



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, December 13, 2011 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Mirkarimi, Kim

City and School District Select Committee
Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

City Operations and Neighborhood Services Committee
Supervisors Avalos, Mar, Elsbernd

Government Audit and Oversight Committee
Supervisors Campos, Farrell, Chiu

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Public Safety Committee
Supervisors Mirkarimi, Cohen, Campos

Rules Committee
Supervisors Kim, Elsbernd, Farrell

Meeting Days

Wednesday
10:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
10:00 AM

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

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 November 1, 2011, and November 8, 2011, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the second regularly scheduled meeting each month. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Regular Agenda as an action item.)

By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.)

1. [111314](#) [Formal Policy Discussions - December 13, 2011]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 2, 4, 6, 8, and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. The current payroll tax system is detrimental to job growth and is broken. As we have seen over the course of this year at the Board of Supervisors, several attempts have been made to carve out certain classes of people, industries, and sections of the City from the payroll tax. Instead of an ad hoc system of fixes, are you contemplating a more systematic reform of the business tax? (Supervisor Farrell, District 2)

2. As your office works on putting together the budget for the upcoming fiscal year, what can we expect in terms of budget allocations for improving the employment climate in San Francisco? Specifically, what are three concrete policy ideas you have for stimulating job growth? (Supervisor Chu, District 4)

3. The most recent data shows that families with children in San Francisco become homeless at an alarming rate. The wait list for emergency family shelters currently includes 267 families, a historic level, and a 356% increase since the summer of 2007. The data on children in the San Francisco Unified School District that choose to self identify as homeless has also reached alarming levels, 2,200 children up from 1,600 in 2009. What are your office's plan to address this crisis? Would you commit to expanding the City's Rental Subsidy Program for homeless families by 50 slots? Would you commit to keep the emergency winter shelter at Bethel African Methodist Episcopal open and allow families to stay at the Oshun drop in center until this crisis is addressed? (Supervisor Kim, District 6)

4. The Municipal Transportation Agency (MTA) Board of Directors recently approved an \$8,000,000 payment to MUNI drivers from the health care trust fund. The voters specifically abolished this trust fund when they passed Proposition G in November 2010. Although the MTA Board of Directors approved this payment to settle a lawsuit by the Transit Workers Union, the payment is contrary to the spirit and goals of Proposition G and reduces money available for transit service for riders. What do you think about this payment, and what do you think about the implementation of Proposition G generally? (Supervisor Wiener, District 8)

5. The N Judah Express Line has been in service for a number of months and has been very successful in addressing issues of overcrowding and poor on time performance. Municipal Transportation Agency is now proposing to make this express line permanent. The T Third Line continues to have problems with poor on time performance, switch backs, and long wait times on the Embarcadero. Would you be supportive of piloting a T Express Line? (Supervisor Cohen, District 10)

Attachments: [Board Packet 121311](#)

Discussion: The Mayor shall discuss the eligible questions with the Board of Supervisors.

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 2 through 23

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Mirkarimi, Kim

2. [111096](#) **[Contract Amendment - Western Area Power Administration - Electric Services - Not to Exceed \$15,950,888]**
Ordinance approving the second amendment to the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of the San Francisco Administrative Code Section 21.19 which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of the San Francisco Administrative Code Section 21.35 which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission)

(Fiscal Impact)

Attachments:

- [Leg Digest Ver1](#)
- [Comm Packet 111611](#)
- [Budget Analyst 111611](#)
- [Legislation Ve2](#)
- [Comm Packet 113011](#)
- [Budget Analyst 113011](#)
- [Board Packet 120611](#)
- [Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [111101](#) **[Administrative, Business and Tax Regulations, Fire, Health, and Police Codes - Business License Fees]**

Sponsors: Chiu; Chu, Kim and Cohen

Ordinance amending various sections of the San Francisco Business and Tax Regulations Code, Administrative Code, Fire Code, Health Code, and Police Code to: 1) establish March 31 as the date for the annual renewal of certain business licenses; 2) apply a schedule of penalties for failure to timely renew certain business licenses; and 3) require Departments to post current business license fees on their websites. (Treasurer-Tax Collector)

Attachments: [Legislation ver1](#)

[Leg Digest Ver1](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 113011](#)

[Small Business 113011](#)

[Board Packet 120611](#)

[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [111154](#) **[Agreement - Tracking Environmental Attributes]**

Ordinance approving a contract between the City and County of San Francisco and the Western Renewable Energy Generation Information System for: 1) documenting and tracking environmental attributes at an estimated initial cost of \$4,500 per year, depending on account activity; 2) waiving the competitive procurement requirements of the San Francisco Administrative Code Chapter 21 for this service, waiving the requirement of Section 21.9(b) of the San Francisco Administrative Code that a City contract not contain an automatic renewal provision, waiving the requirement of Section 21.35 of the San Francisco Administrative Code that every contract contain a statement regarding liability of claimants for submitting false claims, waiving the requirement of Section 12F.5 of the San Francisco Administrative Code that every contract contain a statement urging companies abide by the MacBride Principles, and waiving the requirement of Section 12O.2 of the San Francisco Administrative Code that every contractor provide EIC forms to eligible employees; and 3) authorizing the San Francisco Public Utilities Commission to enter other similar contracts for tracking environmental attributes. (Public Utilities Commission)

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 113011](#)

[Budget Analyst 113011](#)

[Board Packet 120611](#)

[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Avalos, Mar, Elsbernd

5. [111074](#) **[Liquor License - 691 Market Street]**
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Brian Sheehy for Edition San Francisco, located at 691 Market 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, with conditions.

Attachments: [Comm Packet 120511](#)
[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

6. [111133](#) **[Liquor License - 1541 Grant Avenue]**
Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Jay Esopenko for Little Vine, located at 1541 Grant Avenue (District 3), 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, with conditions. (Clerk of the Board)

Attachments: [Comm Packet 120511](#)
[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

7. **111151** **[Public Improvements Acceptance - Bayshore Boulevard at Waterloo Street]**

Ordinance: 1) accepting an irrevocable offer for improvements and real property related to the widening of Bayshore Boulevard at Waterloo Street and accepting a grant deed for these purposes; 2) declaring such area to be open public right-of-way and dedicating it for right-of-way and roadway purposes; 3) accepting maintenance and liability for this area subject to certain limitations; 4) establishing sidewalk width change for this area; 5) making findings, including environmental findings and general plan and priority policy findings; and 6) authorizing official acts in connection with this Ordinance. (Public Works Department)

- Attachments:** [Legislation_Ver1](#)
[Leg_Digest_Ver1](#)
[Comm_Packet_112111](#)
[Board_Packet_120611](#)
[Board_Packet_121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Campos

8. **111216** **[Accept and Expend Grant - Intellectual Property Crime Enforcement Program - \$198,676]**

Sponsor: Mirkarimi

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$198,676 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Intellectual Property Crime Enforcement Program" for the grant period of October 1, 2011, through September 30, 2012.

- Attachments:** [Legislation_Ver1](#)
[Comm_Packet_120111](#)
[Board_Packet_121311f](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Elsbernd, Wiener

9. [111135](#) **[Settlement of Lawsuit - Diane Bauer - \$35,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Diane Bauer against the City and County of San Francisco for \$35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. [111136](#) **[Settlement of Lawsuit - David Cheung - \$80,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually, and dba Kwok Shing Hong, against the City and County of San Francisco for \$80,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. [111137](#) **[Settlement of Lawsuit - Elaine Choy - \$28,850]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Elaine Choy against the City and County of San Francisco for \$28,850; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. [111138](#) **[Settlement of Lawsuit - Shonna Cook - \$27,785]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Shonna Cook against the City and County of San Francisco for \$27,785; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. [111139](#) **[Settlement of Lawsuit - James Cordova/Maria Morales - \$26,965]**
Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for \$26,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. [111140](#) **[Settlement of Lawsuit - Brenda Dickson - \$28,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Brenda Dickson against the City and County of San Francisco for \$28,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [111140.DOC](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. [111141](#) **[Settlement of Lawsuit - Susan Garduno - \$25,730]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$25,730; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. [111142](#) **[Settlement of Lawsuit - K LW, LLC - \$110,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by K LW, LLC, against the City and County of San Francisco for \$110,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. [111143](#) **[Settlement of Lawsuit - Lawrence LaBianca - \$34,965]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Lawrence LaBianca against the City and County of San Francisco for \$34,965; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. [111144](#) **[Settlement of Lawsuit - Jane Martin and David Baker - \$50,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for \$50,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. [111145](#) **[Settlement of Lawsuit - Pat Moore and Tom Moore - \$30,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore and Tom Moore against the City and County of San Francisco for \$30,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Comm Packet 111711](#)
[Legislation Ver1](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. [111146](#) **[Settlement of Lawsuit - James Ramsey and Patricia Carazo Ramsey - \$33,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by James Ramsey and Patricia Carazo Ramsey against the City and County of San Francisco for \$33,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Comm Packet 111711](#)
[Legislation Ver1](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. [111147](#) **[Settlement of Lawsuit - Sally Seid - \$27,815]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$27,815; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

22. [111148](#) **[Settlement of Lawsuit - Angela Sinicropi and Martin Takigawa - \$26,820]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Angela Sinicropi and Martin Takigawa against the City and County of San Francisco for \$26,820; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Comm Packet 111711](#)
[Legislation Ver1](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. [111149](#) **[Settlement of Lawsuit - Sunday Bazaar/2170 Folsom, LLC - \$60,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folsom, LLC, against the City and County of San Francisco for \$60,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 111711](#)
[Board Packet 120611](#)
[Board Packet 121311](#)

12/06/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Avalos, Elsbernd

24. [110966](#) **[Park Code - Long Term Management Agreement with the National Park Service for Sharp Park]**
Sponsor: Avalos
Ordinance amending the San Francisco Park Code Section 3.20 to: 1) require the Recreation and Park Department to offer long term management agreement to the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area's legislative boundary (Sharp Park); and 2) making environmental and other findings.

Attachments: [Legislation Ver1](#)

[Response PLN 101711](#)

[Response Planning 101711 Recinded](#)

[Response Planning 110911-1](#)

[Response Planning 110911-2](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 120511](#)

[Board Packet 120611](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Legislation Ver4](#)

[Leg Digest Ver4](#)

[110966.pdf](#)

12/06/2011; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/06/2011; AMENDED.

12/06/2011; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Kim

25. [111246](#) **[Administrative Code - Health Service System Contracting Authority; Employee Benefit Cafeteria Plan]**
Sponsor: Chu
Ordinance amending the San Francisco Administrative Code Sections 16.900 through 16.905 and 21.02 to update provisions regarding: 1) the San Francisco Health Service System's contracting authority; and 2) the City's Employee Benefit Cafeteria Plan.

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Comm Packet 120711](#)
[Board Packet 121311](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chu, Mirkarimi, Kim

26. [111282](#) **[Accept and Expend Grant - Reentry SF Program and Amendment to the Annual Salary Ordinance - \$747,818]**

Sponsor: Mayor

Ordinance authorizing the Adult Probation Department to retroactively accept and expend a grant in the amount of \$747,818 from the United States Department of Justice to implement Reentry SF Program, a comprehensive reentry pathway for people on post-release community supervision in San Francisco, and amending Ordinance No. 0146-11 (Annual Salary Ordinance, FY2011-2012) to reflect addition of one (1) Class 1823 Senior Administrative Analyst grant-funded position (0.50 FTE) in the Adult Probation Department.

(Fiscal Impact)

Attachments: [Budget Analyst 120711](#)

[Comm Packet 120711](#)

[Legislation ver1](#)

[Board Packet 121311](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. [111182](#) **[Prevailing Wages for Various Workers Under Contract at City Owned Facilities]**

Resolution fixing prevailing wage rates for: 1) workers performing work under City contracts for public work and improvement; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and 6) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Budget Analyst 120711](#)

[Comm Packet 120711](#)

[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

28. [111273](#) **[Accept and Expend Grant - FY2009 Buffer Zone Protection Program - \$199,820]**

Sponsor: Elsbernd

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2009 Buffer Zone Protection Program grant in the amount of \$199,820 from the U.S. Department of Homeland Security, through the California Emergency Management Agency, to fund critical infrastructure protection needs.

Attachments: [Legislation Ver1](#)

[Comm Packet 120711](#)

[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

29. [111276](#) **[Multifamily Housing Revenue Bonds, Series 2011C - Natoma Family Apartments - Not to Exceed \$18,000,000]**

Sponsor: Kim

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$18,000,000 for the purpose of providing financing for the acquisition and construction of a 60-unit multifamily rental housing project known as Natoma Family Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

Attachments: [Legislation Ver1](#)

[Comm Packet 120711](#)

[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Chu, Mirkarimi, Kim

30. [111201](#) [Agreement Amendment - Recology - Refuse Collection - Not to Exceed \$29,337,527]

Resolution approving the Second Amendment to the Refuse Collection Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger, increasing the total not to exceed amount of the agreement from \$23,537,527 to \$29,337,527 under Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Budget Analyst 120711](#)
[Comm Packet 120711](#)
[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Avalos, Mar, Elsbernd

31. [110994](#) [Transportation Code - Clipper Card Regulations]

Ordinance amending the San Francisco Transportation Code, Article 7, Division I, by adding Section 7.2.104 to regulate the use of Clipper Cards on transit vehicles or in proof of payment zones. (Municipal Transportation Agency)

Attachments: [Legislation Ver1](#)
[Comm Packet 111411](#)
[Comm Packet 120511](#)
[Board Packet 121311](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. [110789](#) [Liquor License Transfer - 3950-24th Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 6333 Geary Boulevard to 3950-24th Street (District 8) to Roberta L. Lang for Whole Foods Market, California, Inc., dba Whole Foods Market, 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, with conditions. (Clerk of the Board)

(Supervisor Mar dissented in Committee.)

Attachments: [Comm Packet 120511](#)
[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

33. [111109](#) **[Urging the United States Government to Reduce the Military Budget]**
Sponsors: Avalos; Mar
Resolution urging the United States Government to reduce the military budget, end the wars in Iraq and Afghanistan, and redirect the savings for domestic needs.

(Supervisor Elsbernd dissented in Committee.)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_120511](#)
[Board_Packet_121311](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

34. [110845](#) **[Zoning Map - Rezoning - 312 Connecticut Street]**
Sponsor: Cohen
Ordinance amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Assessor's Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; and 2) 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.

Attachments: [Legislation_Ver1](#)
[Response_PLN_110211](#)
[Response_PLN_111611](#)
[Comm_Packet_120511](#)
[Board_Packet_121311](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. [111105](#) **[Interdepartmental Jurisdictional Transfer of Property - 341 Corbett Avenue]**
Sponsor: Wiener
Ordinance transferring jurisdiction of certain unimproved real property located at 341 Corbett Avenue (Assessor's Block No. 2659, Lot No. 059) between 19th Street and Danvers Street from the Mayor's Office of Housing to the Department of Public Works.

Attachments: [Legislation_Ver1](#)
[Legislation_Ver2](#)
[Comm_Packet_120511](#)
[Legislation_Ver3](#)
[Board_Packet_121311](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. [111209](#) **[Mission Bay South - Storm Water Pump Station No. 4 Public Infrastructure Improvements]**

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 4 including acquisition facilities located on and under portions of State Trust Parcel Nos. 2 and 6; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 120511](#)
[Board Packet 121311](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Campos

37. [111269](#) **[Supporting Policy Restricting Use of Local Funds to Respond to Civil Immigration Detainers]**

Sponsors: Mar; Chiu

Resolution supporting adoption by the San Francisco Sheriff's Department and the San Francisco Juvenile Probation Department of a policy restricting use of local funds to respond to civil immigration detainers.

Attachments: [Legislation Ver1](#)
[Comm Packet 120111](#)

[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 110737, approved July 19, 2011.)

Board of Supervisors Sitting as a Committee of the Whole

38. [110738](#) **[Public Hearing - Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]**

Sponsor: Mirkarimi

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

Attachments: [Board Packet 072611](#)

[Board Packet091311](#)

[Board Packet 101811](#)

[Board Packet 121311](#)

07/26/2011; CONTINUED.

09/13/2011; CONTINUED.

10/18/2011; CONTINUED.

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

39. [110739](#) [Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]

Sponsor: Mirkarimi

Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for seven years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

Attachments: [Legislation Ver1](#)

[Board Packet 072611](#)

[Board Packet091311](#)

[Board Packet 101811](#)

[Board Packet 121311](#)

07/26/2011; CONTINUED.

09/13/2011; CONTINUED.

10/18/2011; CONTINUED.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 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.

40. [111125](#) **[Public Hearing - Conditional Use Appeal - 3901 Mission Street]**
 Hearing of persons interested in or objecting to the decision of the Planning Commission's September 15, 2011, Conditional Use Authorization identified as Planning Case No. Case No. 2011.0664C, by its Motion No. 18442, under Planning Code Sections 711.83 and 303, to install a wireless telecommunications facility consisting of eight panel antennas and related equipment on an existing one-story commercial building as part of the AT&T wireless telecommunications network within a NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, on property located at 3901 Mission Street, Assessor's Block No. 5802, Lot No. 044. (District 9) (Appellant: Tom Cantrell, on behalf of the College Hill Neighborhood Association)

(Filed October 17, 2011; Companion Measure to File Nos. 111126, 111127, 111128.)

Attachments: [Board Packet 111511](#)

[Board Packet 121311](#)

11/15/2011; 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.)

41. [111126](#) **[Approving Planning Commission Decision Related to Conditional Use Authorization - 3901 Mission Street]**
Motion approving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 111511](#)
[Board Packet 121311](#)

11/15/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

42. [111127](#) **[Disapproving Planning Commission Decision Related to Conditional Use Authorization – 3901 Mission Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 111511](#)
[Board Packet 121311](#)

11/15/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

43. [111128](#) **[Preparation of Findings Related to the Conditional Use Authorization - 3901 Mission Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street. (Clerk of the Board)

Attachments: [Board Packet 111511](#)
[Board Packet 121311](#)

11/15/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Avalos, Mar, Elsbernd

44. [111270](#) **[Committee of the Whole - Hearing on the Status of Negotiations Between the Mayor's Office and California Pacific Medical Center - December 13, 2011]**

Sponsor: Mar

Motion scheduling the Board to sit as a Committee of the Whole on December 13, 2011, at 3:00 p.m., to hold a public hearing on the status of negotiations between the Mayor's Office and California Pacific Medical Center (CPMC) regarding CPMC's Long Range Development Plan.

Attachments: [Legislation Ver1](#)

[Comm Packet 120511](#)

[Legislation Ver2](#)

[Board Packet 121311](#)

Question: Shall this Motion be APPROVED?

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 111270.)

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Avalos, Mar, Elsbernd

45. [111271](#) **[Hearing - California Pacific Medical Center Negotiations Status Regarding Long Range Development Plan]**

Sponsor: Mar

Hearing to hear all persons interested in commenting on the status of negotiations between the Mayor's Office and California Pacific Medical Center (CPMC) regarding CPMC's long range development plan.

Attachments: [Comm Packet 120511](#)

[Board Packet 121311](#)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

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

COMMITTEE REPORTS

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

The following item will be considered by the Rules Committee at a Special Meeting on Thursday, December 8, 2011, at 1:25 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 13, 2011.

46. [111304](#) **[Appointment, Peninsula Corridor Joint Powers Board - Supervisor Cohen]**
Motion appointing Supervisor Malia Cohen, term ending June 30, 2012, to the Peninsula Corridor Joint Powers Board. (Clerk of the Board)

Attachments: [Legislation Ver1](#)

[Comm Packet 120811](#)

[Board Packet 121311](#)

Question: Shall this Motion be APPROVED?

The following items will be considered by the Rules Committee at a Special Meeting on Thursday, December 8, 2011, at 1:30 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, December 13, 2011.

47. [111286](#) **[Settlement of Lawsuit - Patricia Sancinito - \$75,000]**
Ordinance authorizing settlement of the lawsuit filed by Patricia Sancinito against the City and County of San Francisco and Laguna Honda Hospital for \$75,000; the lawsuit was filed on May 19, 2011, in San Francisco Superior Court, Case No. CGC-11-511076; entitled Patricia Sancinito v. City and County of San Francisco, Laguna Honda Hospital. (City Attorney)

Attachments: [Comm Packet 120811](#)

[Board Packet 121311](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. [111287](#) **[Settlement of Lawsuit - Mitchell Engineering/Obayashi Corporation, JV - \$14,950,000]**
Ordinance authorizing settlement of the lawsuit entitled Mitchell Engineering/Obayashi Corporation, JV (MEOC) v. City and County of San Francisco, et al., and related cross-actions.), Santa Clara County Superior Court Case No. 1-08-CV-116915 by payment of \$14,950,000 from the City to MEOC. (City Attorney)

Attachments: [Legislation Ver1](#)

[Comm Packet 120811](#)

[Board Packet 121311](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. [111174](#) **[Settlement of Unlitigated Claim - Janet O'Hara - \$100,000]**
Resolution approving the settlement of the unlitigated claim filed by Janet O'Hara against the City and County of San Francisco for \$100,000; claim was filed on March 11, 2011. (City Attorney)

Attachments: [Legislation Ver1](#)

[Comm Packet 120811](#)

[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

50. [111244](#) **[Settlement of Unlitigated Performance Bond Claim - Travelers Casualty and Surety Company of America - City to Receive \$250,000]**
Resolution authorizing settlement of an unlitigated performance bond claim by the San Francisco Airport Commission against Travelers Casualty and Surety Company of America relating to a lease default by Mexicana Airlines. (City Attorney)

Attachments: [Comm Packet 120811](#)

[Board Packet 121311](#)

Question: Shall this Resolution be ADOPTED?

51. [111263](#) [Appointments, Eastern Neighborhoods Citizens Advisory Committee - Fernando Marti, Chris Block, Wendy Phillips, and Oscar Grande]

Motion appointing Fernando Marti, Chris Block, Wendy Phillips, and Oscar Grande, terms ending October 19, 2013, to the Eastern Neighborhoods Citizens Advisory Committee. (Clerk of the Board)

Fernando Marti, seat 5, succeeding himself, term expired, must be nominated by District 6 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.

Chris Block, seat 7, succeeding himself, term expired, must be nominated by District 8 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.

Wendy Phillips, seat 8, succeeding Eric Quezada, term expired, must be nominated by District 9 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.

Oscar Grande, seat 9, succeeding himself, term expired, must be nominated by District 9 Supervisor and confirmed by the full Board, for a two-year term ending October 19, 2013.

Attachments: [Comm Packet 120811](#)

[Legislation Ver1](#)

[Board Packet 121311](#)

Question: Shall this Motion be APPROVED?

52. [111264](#) [Appointment, Bicycle Advisory Committee - Jared Cohen]

Motion appointing Jared Cohen, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Jared Cohen, seat 5, succeeding Susan King, term expired, must be a nominee of District 5 Supervisor. The member shall serve a two-year term ending November 19, 2012, or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Attachments: [Comm Packet 120811](#)

[Legislation Ver1](#)

[Board Packet 121311](#)

Question: Shall this Motion be APPROVED?

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 53 through 60

53. [111319](#) **[Commending Supervisor and Sheriff-Elect Ross Mirkarimi]**
Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Resolution commending and honoring Supervisor Ross Mirkarimi for his distinguished service as a member of the Board of Supervisors of the City and County of San Francisco and congratulating him on his election to the Office of Sheriff.

Attachments: [Board Packet 121311](#)

[Legislation VER1](#)

12/06/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. [111320](#) [Supporting Assembly Concurrent Resolution 42 - “Eat Local, Buy California Grown Day”]

Sponsor: Chu

Resolution supporting Assembly Concurrent Resolution 42, encouraging families, restaurants, and grocers to buy California-grown floriculture, fiber, and foods, and declaring Sundays as “Eat Local, Buy California Grown Day” in the City and County of San Francisco.

Attachments: [Board Packet 121311](#)

12/06/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. [111321](#) [Accept and Expend Grant - Justice Reinvestment Initiative - \$100,000]

Sponsor: Cohen

Resolution authorizing the Adult Probation Department as lead staff to the Reentry Council of San Francisco to accept and expend a technical assistance grant with a cash value of \$100,000 from the United States Department of Justice, awarded to the Reentry Council, for activities related to the Justice Reinvestment Initiative.

Attachments: [Legislation Ver1](#)

[Board Packet 121311](#)

12/06/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. [111322](#) [Honoring Warren Hellman - Renaming Speedway Meadow as Hellman Meadow]

Sponsors: Elsbernd; Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi and Wiener

Resolution honoring Warren Hellman and supporting the decision to rename Golden Gate Park’s Speedway Meadow as Hellman Meadow.

Attachments: [Legislation Ver1](#)

[Board Packet 121311](#)

12/06/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

57. [111323](#) [Amy L. Brown Day - January 6, 2012]

Sponsors: Elsbernd; Chiu and Chu

Resolution honoring Amy L. Brown and proclaiming January 6, 2012, to be as “Amy L. Brown Day” in the City and County of San Francisco.

Attachments: [Board Packet 121311](#)

12/06/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

58. [111324](#) **[Recognizing the 90th Anniversary of the San Francisco Office of the Public Defender]**

Sponsor: Mirkarimi

Resolution recognizing that the San Francisco Office of the Public Defender, founded in 1921, is celebrating its 90th anniversary this year.

Attachments: [Board Packet 121311](#)

12/06/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. [111327](#) **[Commending Sheriff Michael Hennessey]**

Sponsors: Mirkarimi; Farrell, Avalos, Chiu, Elsbernd, Wiener, Chu, Cohen, Campos, Kim and Mar

Resolution commending and honoring Sheriff Michael Hennessey for his distinguished tenure as the longest serving Sheriff of the City and County of San Francisco and congratulating him on his retirement.

Attachments: [Legislation_Ver1](#)

[Board Packet 121311](#)

12/06/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. [111300](#) **[Final Map 6265: 275 - 299 Valencia Street]**

Motion approving Final Map 6265, a 36 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 275 - 299 Valencia Street, being a subdivision of Assessor's Block No. 3532, Lot 014; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Attachments: [Legislation VER1](#)

[Board Packet 121311](#)

12/02/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

61. **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 November 29, 2011, through December 5, 2011, for reference by President to appropriate committee on December 13, 2011.

111298

[Settlement of Lawsuit - Mary Jenn - \$72,500]

Ordinance authorizing settlement of the lawsuit filed by Mary Jenn against the City and County of San Francisco for \$72,500; the lawsuit was filed on November 12, 2010, in San Francisco County Superior Court, Case No. CGC-10-505363; entitled Mary Jenn v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)

11/30/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111299

[Settlement of Lawsuit - DeWolf Realty Company, Inc. - \$91,000]

Ordinance authorizing settlement of the lawsuit filed by DeWolf Realty Company, Inc., Gordon Pederson, and Chubb Custom Insurance Company against the City and County of San Francisco for \$91,000; the lawsuit was filed on July 19, 2010, in San Francisco Superior Court, Case No. CGC-10-501664; entitled DeWolf Realty Company, Inc., et al., v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)

11/30/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111305

[Planning Code Amendments - Glen Park Area Plan]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the Glen Park Area Plan, bounded generally by Chenery Street to the north; Roanoke Street to the east; San Jose Avenue and Bosworth Street to the south; and Elk Street to the west; creating a new Section 738.1 establishing zoning controls for the Glen Park Neighborhood Commercial Transit (NCT) district; and making findings, including environmental findings and findings of consistency with General Plan and with the Priority Policies of Planning Code Section 101.1. (Planning Department)

Attachments: [Legislation Ver1](#)

11/28/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

111306**[Zoning Map Amendments - Glen Park Area Plan]**

Ordinance amending Zoning Map Sheets ZN11 and HT11 of the City and County of San Francisco Zoning Map to create a new zoning district and amending the height and bulk districts within the Glen Park Area Plan, as proposed in the Glen Park Community Plan; making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Attachments: [Legislation_Ver1](#)

11/28/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

111307**[General Plan Amendments - Glen Park Area Plan]**

Ordinance amending the San Francisco General Plan by adding the Glen Park Area Plan; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

Attachments: [Legislation_Ver1](#)

11/28/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 29, 2011, through December 5, 2011, for reference by President to appropriate committee on December 13, 2011.

111301**[Settlement of Case - George and Vickie Bourdouris and Capital Insurance Group - \$67,205.32]**

Resolution approving the proposed settlement of the case of George and Vickie Bourdouris and Capital Insurance Group vs. the City and County of San Francisco for \$67,205.32, Unlitigated Claim No. 11-00689. (City Attorney)

Attachments: [Legislation_Ver1](#)

11/30/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111303**[Settlement of Unlitigated Claim - M/T Dubai Star/South Harmony Shipping - City to Receive \$65,000]**

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against M/T Dubai Star/South Harmony Shipping, Inc. for \$65,000; claim was presented by the City on July 28, 2010. (City Attorney)

11/30/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111308 [Real Property Lease - San Antonio Reservoir to Chevron Pipe Line Company]

Resolution: 1) authorizing the General Manager of the San Francisco Public Utilities Commission to execute a 20 year lease for an approximately 11.73 acre pipeline right-of-way near the San Antonio Reservoir in Alameda County to Chevron Pipe Line Company at an initial rent of \$12,500 per year; 2) adopting environmental findings; and 3) authorizing other actions in furtherance of this Resolution. (Real Estate Department)

Attachments: [Legislation_Ver1](#)

12/02/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

111309 [Contract Amendment - Xtech - \$51,000,000]

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and Xtech (part of the technology store procurement vehicle), in which the amendment shall increase the contract limit from \$41,000,000 to \$51,000,000. (Office of Contract Administration)

Attachments: [Legislation_Ver1](#)

12/05/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

111310 [Contract Amendment - Xtech - \$60,000,000]

Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$40,000,000 to \$60,000,000. (Office of Contract Administration)

Attachments: [Legislation_Ver1](#)

12/05/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

111311 [Contract Amendment - En Pointe Technology Sales, Inc. - \$38,000,000]

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc. ("En Pointe", part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$28,475,000 to \$38,000,000. (Office of Contract Administration)

Attachments: [Legislation_Ver1](#)

12/05/2011; RECEIVED FROM DEPARTMENT.

12/13/2011; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

111328 [Petitions and Communications]

Petitions and Communications received from November 29, 2011, through December 5, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 13, 2011.

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 concerned citizens, submitting support for restoring Sharp Park wetlands and wildlife. File No. 110966, Copy: Each Supervisor, City Operations and Neighborhood Services Committee Clerk, 60 letters (1)

*From concerned citizens, submitting support for Conditional Use authorization on property located at 2041 Larkin Street. File No. 111183, Copy: Each Supervisor, 41 letters (2)

From Office of the Mayor, submitting notice that Mayor Ed Lee will be out of state from December 3, 2011, until December 4, 2011. Supervisor Mark Farrell will serve as Acting-Mayor. Copy: Each Supervisor, City Attorney (3)

From concerned citizens, submitting opposition to offering tax breaks to businesses that hire former felons. File No. 111102, Copy: Each Supervisor, 2 letters (4)

From Stanley Gross, submitting support for food trucks in San Francisco. Copy: Mayor, Each Supervisor (5)

From Judith Pynn, submitting support for bird safe buildings. File No. 110785 (6)

From Christopher Sims, regarding the importance of the Arts in local communities. Copy: Each Supervisor (7)

From concerned citizens, regarding the renovation of the Beach Chalet Athletic Field. 2 letters (8)

From Alice Polesky, regarding an option for deterring foreclosures. (9)

From Capital Planning Commission, regarding the 2012 Annual Infrastructure Construction Cost Inflation Estimate Report. Copy: Each Supervisor, Budget and Finance Committee Clerk (10)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Golden Gateway. (11)

From Office of the Clerk of the Board, the following individual has submitted a Form 700 Statement:

Sondra Angulo, Legislative Aide - Assuming (12)

From SSL Law Firm, regarding the SFMOMA Fire Station No. 1 Relocation and Housing Project located at 151 Third Street, 670-676 Howard Street, and 935 Folsom Street. File No. 111293, Copy: Each Supervisor, City Attorney (13)

*From concerned citizens, submitting support for proposed Ordinance that extends the restrictions on checkout bags to all retail establishments and food establishments in the City and County of San Francisco. File No. 101055, 41 letters (14)

From concerned citizens, submitting support for Sharp Park Golf Course. File No. 110966, Copy: Each Supervisor, 4 letters (15)

From the Port, submitting the 2008 Clean and Safe Neighborhood Park Bond Accountability Report for the 3rd Bond Sale. (16)

*From Office of the Controller, submitting the FY2010-2011 Development Impact Fee Report. (17)

From Office of the Controller, submitting the following concession audit reports: San Francisco Soup Company, ILJ San Francisco, and Dollar Thrifty Automotive Group, Inc. (18)

From Office of the Controller, submitting the Checkout Bag Charge Economic Impact Report. File No. 101055 (19)

*From Office of the Controller, submitting the FY2010-2011 Performance Measures Report. (20)

*From Office of the Controller, submitting the FY2010-2011 Comprehensive Financial Report. Copy: Each Supervisor (21)

From Kristin Anundsen, submitting opposition to proposed Ordinance that extends the restrictions on checkout bags to all retail establishments and food establishments in the City and County of San Francisco. File No. 101055 (22)

From Leon Ramsey, submitting opposition to Conditional Use authorization on property located at 2041 Larkin Street. File No. 111183 (23)

From Ardani Machin, submitting support for adequate working class housing. (24)

From concerned citizens, submitting support for Conditional Use authorization on property located at 3901 Mission Street. File No. 111125, 2 letters (25)

ADJOURNMENT