

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, December 4, 2012 - 2:00 PM

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

### 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*

### BOARD COMMITTEES

<b>Budget and Finance Committee</b> Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
<b>City and School District Select Committee</b> Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
<b>City Operations and Neighborhood Services Committee</b> Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Elsbernd, Wiener, Chiu	2nd and 4th Thursday 1:00 PM
<b>Land Use and Economic Development Committee</b> Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
<b>Public Safety Committee</b> Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
<b>Rules Committee</b> Supervisors Kim, Farrell, Avalos	1st and 3rd Thursday 1:30 PM

---

**Members Present:** John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

---

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:11 p.m. On the call of the roll, Supervisor Kim was noted absent.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Chu, moved to approve the Board Meeting Minutes of October 16, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener  
Absent: 1 - Kim

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

**120963 [Business and Tax Regulations Code - Improvement Districts: Longer Term When Assessments Pledged to Bond, Lease, or Other Obligations; Alternative 2/3 Weighted Vote by Businesses]**

**Sponsor: Mayor**

Ordinance amending San Francisco Business and Tax Regulations Code, Article 15: Business Improvement Districts Procedure Code by amending Sections 1510 and 1511, and by adding Section 1515, to provide for a district term of up to 40 years when assessments are pledged or applied to pay any bond, financing lease (including any certificates of participation therein), or other similar obligations of the City; authorize the Board of Supervisors to require a weighted two-thirds (2/3) vote of business owners to be assessed, based on ballots cast, as an alternative or additional procedure for establishing a business improvement district and levying assessments; and clarify existing provisions and update references to state law; and making a finding that California Constitution, Article XIID does not apply to the levy of business assessments authorized by Business and Tax Regulations Code, Article 15.

**FINALLY PASSED**

**Recommendation of the Land Use and Economic Development Committee****121029 [Environment Code - Suspending Yellow Pages Distribution Pilot Program]****Sponsors: Chiu; Elsbernd**

Ordinance amending the San Francisco Environment Code by adding Section 2109 to suspend the Yellow Pages Distribution Pilot Program.

**FINALLY PASSED****Recommendations of the Rules Committee****120657 [Settlement of Lawsuit - Michael Horan - \$250,000]**

Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for \$250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney's Office)

**FINALLY PASSED****120976 [Settlement of Lawsuit - Rehab Financial Corporation - City to Receive \$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. (City Attorney's Office)

**FINALLY PASSED****120994 [Settlement of Lawsuit - Christine McGuire - \$27,000]**

Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for \$27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062; entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)

**FINALLY PASSED****121014 [Settlement of Lawsuit - Leslie Jones - \$197,500]**

Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for \$197,500; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

**FINALLY PASSED**

**121015 [Settlement of Lawsuit - Acquila Yeargin - \$27,500]**

Ordinance authorizing settlement of the lawsuit filed by Acquila Yeargin against the City and County of San Francisco for \$27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Acquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

**FINALLY PASSED**

**121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed \$320,000]**

Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemester, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed \$320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

**FINALLY PASSED**

**121106 [Settlement of Lawsuit - Pacific Rod and Gun Club]****Sponsor: Elsbernd**

Ordinance authorizing settlement of the unlawful detainer lawsuit entitled City and County of San Francisco, et al., v. Pacific Rod and Gun Club, et al., filed on September 24, 2012, in San Francisco Superior Court, Case No. CUD-12-642832, regarding City-owned property located at 520 John Muir Drive in San Francisco; material terms of the settlement agreement include City and Club executing an amended and restated month-to-month lease with improved insurance, indemnity and other provisions in favor of the City, a new 90-day termination notice requirement, and a stipulation for entry of judgment without trial to facilitate City obtaining a writ of possession following such notice period.

**PASSED, ON FIRST READING**

**121058 [Appointments, Veterans Affairs Commission - M. Lee Burnette, John Gallagher, and Michael Maffei]**

Motion appointing M. Lee Burnette, John Gallagher, and Michael Maffei, terms ending January 31, 2016, to the Veterans Affairs Commission. (Clerk of the Board)

**Motion No. M12-136**

**APPROVED**

**121101 [Appointment, Bicycle Advisory Committee - Timothy Doherty]**

Motion appointing Timothy Doherty, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

**Motion No. M12-137**

**APPROVED**

**121103 [Appointments, Shelter Monitoring Committee - Julia D'Antonia, Jennie Parrilla, Nicholas Kimura, Andrew Mendes, and Isaac Langford]**

Motion appointing Julia D'Antonia, Jennie Parrilla, Nicholas Kimura, Andrew Mendes, and Isaac Langford, terms ending November 23, 2014, to the Shelter Monitoring Committee. (Clerk of the Board)

**Motion No. M12-138**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Absent: 1 - Kim

*Supervisor Kim was noted present at 2:14 p.m.*

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Budget and Finance Committee

**120997 [Appropriating \$2,705,000 for San Francisco Unified School District - FY2012-2013]  
Sponsors: Kim; Campos, Mar, Avalos and Olague**

Ordinance appropriating \$2,705,000 of State Reserves for the San Francisco Unified School District for FY2012-2013.

(Fiscal Impact)

(Supervisor Chu dissented in Committee.)

*Privilege of the floor was granted to Ben Rosenfield, Controller, Kate Howard, Mayor's Budget and Policy Office Director, and Jason Elliott, Legislative Affairs Director, who responded to questions raised throughout the discussion.*

**Supervisor Kim, seconded by Supervisor Mar, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance appropriating \$843,000 of State Reserves and \$1,412,000 from School District Set-Aside funds for the San Francisco Unified School District for FY2012-2013.  
(Fiscal Impact)

*Supervisor Chu moved to divide the question relating to appropriating funds totaling \$2,255,000 rather than \$2,705,000 for the district. The question PASSED as divided by the following vote:*

*Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

*Supervisor Chu moved to divide the question relating to appropriating State revenue funds of \$843,000 rather than \$1,293,000 for the district. The question PASSED as divided by the following vote:*

*Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

*Supervisor Wiener moved to duplicate the file to separate the State revenue from the School District set-aside funds. Supervisor Wiener withdrew this motion.*

*Supervisor Wiener moved to divide the question relating to separating our appropriation of State revenue funds of \$843,000. The question PASSED as divided by the following vote:*

*Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague*

*Noes: 4 - Chu, Elsbernd, Farrell, Wiener*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

*Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

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

### **120984 [Police Code - Prohibiting Public Nudity]**

**Sponsor: Wiener**

Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, plazas, and public rights-of-way, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

*FINALLY PASSED by the following vote:*

*Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener*

*Noes: 4 - Avalos, Campos, Mar, Olague*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

**FINALLY PASSED by the following vote:**

*Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener*

*Noes: 5 - Avalos, Campos, Kim, Mar, Olague*

---

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

### **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 and Safety Code; and making environmental findings.

**FINALLY PASSED by the following vote:**

Ayes: 9 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 2 - Avalos, Olague

### **120352 [Administrative Code - Housing Preservation and Production]**

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

Ordinance amending the San Francisco Administrative Code by amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals, and making environmental finding.  
(Supervisor Wiener dissented in Committee.)

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

### **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 revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF), amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection, and making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

*Prilege of the floor was granted to Joel Ramos (MTA) who responded to questions raised throughout the discussion.*

**Supervisor Wiener, seconded by Supervisor Chu, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

**Supervisor Elsbernd, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague

Noes: 2 - Chu, Wiener

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

**120996 [Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space Requirements]****Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by adding new Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; amending Subsection 135(d) and adding new Section 140.1 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

*FINALLY PASSED by the following vote:*

*Ayes: 9 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener*

*Noes: 2 - Avalos, Olague*

*Supervisor Avalos, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

**Recommendation of the Rules Committee****120221 [Administrative Code - Extension of Public Utilities Revenue Bond Oversight Committee]****Sponsor: Farrell**

Ordinance amending the San Francisco Administrative Code, Section 5A.36 to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to January 1, 2016.

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

## NEW BUSINESS

*Supervisor was noted absent at 3:59 p.m.*

### Recommendations of the Budget and Finance Committee

#### **121034 [Real Property Lease - 1380 Howard Street - Community Behavioral Health Services - Department of Public Health - \$118,259.38-\$131,584.38 Monthly]**

Resolution authorizing the extension of a lease of 79,950 sq. ft. of office space at 1380 Howard Street for use by the Department of Public Health's Community Behavioral Health Services Division for a term of an additional five years from January 1, 2013, through December 31, 2017, at a monthly rate of \$118,259.38 for the first six months of the extended term and then \$131,584.38 per month for the remainder of the extended term. (Real Estate Department)  
(Fiscal Impact)

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

#### **121035 [Real Property Lease - 760 Harrison Street - Cort Family Living Trust - Department of Public Health - \$25,350 Monthly]**

Resolution retroactively authorizing the extension of a lease of real property at 760 Harrison Street for the Department of Public Health with the Cort Family Living Trust for a term of an additional five years from July 1, 2012, to June 30, 2017, at a monthly rate of \$25,350. (Real Estate Department)

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

#### **121037 [Airport Lease Agreements - Cellular Service Equipment Sites - \$350,000 Plus Annual Increases]**

Resolution approving the Cellular Service Equipment Sites Leases between New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, and T-Mobile West Corporation and the City and County of San Francisco, acting by and through its Airport Commission retroactive to July 1, 2009, with a term of five years, and approving Amendment No. 1 to the Cellular Service Equipment Leases with New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., and GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, with a base annual rent of \$350,000 to be increased annually by \$25,000. (Airport Commission)

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

**121045 [Term Sheet - Orton Development, Inc. - Rehabilitation of the 20th Street Historic Buildings and Finding of Fiscal Feasibility]****Sponsors: Mayor; Cohen**

Resolution finding the proposed rehabilitation of the 20th Street Historic Buildings on or near 20th Street, east of Illinois Street, fiscally feasible pursuant to Administrative Code, Chapter 29, and endorsing the Term Sheet between Orton Development, Inc., and the San Francisco Port Commission.

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

**121062 [Agreement Amendment - MedImpact Healthcare Systems, Inc. - Third Party Pharmacy Administration Services at Community Pharmacies - \$17,575,376]**

Resolution approving the third amendment to the agreement between the Department of Public Health and MedImpact Healthcare Systems, Inc., for third party pharmacy administration services at community pharmacies to increase the total contract amount from \$9,900,000 for the term of July 1, 2008, through June 30, 2014, by \$7,675,376 for a total contract amount of \$17,575,376 for six years. (Public Health Department)

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

**121070 [Contract Amendment - New Flyer of America, Inc. - Purchase Low Floor Diesel-Hybrid Buses - Not to Exceed \$48,669,369]****Sponsor: Wiener**

Resolution approving Amendment No. 1 to Contract No. SFMTA-2013-08 with New Flyer of America, Inc., to purchase 17 additional 40-foot low floor diesel-hybrid buses through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, for an additional amount of \$11,780,005 and a total contract amount of \$48,669,369. (Fiscal Impact)

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

**121111 [Accept and Expend Grant - San Francisco Parks Alliance - Not to Exceed \$280,000]****Sponsor: Wiener**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant not to exceed \$280,000 from the San Francisco Parks Alliance towards seven community projects funded with Community Opportunity Fund dollars for the period of May 1, 2012, through January 1, 2013.

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

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

### **120962 [Liquor License - 748 Innes Avenue]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Mikhail Brodsky for Pectopah, LLC, located at 748 Innes Avenue (District 10), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener  
Absent: 1 - Cohen

### **121002 [Liquor License Transfer - 550 Montgomery Street]**

Resolution determining that the transfer of a Type 57 special on-sale general license from 2100 Market Street to 550 Montgomery Street (District 3), to Amiel Arad for Wingtip, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4.

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener  
Absent: 1 - Cohen

### **121010 [Liquor License Transfer - 450 Post Street]**

Resolution determining that the transfer of a Type 64 special on-sale general theater license from 533 Sutter Street to 450 Post Street (District 3), to Susi Damilano for the SF Playhouse, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener  
Absent: 1 - Cohen

## **Recommendations of the Government Audit and Oversight Committee**

### **120844 [Board Response - Civil Grand Jury Report - Investment Policies and Practices of the San Francisco Employees' Retirement System]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Investment Policies and Practices of the San Francisco Employees' Retirement System" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener  
Absent: 1 - Cohen

**120987 [Lease - Woodhouse Marina Green, LLC - Marina Degaussing Station Restaurant]****Sponsor: Farrell**

Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Woodhouse Marina Green, LLC, for the operation of a restaurant at the Marina Degaussing Station at the Marina Green with a term of ten years.

(Fiscal Impact)

**RE-REFERRED to the Government Audit and Oversight Committee**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

**Recommendation of the Land Use and Economic Development Committee****120982 [Jack Early Commemorative Plaque - Stockton Street Adjacent to Washington Square]****Sponsor: Chiu**

Ordinance commemorating the Stockton Street sidewalk adjacent to Washington Square Park under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance, accepting a plaque in honor of Jack Early as a gift to the City, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

**Recommendation of the Public Safety Committee****121031 [Metropolitan Transportation Commission - Strengthen Provisions of Personal Information of the Clipper Card Program]****Sponsors: Avalos; Chiu, Olague and Mar**

Resolution urging the Metropolitan Transportation Commission to strengthen the privacy provisions of personal information of the Clipper Card Program.

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

## **Recommendations of the Rules Committee**

### **121057 [Board of Supervisors' Rules of Order Amendment]**

**Sponsor:** Elsbernd

Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.

**Motion No.** M12-139

**APPROVED** by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

### **121087 [Appointment, Board of Appeals - Darryl Honda]**

**Sponsor:** Mayor

Motion approving the Mayor's appointment of Darryl Honda to the Board of Appeals for the term ending July 1, 2016.

**Motion No.** M12-140

**APPROVED** by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

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

### **Privilege of the Floor**

**Supervisor Mar, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

*Supervisor Mar will present Certificates of Honors to the Clement Street Merchants Association on the occasion of their 90th anniversary.*

*Supervisor Elsbernd introduced, welcomed, and presented a Certificate of Honor to Joe Moore in honor of his act of heroism with a recent fire in District 7. Fire Chief Joanne Hayes-White shared in this commendation.*

*Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to the Guardian Angela in recognition of their accomplishments and continued community support. Supervisor Olague shared in this commendation.*

## COMMITTEE REPORT

### **121066 [Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]**

**Sponsor: Olague**

Ordinance amending San Francisco Administrative Code, Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance), Section 37.9, to add new Subsection 37.9(l), providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit.

*This item was not sent as a Committee Report.*

*Supervisor Cohen was noted present at 4:07 p.m.*

## ROLL CALL FOR INTRODUCTIONS

*Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).*

## PUBLIC COMMENT

*James Chaffee; expressed concerns relating to the SF Public Library.*

*Ray Hartz; expressed concerns relating to government.*

*Peter Warfield; expressed concerns relating to the SF Public Library.*

*Male Speaker; expressed various concerns.*

*Walter Paulson; shared in song certain concerns with the Board.*

*Eugene Gordon, Jr.; expressed various concerns.*

*Male Speaker; expressed various religious concerns.*

*Kati; expressed concerns relating to rebroadcast on KPOO.*

*John DiDonna; shared in poem certain concerns with the Board.*

*Michael Douglas; expressed concerns relating to education.*

*Colleen Fernald; expressed concerns relating to political abuse of power.*

*Male Speaker; expressed various concerns.*

*Douglas Yepp; expressed various concerns.*

*Female Speaker; spoke regarding domestic violence.*

*Amberly Cross; spoke regarding domestic violence.*

*Mary BeKeever; spoke regarding domestic violence.*

*Male Speaker; expressed concerns relating to SFMTA Board.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **121129 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]**

**Sponsor: Cohen**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the San Francisco Planning Code, Sectional Map SU08 of the Zoning Map; adding San Francisco Planning Code, Section 249.66 to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

**ADOPTED**

### **121131 [National Park Service - Cease Efforts to Locate Alcatraz Ferry Service at Fort Mason Piers]**

**Sponsors: Farrell; Chiu**

Resolution urging the National Park Service to abandon plans to locate Alcatraz Ferry Service at Fort Mason Piers and to focus their efforts on working with the Port of San Francisco to continue service at the Port.

**ADOPTED**

### **121135 [Approval of a 90-Day Extension for Planning Commission Review of Upper Market Zoning (File No. 120901)]**

**Sponsor: Wiener**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120901) amending the San Francisco Planning Code, Sections 721.1 and 733.1 to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; amending Section 703.2(b) to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

**ADOPTED**

### **121136 [Approval of a 90-Day Extension for Planning Commission Review of Upper Market Zoning Map Amendment (File No. 120902)]**

**Sponsor: Wiener**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120902) amending the San Francisco Planning Code, Sectional Map Sheets ZN07 and HT07 to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District, and to change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034 from 50-X to 65-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

**ADOPTED**

**121153 [Declaration of Election Results of the November 6, 2012, Consolidated General Election]****Sponsor: Chiu**

Resolution declaring the results of the November 6, 2012, Consolidated General Election.

**ADOPTED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

**IMPERATIVE AGENDA***There were no items.***LEGISLATION INTRODUCED AT ROLL CALL****Introduced by a Supervisor or the Mayor***Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).

**Introduced by the President at the Request of a Department***Pursuant to Rules of Order of the Board of Supervisors Section 2.8, 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 RESOLUTIONS****121138 [Lease Termination Agreement - Downtown Parking Corporation - 833 Mission Street]**

Resolution authorizing the termination of the lease agreement with the Downtown Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 833 Mission Street that will expire on December 31, 2012. (Municipal Transportation Agency)

11/19/12; RECEIVED FROM DEPARTMENT.

12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**121139 [Lease and Use Agreement - China Airlines, Limited]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L10-0082 with China Airlines, Limited, effective January 1, 2013, for administrative office space in the International Terminal at the San Francisco International Airport. (Airport Commission)

11/21/12; RECEIVED FROM DEPARTMENT.

12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 5:04 p.m.*