operative date; and making environmental findings and findings of consistency with the General Plan.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendations of the Rules Committee**

*Present: Supervisors Kim, Farrell, Campos*

- 19. [120921](#) **[Appointment, Child Care Planning and Advisory Council - Alli Cuentos]**  
Motion appointing Alli Cuentos, term ending March 19, 2015, to the Child Care Planning and Advisory Council. (Clerk of the Board)  
**Question: Shall this Motion be APPROVED?**
  
- 20. [120925](#) **[Appointment, Entertainment Commission - Naomi Akers]**  
Motion appointing Naomi Akers, term ending July 1, 2013, to the Entertainment Commission. (Clerk of the Board)  
**Question: Shall this Motion be APPROVED?**
  
- 21. [120927](#) **[Appointments, Wage Theft Task Force - Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik]**  
Motion appointing Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik, terms to be determined, the Wage Theft Task Force. (Clerk of the Board)  
**Question: Shall this Motion be APPROVED?**

**Recommendation of the Public Safety Committee**

*Present: Supervisors Avalos, Olague*

- 22. [111239](#) **[Police Code - Vehicle Press Cards]**  
Ordinance amending San Francisco Police Code Sections 939, 939.1, 939.3, 939.5, and 939.7, and repealing San Francisco Police Code Sections 939.2, 939.4, and 939.6 to remove the Chief of Police's authority to issue or regulate Vehicle Press Cards. (Municipal Transportation Agency)  
**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.

23. [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) (Filed August 24, 2012).

09/18/2012; 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.)**

24. [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)

09/18/2012; CONTINUED.

#### **Question: Shall this Motion be APPROVED?**

25. [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)

09/18/2012; CONTINUED.

**Question: Shall this Motion be APPROVED?**

26. [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)

09/18/2012; CONTINUED.

**Question: Shall this Motion be APPROVED?**

## 27. 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.*

## 28. 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.*

**29. 120970 [Authorizing the Installation of a “Rosie the Riveter” Plaque]**

**Sponsor: Chiu**

Resolution authorizing the installation of a new “Rosie the Riveter” bronze sidewalk plaque to replace the existing plaque in accordance with Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance.

**Question: Shall this Resolution be ADOPTED?**

**30. 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 ORDINANCES

### 120959

#### **[Building Code Fees and Permit Extensions]**

Ordinance 1) amending the San Francisco Building Code by amending Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4 to address permit expirations and extensions and Tables 1A-A, 1A-B, 1A-F, 1A-G, 1A-J, 1A-K, and 1A-L of Section 110A to modify various fees; and 2) making environmental findings. (Building Inspection Department)

09/24/2012; RECEIVED FROM DEPARTMENT.

10/02/2012; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

### 120976

#### **[Settlement of Lawsuit - City and County of San Francisco v. Rehab Financial Corporation - \$164,099]**

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of \$164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al.

09/21/2012; RECEIVED FROM DEPARTMENT.

10/02/2012; RECEIVED AND ASSIGNED to the Rules Committee.

## PROPOSED RESOLUTION

### 120960

#### **[Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Programs]**

Resolution supporting FY2013-2014 Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons With AIDS Consolidated Plan Goals.

09/20/2012; RECEIVED FROM DEPARTMENT.

10/02/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**120957 [Petitions and Communications]**

Petitions and Communications received from September 17, 2012, through September 24, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 2, 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 Office of the Mayor, submitting the following appointment: (1)  
Michael Pappas, term ending September 2, 2016

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointment by the Mayor: (2)  
Michael Pappas, term ending September 2, 2016

From State Fish and Game Commission, submitting Notice of Receipt of petition to list the white shark as threatened or endangered under the California Endangered Species Act. (3)

\*From State of California, Elections Division, submitting the California Voter Information Guide for the November 6, 2012, General Election. (4)

From concerned citizens, regarding CleanPowerSF Program. File No. 111340. 2 letters. (5)

From concerned citizens, regarding oversized vehicles legislation. File No. 120142. 11 letters. Copy: Each Supervisor. (6)

From Department of Human Resources, submitting the Annual Report on Sexual Harassment Complaints filed in FY2011-2012. (7)

From Pratiti Beldner, regarding Ross Mirkarimi. (8)

From Carolyn Oliss, supporting the new Starbucks. (9)

From various City Departments, submitting responses to the 2011-2012 San Francisco Civil Grand Jury Report, "Surcharges and Healthy San Francisco: Healthy for Whom?": (10)

Office of the Treasurer & Tax Collector  
Office of the Mayor  
Department of Public Health

From Ethics Commission, submitting full record of the hearing related to the Charges of Official Misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi. (11)

From James Chaffee, regarding Ethics Commission Stand on Official Misconduct. File No. 120949. (12)

From concerned citizens, regarding adequate working-class housing in San Francisco. (13)

From Marvis Phillips, regarding Sam's Cable Car Lounge. (14)

From Molly Burke, regarding BART celebrating 40 years of service. (15)

From Charles Huntington, regarding Shell Oil. (16)



From John Barry, regarding JFK Cycle Track. (17)

From Amtage Gwen, supporting petition to "Help Save Charlie."(18)

From Pam Gill, regarding parking fees. (19)

From Jim Sottile, regarding cleanliness in the City of San Francisco. (20)

From Office of Small Business, submitting a copy of the California State Senate Press Release titled "Governor Signs Legislation Reforming Disabled Access Law." (21)

From President of the Board of Supervisors, calling for a Special Meeting of the Board of Supervisors on Tuesday, October 9, 2012, at 2:00 p.m., regarding the official misconduct charges against Sheriff Ross Mirkarimi. (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**