



# 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, February 28, 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  
1:00 PM

2nd and 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. For DVD copies and scheduling call (415) 554-4188.

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

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

### **Disability Access**

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

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

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

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

### **Know Your Rights Under The Sunshine Ordinance**

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

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

## APPROVAL OF MEETING MINUTES

*Approval of the January 10, 2012, and January 24, 2012, Board Meeting Minutes.*

## 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 and 2

### Recommendations of the Rules Committee

*Present: Supervisors Kim, Campos*

1. [120065](#) **[Appointment, Pedestrian Safety Advisory Committee - Abigail Evans]**  
Motion appointing Abigail Evans, term ending March 28, 2014, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)  
**Attachments:** [Comm Packet 021612](#)  
[Legislation Ver1](#)

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

Present: Supervisors Kim, Farrell, Campos

2. [120121](#) **[Appointments, Small Business Commission - Monetta White and William Ortiz-Cartagena]**

Motion appointing Monetta White and William Ortiz-Cartagena, terms ending January 6, 2016, to the Small Business Commission. (Clerk of the Board)

**Attachments:** [Comm Packet 021612](#)  
[Legislation Ver1](#)

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

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

Present: Supervisors Mar, Cohen, Wiener

3. [111210](#) **[Planning Code - Chinatown Transit Station Special Use District]**

**Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code Section 249.66 to: 1) create the Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Residential Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopt findings, including Planning Code Section 302 Findings, General Plan Consistency Findings, and findings under the California Environmental Quality Act.

**Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Response PLN 011912](#)  
[Response PLN 013012](#)  
[Comm Packet 020612](#)  
[Comm Packet 021312](#)  
[Legislation Ver2](#)  
[Leg Digest Ver2](#)  
[Board Packet 021412](#)

02/14/2012; PASSED ON FIRST READING.

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

4. [111211](#) **[Zoning Map Amendment - Chinatown Transit Station Special Use District]**  
**Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code Sectional Maps SU01 of the Zoning Map of the City and County of San Francisco to: 1) reflect the creation of the Chinatown Transit Station Special Use District, Planning Code Section 249.66, at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Residential Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopting findings, including General Plan Consistency Findings, Planning Code Section 101.1 and 302 findings, and findings under the California Environmental Quality Act.

- Attachments:** [Legislation Ver1](#)  
[Leg Digest Ver1](#)  
[Response PLN 011912](#)  
[Response PLN 013012](#)  
[Comm Packet 020612](#)  
[Comm Packet 021312](#)  
[Legislation Ver2](#)  
[Leg Digest Ver2](#)  
[Board Packet 021412](#)

02/14/2012; PASSED ON FIRST READING.

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

5. [120003](#) **[Public Infrastructure Improvements - Mission Bay South - Blocks 2-7 and 13 Phase I]**

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 2-7 and 13 Phase I including acquisition facilities on portions of Fourth Street, Mission Rock Street, China Basin Street, Mission Bay Boulevard North, and Mission Bay Boulevard South; 2) accepting additional property on portions of Fourth Street, Mission Rock Street, and China Basin Street; 3) declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; 4) dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; 5) establishing street grades and sidewalk widths; 6) accepting said facilities for City maintenance and liability purposes, subject to specified limitations; 6) adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 7) accepting a Department of Public Works Order; and 8) authorizing official acts in connection with this Ordinance. (Public Works Department)

**Attachments:** [Legislation\\_Ver1](#)  
[Leg\\_Digest\\_Ver1](#)  
[Comm\\_Packet\\_020612](#)  
[Board\\_Packet\\_021412](#)

02/14/2012; 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*

6. [120039](#) **[Real Property Lease, Sublease, and Transfer Agreement Amendment - Court Facility - 575 Polk Street]**

Resolution: 1) approving a lease of approximately 9,000 square feet at 575 Polk Street with the Mattison Family Trust for an initial base rent of \$25,597 per month; 2) a sublease of 575 Polk Street premises with the State of California, Judicial Council of California - Administrative Office of the Courts for use by the San Francisco Superior Court; 3) an amendment to the transfer agreement for the court facility at 575 Polk Street; and 4) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

(Fiscal Impact)

**Attachments:** [Legislation\\_Ver1](#)  
[Comm Packet 021512](#)  
[Budet Analyst 021512](#)  
[Legislation ver2](#)

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

7. [120040](#) **[Real Property Lease Expansion - Mattison Family Trust - 555 Polk Street]**  
Resolution: 1) approving the exercise of a lease expansion of approximately 9,000 square feet at 555 Polk Street with the Mattison Family Trust at a base rent of \$16,100 per month, for use by the Department of Public Health as a Community Justice Center; and 2) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

(Fiscal Impact)

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 021512](#)  
[Budet Analyst 021512](#)  
[Legislation ver2](#)

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

8. [120076](#) **[Airport Concession Lease - Paradies-SFO, LLC]**  
Resolution approving the Terminal 3, Boarding Area F Newsstand Lease, between Paradies-SFO, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

**Attachments:** [Legislation Ver1](#)  
[120076.doc](#)  
[Comm Packet 022212](#)  
[Budget Analyst 022212](#)

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

9. [120085](#) **[Accept and Expend Grant - Agreement - Transit Oriented Development Housing Program - \$4,700,000]**  
**Sponsors: Mayor; Kim**  
Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to enter into a standard agreement and disbursement agreement with the California State Department of Housing and Community Development to accept and expend \$4,700,000 of Transit Oriented Development Infrastructure Grant Program funds associated with the 1180-4th Street affordable housing project; the execution of an agreement with the Project Sponsor for disbursement of grant funds; and the execution of any related documents necessary to participate in the Transit Oriented Development Infrastructure Grant Program.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 021512](#)

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



10. [120087](#) **[Accept and Expend Grant - Kindergarten to College Program Participant Incentive Funds - \$190,000]**

**Sponsor: Campos**

Resolution authorizing the Office of Treasurer-Tax Collector to accept and expend a grant in the amount of \$190,000 from the Earned Assets Resource Network for Kindergarten to College Program Participant Incentive Funds.

**Attachments:** [Legislation\\_Ver1](#)

[Comm Packet 021512](#)

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

11. [120088](#) **[Revocable Permit - Union Sanitary District - Bay Division Pipeline Nos. 3 and 4 Seismic Upgrade Project]**

**Sponsor: Elsbernd**

Resolution authorizing issuance of a revocable permit by the San Francisco Public Utilities Commission to Union Sanitary District for the improvements to the regional water supply system, otherwise known as Project No. CUW35302 Seismic Upgrade of Bay Division Pipeline Nos. 3 and 4 for a term in excess of ten years, pursuant to Charter Section 9.118, and adopting findings pursuant to the California Environmental Quality Act.

**Attachments:** [Legislation\\_Ver1](#)

[Comm Packet 022212](#)

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

12. [120089](#) **[Accept and Expend Grant - San Francisco Minority AIDS Initiative - \$1,352,141]**

**Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$1,352,141 from the Substance Abuse and Mental Health Services Administration to participate in a program entitled "San Francisco Minority AIDS Initiative" for the period of September 30, 2011, through September 29, 2012, and waiving indirect costs.

**Attachments:** [Legislation\\_Ver1](#)

[Comm Packet 021512](#)

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

13. [120090](#) **[Accept and Expend Grant - Centers for Disease Control and Prevention Kenya-Monitoring and Evaluation - \$256,846]**

**Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$256,846 from the University of California San Francisco to participate in a program entitled "Centers for Disease Control and Prevention Kenya-Monitoring and Evaluation" for the period of September 30, 2011, through September 29, 2012.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 021512](#)

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

**Recommendation of the Public Safety Committee**

*Present: Supervisors Avalos, Olague, Mar*

14. [111029](#) **[Environment Code - Tenant Bicycle Parking in Existing Commercial Buildings]**

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

Ordinance amending the San Francisco Environment Code, Section 400, and adding Section 402, to: 1) require the owners of existing commercial buildings to either provide secure bicycle parking in their buildings or allow their tenants to bring their bicycles into the building; 2) provide that the Ordinance's operative date is January 1, 2012, or 30 days from the effective date of the Ordinance, whichever is later; and 3) make environmental findings.

**Attachments:** [Legislation Ver1](#)  
[Committee Packet 021612](#)  
[Legislation Ver2](#)  
[Leg Digest Ver2](#)

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

**Recommendations of the Rules Committee**

*Present: Supervisors Kim, Farrell, Campos*

15. [111079](#) **[Administrative Code - Additional Pre-Approval Notice for Certain City Projects]**  
**Sponsor: Farrell**  
Ordinance amending the San Francisco Administrative Code by adding Chapter 79A to expand upon the minimum notice requirements prior to approval of a City project that are mandated by the Citizens' Right-to-Know Act of 1998.

**Attachments:** [Legislation\\_Ver1](#)  
[111079 Leg Digest.DOC](#)  
[Comm\\_Packet\\_120811](#)  
[Comm\\_Packet\\_021612](#)  
[Legislation\\_Ver2](#)  
[Legislation\\_Ver3](#)

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

16. [111189](#) **[Administrative Code - Right to Counsel in Civil Matters]**  
**Sponsors: Chiu, Kim, Wiener, Olague, Farrell and Campos**  
Ordinance amending the San Francisco Administrative Code by adding Article 58, Sections 58.1 through 58.3 to: 1) declare San Francisco to be a Right to Civil Counsel City; and 2) declare the intent of the Board of Supervisors to create a one-year San Francisco Right to Civil Counsel pilot program.

**Attachments:** [Legislation\\_Ver1](#)  
[Legislative Digest\\_Ver1](#)  
[Comm Packet 021612](#)  
[Legislation\\_Ver2](#)

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

Present: Supervisors Kim, Campos

**17. [111277](#) [Campaign and Governmental Conduct Code - Certification of Supervisorial Candidates' Eligibility for Public Financing in 2012]**

**Sponsor: Cohen**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.142 to delay the certification of 2012 supervisorial candidates seeking public financing until the Redistricting Task Force completes its revision of supervisorial district boundaries.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 021612](#)

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

Present: Supervisors Kim, Farrell, Campos

**18. [111163](#) [Establishing a Balboa Park Station Community Advisory Committee]**

**Sponsor: Avalos**

Resolution establishing a Balboa Park Station Area Plan Community Advisory Committee to provide input and community oversight relating to area transportation and other public improvements.

**Attachments:** [Legislation Ver1](#)  
[Legislation Ver2](#)  
[Comm Packet 021612](#)

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

**SPECIAL ORDER 3:00 P.M.**

**Board of Supervisors Sitting as a Committee of the Whole**

*(Pending approval of File No. 120169.)*

**19. [120170](#) [Hearing - Amendments to the 34th America's Cup Project and Related Transactions, and Resolution of Intent to Form the Waterfront Infrastructure Financing District]**

Hearing of persons interested in or objecting to amendments to the proposed Resolution approving the 34th America's Cup Project and related transactions, and the proposed Resolution of Intent to Form the Waterfront Infrastructure Financing District. (Clerk of the Board)

**Action:**\_\_\_\_\_

**Committee of the Whole Adjourn and Report**

**From the Budget and Finance Committee Without Recommendation**

*Present: Supervisors Chu, Avalos, Kim*

20. [120127](#) **[Approving the 34th America’s Cup Project and Related Transactions]**  
**Sponsor: Mayor**  
Resolution adopting California Environmental Quality Act Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) for the 34th America’s Cup events and approving the America’s Cup project; waiving certain termination rights by the City under the 34th America’s Cup Host and Venue Agreement (Host Agreement); approving the Development and Disposition Agreement between the City, through its Port Commission, and the America’s Cup Event Authority, LLC (Event Authority), which also amends the Host Agreement; approving a Memorandum of Agreement regarding the City’s and the Event Authority’s respective obligations for certain mitigation measures in the MMRP and other project-related activities; and authorizing further actions and ratifying prior actions consistent with the terms of this Resolution.

(Fiscal Impact)  
(Supervisor Avalos dissented in Committee)

- Attachments:** [Legislation Ver1](#)  
[Comm Packet 021512](#)  
[Budet Analyst 021512](#)  
[Comm Packet 022212](#)  
[Budget Analyst 022212](#)

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

21. [120128](#) **[Resolution of Intention to Form Waterfront Infrastructure Financing District]**  
**Sponsor: Mayor**  
Resolution of Intention to establish Infrastructure Financing District No. 2 for the City and County of San Francisco at the Port of San Francisco.

(Fiscal Impact)  
(Supervisor Avalos dissented in Committee)

- Attachments:** [Legislation ver1](#)  
[Comm Packet 021512](#)  
[Budet Analyst 021512](#)  
[Legislation ver2](#)  
[Comm Packet 022212](#)  
[Budget Analyst 022212](#)

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

## COMMITTEE REPORTS

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

*The following items will be considered by the Rules Committee at a Special Meeting on Thursday, February 23, 2012, at 12:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, February 28, 2012.*

22. [111082](#) **[Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]**  
**Sponsors: Kim; Campos, Mar and Avalos**  
Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify expenditure ceilings for the City's public financing program, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

**Attachments:** [Leg Digest Ver1](#)  
[Legislation Ver1](#)  
[Legislation Ver2](#)  
[Leg Diget Ver2](#)  
[Comm Packet 022312](#)

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

23. [120020](#) **[Initiative Ordinance - Campaign & Governmental Conduct, Municipal Elections Codes - Improving Public Financing of Elections]**  
**Sponsors: Campos; Avalos and Kim**  
Motion ordering submitted to the voters an ordinance authorizing the amendment of the Campaign and Governmental Conduct Code and Municipal Elections Code to adjust expenditure ceilings in the public financing program in response to the U.S. Supreme Court ruling in Arizona Free Enterprise v. Bennett, adjust public financing deadlines and thresholds, and advance candidate filing deadlines, at an election to be held on June 5, 2012.

**Attachments:** [Legislation Ver1](#)  
[Legislative Digest Ver1](#)  
[Comm Packet 022312](#)

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

24. [120077](#) **[Settlement of Claim - Carl Brogger - Not to Exceed \$240,000]**  
Resolution approving proposed settlement of claim by Carl Brogger against the City and County of San Francisco for an amount not to exceed \$240,000; the claim was filed on January 20, 2012, bearing Claim No. 12-01603. (City Attorney)

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 022312](#)

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

25. [120078](#) **[Settlement of Claim - Marco Fontana - Not to Exceed \$60,000]**  
Resolution approving proposed settlement of claim by Marco Fontana against the City and County of San Francisco for an amount not to exceed \$60,000; the claim was filed on December 2, 2011, bearing Claim No. 12-01249. (City Attorney)

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 022312](#)

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

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

### **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.*

### **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 26 through 36

26. [120169](#) **[Committee of the Whole - Approving Amendments to the 34th America's Cup Project and Related Transactions, and Resolution of Intent to Form the Waterfront Infrastructure Financing District - February 28, 2012]**

**Sponsor: Chiu**

Motion scheduling the Board to sit as a Committee of the Whole on February 28, 2012, at 3 p.m., to hold a public hearing on amendments to a Resolution approving the 34th America's Cup Project and related transactions, and a Resolution of Intent to Form the Waterfront Infrastructure Financing District.

02/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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



27. [120151](#) **[Approval of a 30-Day Extension for Planning Commission Review of Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts (File No. 110548)]**

**Sponsor: Chiu**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110548) amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, 607.4, and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy, and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Attachments:** [Legislation VER1](#)

02/15/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

28. [120152](#) **[Approval of a 30-Day Extension for Planning Commission Review of Washington-Broadway Special Use District 1; Waterfront Special Use Districts 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets (File No. 110547)]**

**Sponsor: Chiu**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110547) amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Attachments:** [Legislation VER1](#)

02/15/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

29. [120153](#) **[Authorizing the Assessor-Recorder to Participate in the Electronic Recording Delivery Act of 2004]**

**Sponsor: Chiu**

Resolution authorizing the Assessor-Recorder to participate in the Electronic Recording Delivery Act of 2004.

**Attachments:** [120153.doc](#)

02/15/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

30. [120154](#) **[CalPERS - Pre-Tax Payroll Deduction Plan]**

**Sponsor: Elsbernd**

Resolution authorizing the City and County of San Francisco to implement a pre-tax payroll deduction plan for all employees in CalPERS, pursuant to the Internal Revenue Code Section 414(h)(2).

**Attachments:** [Legislation VER1](#)

02/15/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

31. [120155](#) **[Accept and Expend Grant - Pest Exclusion High Risk Inspections and Enforcement - \$47,983.25]**

**Sponsor: Mar**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant (Agreement No. 11-0127) in the amount of \$47,983.25 from the California Department of Food and Agriculture to participate in a program entitled Pest Exclusion High Risk Inspections and Enforcement for the period of July 1, 2011, through June 30, 2012.

**Attachments:** [Legislation VER1](#)

02/15/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

32. [120156](#) **[Accept and Expend Grant - San Francisco Hepatitis B Free Best Practices Evaluation Project - \$63,480]**

**Sponsor: Wiener**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$63,480 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "San Francisco Hepatitis B Free Best Practices Evaluation Project" for the period of January 1, 2012, through June 30, 2013, and waiving indirect costs.

**Attachments:** [Legislation VER1](#)

02/15/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

33. [120157](#) **[Accept and Expend Grant - Risk-Based Initiative - \$67,583]**  
**Sponsor: Wiener**  
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$67,583 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Risk-Based Initiative" for the period of August 10, 2011, through August 9, 2012.  
**Attachments:** [Legislation VER1](#)  
  
02/15/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Resolution be ADOPTED?**
34. [120150](#) **[Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.7 Extending the Joint City and School District Select Committee for One Year Ending March 1, 2013, and Setting Monthly Meetings]**  
**Sponsor: Campos**  
Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year ending March 1, 2013; ordering the Joint City and School District Select Committee meetings be held on 4th Thursdays of each month at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.  
**Attachments:** [Legislation VER1](#)  
  
02/15/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Motion be APPROVED?**
35. [120167](#) **[Final Map 6510: 1371-1375 Grove Street]**  
Motion approving Final Map 6510, a Five Unit Residential Condominium Project, located at 1371-1375 Grove Street, being a subdivision of Assessor's Block No. 1201, Lot No. 031; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)  
  
02/17/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**Question: Shall this Motion be APPROVED?**
36. [120168](#) **[Final Map 5674: 1994 Carroll Avenue and 2525 Phelps Street]**  
Motion approving Final Map 5674, a Three Lot Subdivision, including an Eight Unit Commercial Condominium Project, located at 1994 Carroll Avenue and 2525 Phelps Street, in Assessor's Block No. 5423A, Lot Nos. 014 and 015; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)  
  
02/17/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.  
**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 AT ROLL CALL

### PROPOSED ORDINANCES

*Proposed ordinances received from February 7, 2012, through February 17, 2012, for reference by President to appropriate committee on February 28, 2012.*

#### **120138 [Changing Official Sidewalk Width - Portions of Golden Gate Avenue, Polk Street, and Redwood Alley]**

Ordinance: 1) amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1593 to change the official sidewalk width of a) Golden Gate Avenue starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing west 104 feet, b) Polk Street starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing south for 78 feet, and c) Redwood Alley starting at the northwest corner of the intersection of Polk Street and Redwood Alley and continuing west for 173 feet; 2) making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and 3) requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

02/06/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**120163****[Settlement of Lawsuit - Patricia Banks - \$50,000]**

Ordinance authorizing settlement of the lawsuit filed by Patricia Banks against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 5, 2009, in San Francisco Superior Court, Case No. CGC-09-491089; entitled Patricia Banks, et al. v. City and County of San Francisco, et al. (City Attorney)

**Attachments:** [Legislation Ver1](#)

02/17/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; RECEIVED AND ASSIGNED to the Rules Committee.

**120164****[Settlement of Lawsuit - Pacific States Environmental Contractors, Inc. - \$425,000]**

Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental Contractors, Inc., against the City and County of San Francisco for \$425,000; the lawsuit was filed on November 20, 2009, in San Mateo County Superior Court and subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-501403, entitled Pacific States Environmental Contractors, Inc. v. City and County of San Francisco, et al.; other material terms of the settlement are: 1) mutual releases except for latent defects, 2) dismissal of the complaint with prejudice, and 3) each side to bear its own attorneys fees and costs. (City Attorney)

**Attachments:** [Legislation Ver1](#)

02/17/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; RECEIVED AND ASSIGNED to the Rules Committee.

## PROPOSED RESOLUTIONS

*Proposed resolutions received from February 7, 2012, through February 17, 2012, for reference by President to appropriate committee on February 28, 2012.*

**120139****[Airport Concession Lease - Hudson Group (HG) Retail, LLC]**

Resolution approving the Terminal 3 News and Specialty Store Lease between Hudson Group (HG) Retail, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

02/10/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**120140****[Real Property Lease - 2712 Mission Street - Annual Rent of \$768,000]**

Resolution authorizing a ten-year lease of 2712 Mission Street from Redwood Mortgage Investors VIII, A California Limited Partnership, for the Department of Public Health at an initial annual rent of \$768,000. (Real Estate Department)

02/13/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**120141 [Permit of Northeast-Facing Wall Sign - Total Outdoor Corporation - 1650 Mission Street]**

Resolution authorizing the execution of a permit to enter and use property (the Permit) for installation and maintenance of a northeast-facing wall sign at 1650 Mission Street by and between the City and County of San Francisco and Total Outdoor Corporation, a Delaware Corporation, permittee.

02/13/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**120160 [Airport Concession Lease Amendment - Boarding Area B and C Books and News Store - Gateway Concessions, LLC]**

Resolution Approving Amendment No. 1 to Boarding Area B and C Books and News Store Lease No. 04-0231 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission.

02/14/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**120161 [Settlement of Claim - Sally Bowman - \$70,000]**

Resolution approving the settlement of the unlitigated claim filed by Sally Bowman against the City and County of San Francisco for \$70,000; claim was filed on May 24, 2011. (City Attorney)

**Attachments:** [Legislation Ver1](#)

02/17/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; RECEIVED AND ASSIGNED to the Rules Committee.

**120162 [Settlement of Unlitigated Claim - James Murray - \$43,500]**

Resolution approving the settlement of the unlitigated claim filed by James Murray against the City and County of San Francisco for \$43,500; claim was filed on April 06, 2011. (City Attorney)

**Attachments:** [Legislation Ver1](#)

02/17/2012; RECEIVED FROM DEPARTMENT.

02/28/2012; RECEIVED AND ASSIGNED to the Rules Committee.

**120137 [Petitions and Communications]**

Petitions and Communications received from February 7, 2012, through February 17, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on February 28, 2012.

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

From Cathy Lerman, regarding the Police Department's sole source contracts with LeadsOnLine, LLC. Copy: Each Supervisor, Human Rights Commission, 3 letters (1)

From Office of the Mayor, submitting the following appointment: Copy: Rules Committee Clerk (2)

Arts Commission

Charles Collins, term ending January 15, 2016

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointment by the Mayor: (3)

Arts Commission

Charles Collins, term ending January 15, 2016

From Animal Control and Welfare Commission, submitting the FY2010-2011 Quarterly Report. (4)

From Animal Control and Welfare Commission, submitting the FY2011-2012 Quarterly Report. (5)

From Commission on the Environment, regarding the Healthy Nail Salon Recognition Program. (6)

From Office of the Controller, submitting the results of the follow-up review of the 2009 indirect rate submissions from Central Subway Contractors. (7)

From Planning Department, regarding Conditional Use Authorization on property located at 601-14th Avenue. (8)

From SF Ocean Edge, regarding the renovation of the Beach Chalet Athletic Field. Copy: Each Supervisor, 2 letters (9)

From concerned citizens, regarding ranked choice voting. File No. 111212, Copy: Each Supervisor, 4 letters (10)

From concerned citizens, regarding the America's Cup. 2 letters (11)

From Margaret Keyes, submitting opposition to a special election in September. (12)

From Danuta Watola, regarding Sharp Park. (13)

From Office of the Controller, submitting the FY2011-2012 Six-Month Budget Status Report. (14)

\*From Department of Public Works, submitting the FY2010-2011 Annual Report. (15)

\*From UCSF Campus Planning, submitting the UCSF Medical Center at Mission Bay Fourth Street Public Plaza draft Environmental Impact Report. Copy: Each Supervisor (16)

From Department of Elections, submitting copy of letter sent to the proponent of the "Protect Coit Tower" Initiative Petition, certifying that the petition did contain sufficient valid signatures to qualify for the next election. Copy: Each Supervisor (17)

From Brandt-Hawley Law Group, regarding the America's Cup. File No. 120127 (18)

From Public Utilities Commission, regarding the status of current and pending disputes with Pacific Gas and Electric Company. Copy: Each Supervisor (19)

From Sierra Club, submitting support for the proposed pilot program regarding free monthly Muni Passes for all San Francisco youth. (20)

From Office of the Treasurer & Tax Collector, submitting the January 2012 Investment Report. (21)

From Office of the Treasurer & Tax Collector, submitting a press release announcing that the City and County of San Francisco is expanding deposits in local banks and credit unions. (22)

From U.S. Environmental Protection Agency, regarding the release of two competitive grant announcements for projects that protect and restore the San Francisco Bay and its watersheds. (23)

From concerned citizens, urging the Board of Supervisors to broadcast their meetings on the radio. Copy: Each Supervisor, 2 letters (24)

From Office of the Controller, submitting the fiscal analysis of community-based long term care spending for FY2007-2008 through FY2011-2012. (25)

From Golden Gate Park Preservation Alliance, regarding festivals in Golden Gate Park. File No. 091200, Copy: Each Supervisor, 5 letters (26)

From Office of the Controller, submitting the December 2011 Government Barometer Report. (27)

From Capital Planning Committee, regarding the Jefferson Street streetscape design improvements supplemental appropriation. File No. 120120, Copy: Each Supervisor, Budget and Finance Committee Clerk (28)

From Medical Cannabis Task Force, requesting the Mayor, Board of Supervisors, City Attorney, and Department of Public Health to attend the February 20, 2012, meeting to discuss the permitting process, inspections, and the status of the medical cannabis community moving forward. (29)

From concerned citizens, regarding the lack of adequate working class housing in San Francisco. 2 letters (30)

From Department of Public Health, submitting the Quarterly HIV/AIDS Surveillance Report. (31)

From State Public Utilities Commission, submitting notice of a joint application of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas and Electric Company for recovery of costs of the Market Redesign and Technology Upgrade Initiative. Copy: Each Supervisor (32)

From State Fish and Game Commission, regarding proposed regulatory action relating to ocean salmon sport fishing. (33)



From State Fish and Game Commission, regarding proposed regulatory action relating to recreational take of abalone. Copy: Each Supervisor (34)

From Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (35)

Christina Olague, Supervisor - Annual  
Jason Fried, LAFCo - Annual  
Jennifer Low, Legislative Aide - Assuming  
Deborah Landis, Deputy Director - Assuming  
Edward Campana, SOTF - Assuming

From Office of the Mayor, submitting the following appointments to the General Assembly and Executive Board of the Association of Bay Area Governments: (36)

Jason Elliott, for term ending June 30, 2012  
Malcolm Yeung, for term ending June 30, 2012  
Renee Willette, for term ending June 30, 2012

From concerned citizens, submitting support for proposed legislation regarding tenant bicycle parking in existing commercial buildings. File No. 111029, 3 letters (37)

From Public Utilities Revenue Bond Oversight Committee, submitting the 2011 Annual Report. Copy: Each Supervisor, Mayor, Library (38)

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

## **ADJOURNMENT**