



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, January 10, 2012 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, 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, 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 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.

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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**

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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.

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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.

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ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the November 15, 2011, and November 22, 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. [111365](#) [Formal Policy Discussions - January 10, 2012]

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 1, 3, 7, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. As a result of the economic downturn, many of our City's commercial corridors are struggling with both vacant storefronts as well as the loss of long-standing community businesses. In District 1, we are working with the Office of Economic and Workforce Development to save the Balboa Theater from going under. The Balboa Theater is an important anchor business in the Richmond and one of the few remaining independent theaters in San Francisco. Small businesses are the biggest job producers in our City; I believe that helping them stay afloat should be one of our highest priorities. Can you articulate specific plans or programs that your administration intends to implement in the coming year that will help our small business sector? (Supervisor Mar, District 1)

2. In the wake of the California Supreme Court decision abolishing Redevelopment, which has been a crucial funding source for affordable housing, what is your vision for creating much needed affordable housing in San Francisco? Specifically, will you support an affordable housing bond or some other dedicated source of funding? Will you streamline and consolidate the multiple agencies involved in affordable housing - including the Mayor's Office of Housing, the Housing Authority, along with functions from the soon-to-be-dismantled Redevelopment Agency? What direction should we take regarding our inclusionary housing requirements, which create some affordable housing when market rate housing is built? (Supervisor Chiu, District 3)

3. Given both the increased costs projected to complete the high speed rail system and the increased uncertainty regarding the sources of revenue for the project, what are the City's plans to ensure that the terminus at the Transbay Terminal remains a world-class project as originally envisioned with the extension of high speed rail into downtown San Francisco? (Supervisor Elsbernd, District 7)

4. I appreciate the budget policy priorities and guiding principles that you created together with community based organizations for the FY2011-2012 budget process. Will you abide by these principles when deciding how to close the projected general fund deficit of \$262.7 million in the FY2012-2013 budget, and if so, can you explain how you will put these principles into practice? (Supervisor Campos, District 9)

5. While I am pleased that the San Francisco Municipal Transportation Agency is finally moving to extend the MUNI 14 Mission bus line to Daly City - a project I initiated in 2009. I am concerned that a major piece has yet to be addressed. In order to make this extension a resource that San Francisco residents can actually take advantage of, they must be able to use their Fast Passes/Clipper Cards at Daly City BART in the same manner and cost as they would be able to at a San Francisco station. Otherwise, this service is set up to fail before it even begins. What support can I expect from your office to make this a priority so that we, as a City, can demonstrate our commitment to equal access to services to our residents living in the southern most part of San Francisco? (Supervisor Avalos, District 11)

Attachments: [Board Packet 011012](#)

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 10

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Kim

2. [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](#)
[Board Packet 011012](#)

12/13/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [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](#)

[Board_Packet_011012](#)

12/13/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Avalos, Mar, Elsbernd

4. **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](#)

[Board_Packet_011012](#)

12/13/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

5. **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](#)

[Board_Packet_011012](#)

12/13/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. **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](#)

[Board Packet 011012](#)

12/13/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Elsbernd, Wiener

7. **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](#)
[Board Packet 011012](#)

12/13/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. **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](#)
[Board Packet 011012](#)

12/13/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. **111245** **[Appointment, Treasury Oversight Committee - Peter Goldstein]**
Motion appointing Peter Goldstein, term ending June 5, 2013, to the Treasury Oversight Committee. (Treasurer-Tax Collector)

Attachments: [Legislation Ver1](#)
[Comm Packet 120811](#)
[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

Present: Supervisors Kim, Farrell, Weiner

10. [111266](#) **[Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Michael Simmons, Peter Cohen, Kenneth Wingard, Dennis Richards, and Jason Henderson]**

Motion appointing Krute Singa, Michael Simmons, Peter Cohen, Kenneth Wingard, Dennis Richards, and Jason Henderson, terms ending December 16, 2012, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Attachments: [Comm Packet 121511](#)

[Legislation Ver1](#)

[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

(Due to the Winter Recess and cancelled meeting of January 3, 2012, the Mayor's veto, pursuant to Charter Section 2.106, of an Ordinance amending the San Francisco Park Code relating to a long term management agreement with National Park Service for Sharp Park is hereby being communicated and agendaized for the Board's consideration.

This action requires two-thirds vote. The Board may not amend the Ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on December 19, 2011. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 18, 2012.)

11. [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](#)

[Board Packet 011012](#)

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.

12/13/2011; FINALLY PASSED.

Question: Shall this Ordinance be APPROVED OVER THE MAYOR'S VETO?

From the Board**12. [111366](#) [Adopting Findings Related to the Conditional Use Authorization - 2041 Larkin Street]**

Motion adopting findings supporting the Board's decision to: 1) disapprove the decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street; and 2) to approve Conditional Use Authorization on property located at 2041 Larkin Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18448, regarding Application 2010.1083C, and further subject to additional conditions imposed by the Board of Supervisors on December 6, 2011. (Clerk of the Board)

Attachments: [Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

13. [111367](#) [Adopting Findings Related to the Conditional Use Authorization - 3901 Mission Street]

Motion adopting findings supporting the Board's decision to: 1) disapprove the 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 2) approve Conditional Use Authorization on property located at 3901 Mission Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18442, regarding Application No. 2011.0664C, and further subject to additional conditions imposed by the Board of Supervisors on December 13, 2011. (Clerk of the Board)

Attachments: [Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

14. [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](#)

[Legislation_Ver4](#)

[Board_Packet_011012](#)

12/13/2011; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/13/2011; CONTINUED ON FIRST READING.

12/13/2011; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mar, Wiener

15. [111080](#) **[Zoning Map - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]**

Sponsor: Kim

Ordinance amending the San Francisco Planning Code Sectional Map ZN01 of the Zoning Maps to change the use classification of 676 Howard Street (Block No. 3722, Lot No. 28) from Public (P) to Downtown-Support District (C-3-S) and a portion of 935 Folsom Street (Block No. 3753, Lot No. 140) from Mixed Use-Residential (MUR) to Public (P) as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 112811](#)

[Board Packet 120611](#)

[Board Packet 011012](#)

12/06/2011; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [111213](#) **[Summary Vacation - Hunt Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]**

Sponsor: Kim

Ordinance ordering the summary vacation of Hunt Street as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 112811](#)

[Board Packet 011012](#)

12/06/2011; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. [111240](#) **[General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]**
Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

Attachments: [Legislation_Ver1](#)
 [Leg_Digest_Ver1](#)
 [Comm_Packet_112811](#)
 [Board_Packet_120611](#)
 [Board_Packet_011012](#)

12/06/2011; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Kim, Elsbernd, Wiener

18. [111050](#) **[Administrative Code - San Francisco Sentencing Commission and Recidivism Reduction Ordinance of 2011]**
Sponsors: Wiener; Farrell, Cohen and Chiu
Ordinance amending the San Francisco Administrative Code by adding Article XXV, Sections 5.250 through 5.250-4 to: 1) establish the San Francisco Sentencing Commission; 2) set forth the Commission's purpose, powers, and duties; and 3) establish membership criteria.

Attachments: [Legislation Ver1](#)

[Comm Packet 110311](#)

[Comm Packet 111711](#)

[Legislaton Ver2](#)

[Board Packet 120611](#)

[Board Packet 011012](#)

12/06/2011; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Chu, Mirkarimi, Kim

19. [111190](#) **[Administrative, Police Codes - Prevailing Rate of Wages Under City Contracts for Specified Services]**

Sponsors: Wiener; Chiu, Mirkarimi and Campos

Ordinance amending the San Francisco Administrative Code Sections 21C.2 through 21C.6, and adding Section 21C.7 to: 1) specify the City contracts for services that are subject to the City's prevailing rate of wage requirement (Covered Contracts); 2) consolidate consistent standards for determining and enforcing prevailing rate of wage requirements in all Covered Contracts; 3) provide an employment transition period for workers under successor contracts to all Covered Contracts; 4) provide that all work on Covered Contracts be performed by employees and not independent contractors; and 5) amend the San Francisco Police Code Section 3300C.1 to make conforming changes.

Attachments: [Legislation_Ver1](#)

[Leg_Digest_ver1](#)

[Budget_Analyst_120711](#)

[Comm_Packet_120711](#)

[Legislation_Ver2](#)

[Leg_Digest_Ver2](#)

[Comm_Packet_010412](#)

[Budget_Analyst_010412](#)

[Legislation_Ver3](#)

[Leg_Digest_Ver3](#)

[Board_Packet_011012](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Chu, Kim

20. [111288](#) **[Waiving the Competitive Bid Requirements and Approving Modified Indemnification Clause for the Design of a Runway Safety Area Engineered Material Arresting System]**

Ordinance waiving the competitive bid requirements of San Francisco Administrative Code Chapter 6, approving a modified indemnification clause pursuant to the requirements of Chapter 6, and authorizing the Airport Commission to award a contract to complete the design of a runway safety area engineered material arresting system. (Airport Commission)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Legislative Digest Ver1](#)
[Comm Packet 010412](#)
[Budget Analyst 010412](#)
[Board Packet 011012](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. [111290](#) **[Airport Lease Modification - United Air Lines, Inc.]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease L00-0464 at Plot 6 with United Air Lines, Inc., at San Francisco International Airport to: 1) extend the term; 2) reduce the demised premises; 3) modify the annual rent; 4) provide for a deferred City improvements payment to City; and 5) provide for certain terms of retroactivity relating to the rent and the deferred City improvements payment. (Airport Commission)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Comm Packet 010412](#)
[Budget Analyst 010412](#)
[Board Packet 011012](#)

Question: Shall this Resolution be ADOPTED?

22. [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](#)
[Comm Packet 010412](#)
[Board Packet 011012](#)

Question: Shall this Resolution be ADOPTED?

23. [111309](#) **[Contract Amendment - Xtech - \$51,000,000]**
Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and County of San Francisco and Xtech (part of the technology store procurement vehicle), in which the amendment shall increase the contract limit from \$41,000,000 to \$51,000,000. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_010412](#)
[Budget_Analyst_010412](#)
[Board_Packet_011012](#)

Question: Shall this Resolution be ADOPTED?

24. [111310](#) **[Contract Amendment - Xtech - \$60,000,000]**
Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and County of San Francisco and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from \$40,000,000 to \$60,000,000. (Office of Contract Administration)

(Fiscal Impact)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_010412](#)
[Budget_Analyst_010412](#)
[Board_Packet_011012](#)

Question: Shall this Resolution be ADOPTED?

25. [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. 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)

(Fiscal Impact)

Attachments: [Legislation_Ver1](#)
[Comm_Packet_010412](#)
[Budget_Analyst_010412](#)
[Board_Packet_011012](#)

Question: Shall this Resolution be ADOPTED?

26. [111318](#) **[Accept and Expend Grant - Lead Hazard Reduction Demonstration Program for FY2011-2012 - \$2,500,000 and Program Income Not to Exceed \$200,000]**

Sponsor: Mayor

Resolution authorizing the Mayor's Office of Housing to retroactively accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in the amount of \$2,500,000 and program income not to exceed \$200,000.

Attachments: [Comm Packet 010412](#)

[Legislation Ver1](#)

[Board Packet 011012](#)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Chu, Kim

27. [111250](#) **[Sale of City Property - Northeast Corner of Fulton and Gough Streets - Boys and Girls Clubs - \$2,500,000]**

Sponsors: Mirkarimi; Cohen, Chiu, Avalos, Mar and Kim

Resolution authorizing: 1) the sale of City property at the northeast corner of Fulton Street and Gough Street to the Boys and Girls Clubs of San Francisco for \$2,500,000 subject to a declaration of economic covenants and a project use restriction; 2) adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.

(Fiscal Impact)

Attachments: [Budget Analyst 120711](#)

[Legislation Ver1](#)

[Comm Packet 120711](#)

[Comm Packet 010412](#)

[Budget Analyst 010412](#)

[Legislation Ver2](#)

[Board Packet 011012](#)

Question: Shall this Resolution be ADOPTED?

28. [111317](#) **[Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]**
Sponsor: Chiu
Resolution approving Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Comm Packet 010412](#)
[Budget Analyst 010412](#)
[Legislation Ver2](#)
[Board Packet 011012](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Campos, Chiu

29. [110770](#) **[Municipal Transportation Agency Overtime Appropriations]**
Sponsors: Campos; Farrell
Resolution encouraging the San Francisco Municipal Transportation Agency (SFMTA) to develop a plan and the SFMTA Board to adopt a policy to address overtime overruns in FY2011-2012 and subsequent years.

Attachments: [Comm Packet 090811](#)
[Legislation Ver1](#)
[Comm Packet 120811](#)
[Board Packet 011012](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Wiener

30. [111291](#) **[Confirming Appointment, Entertainment Commission - Bryant Tan]**
Motion confirming the Mayor's appointment of Bryant Tan to the Entertainment Commission, term ending July 1, 2015. (Mayor)

Attachments: [Comm Packet 121511](#)
[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

31. [111302](#) **[Appointment, Entertainment Commission - Tim Eicher]**
Motion appointing Tim Eicher, term ending July 1, 2014, to the Entertainment Commission. (Clerk of the Board)

Attachments: [Comm Packet 121511](#)

[Legislation Ver1](#)

[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4:00 p.m.

32. **111293** **[Public Hearing - Appeal of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]**
Hearing of persons interested in or objecting to the Planning Commission's decision, dated November 10, 2011, Certification of a Final Environmental Impact Report identified as Planning Case Nos. 2009.0291E and 2010.0275E by its Motion No. 18484, for a proposed expansion of the San Francisco Museum of Modern Art (SFMOMA), relocation of Fire Station No. 1, and Housing Project. (District 6) (Appellant: Christine W. Griffith on behalf of the KSSF Enterprises, Ltd., owner of the W Hotel San Francisco) (Filed November 30, 2011). (Clerk of the Board)

Attachments: [Response Planning 122111](#)
[Board Packet 011012](#)

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 Final Environmental Impact Report 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.)

33. **111294** **[Affirming Certification of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

34. [111295](#) **[Reversing Certification of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

35. [111296](#) **[Preparation of Findings to Reverse Certification of Final Environmental Impact Report - SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

(Pursuant to Administrative Code Section 31.16(b), the President may entertain a Motion to continue these matters to January 24, 2012, due to the filing of a second appeal on the same subject, in order to consolidate both appeals.)

36. [111358](#) **[Public Hearing - Appeal of a Final Environmental Impact Report - 34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]**
Hearing of persons interested in or objecting to the Planning Commission's decision, dated December 15, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2010.0493E, for a proposed project involving America's Cup Sailing Races in the Summer/Fall of 2012 and 2013, including various waterfront venues, and a proposed project involving construction of the James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (District 3) (Appellant: Keith G. Wagner on behalf of San Francisco Tomorrow, Golden Gate Audubon Society, Waterfront Watch, and Telegraph Hill Dwellers) (Filed December 19, 2011). (Clerk of the Board)

Attachments: [Board Packet 011012](#)

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 Final Environmental Impact Report 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.)

37. [111359](#) **[Affirming Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

38. [111360](#) **[Reversing Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]**

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29. (Clerk of the Board)

Attachments: [Legislation Ver1](#)
[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

39. [111361](#) **[Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29]**

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29.

Attachments: [Legislation Ver1](#)
[Board Packet 011012](#)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, January 9, 2012, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, January 10, 2012.

40. [111104](#) **[Health Code - Regulating Commercial Dog Walkers on Park Property]**
Sponsor: Wiener
Ordinance amending the San Francisco Health Code by adding Article 39, Sections 39.01 through 39.13, to license and regulate Commercial Dog Walkers operating on park property.

Attachments: [Legislation_Ver1](#)
[Comm_Packet_121211](#)
[Legislation_Ver2](#)
[Leg_Digest_Ver2](#)
[Response_SBC_010512](#)
[Comm_Packet_010912](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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 41 through 45**41. [111347](#) [Accept and Expend Gift - World Cup Live 2010 at Civic Center Plaza - \$96,000]****Sponsor: Mayor**

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend an in-kind gift, valued at \$96,000 from America Scores Bay Area to support operating costs associated with presenting World Cup Live 2010 in Civic Center Plaza.

Attachments: [Legislation Ver1](#)
 [Board Packet 011012](#)

12/13/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. [111348](#) [Multifamily Housing Revenue Bonds - Ridgeview Terrace - Not to Exceed \$20,000,000]**Sponsor: Cohen**

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$20,000,000 for Ridgeview Terrace; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Attachments: [Legislation Ver1](#)
 [Board Packet 011012](#)

12/13/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. [111349](#) [San Francisco Road Runners Club Day - January 21, 2012]**Sponsor:** Elsbernd

Resolution recognizing the 10th Anniversary of the founding of the San Francisco Road Runners Club and proclaiming January 21, 2012, to be "San Francisco Road Runners Club Day" in the City and County of San Francisco.

Attachments: [Legislation_Ver1](#) [Board_Packet_011012](#)

12/13/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?**44. [111352](#) [Directing the Clerk of the Board of Supervisors to Work with KPOO Radio Regarding Broadcasting Board Meetings]****Sponsor:** Mirkarimi

Motion directing the Clerk of the Board to work with KPOO Radio on a plan to enable the radio station to broadcast weekly San Francisco Board of Supervisors meetings and to implement the plan for such broadcasts.

Attachments: [Legislation_Ver1](#) [Board_Packet_011012](#)

12/13/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?**45. [111362](#) [Final Map 5954: 634 - 636 Plymouth Avenue]**

Motion approving Final Map 5954, a Six Lot Subdivision Project, located at 634 - 636 Plymouth Avenue, being a subdivision of Assessors Block No. 7067, Lot No. 014; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Attachments: [111362.doc](#) [Board_Packet_011012](#)

12/20/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?**46. 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 December 6, 2011, through December 30, 2011, for reference by President to appropriate committee on January 10, 2012.

111369

[Settlement of Lawsuit - Linda Iacovetta - \$210,000]

Ordinance authorizing settlement of the lawsuit filed by Linda Iacovetta against the City and County of San Francisco for \$210,000; the lawsuit was filed on August 4, 2011, in San Francisco Superior Court, Case No. CGC-10-502231; entitled Linda Iacovetta, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_Ver1](#)

12/12/2011; RECEIVED FROM DEPARTMENT.

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

111370

[Settlement of Lawsuit - Metro Fuel, LLC - City to Receive \$1,750,000; Approval of Settlement and Relocation Agreement; Waiver of Administrative Code Subsections 2.21(d) and (e)]

Ordinance: 1) authorizing settlement of the lawsuit filed by Metro Fuel against the City and County of San Francisco for payment to the City of \$1,750,000; the lawsuit was filed on November 30, 2007, in the United States District Court for the Northern District of California, Case No. C07-6067 PJH; entitled Metro Fuel LLC v. City and County of San Francisco, et al.; other material terms of said settlement include settlement of the City's notices of violation against unpermitted panel signs, setting up a process for approval of the relocation and disaggregation of existing lawful billboards to other locations and payment of settlement following the City's approval of relocation permits for such billboards; 2) approving a Relocation and Settlement Agreement for the relocation of certain existing lawful billboards; and 3) waiving the requirements of San Francisco Administrative Code Subsections 2.21(d) and (e). (City Attorney)

Attachments: [Legislation_Ver1](#)

12/23/2011; RECEIVED FROM DEPARTMENT.

12/23/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111371 [Administrative Code - Appropriating \$19,500,000 of Fund Balance to Support Required Reserves and Creating Special Funds for the CleanPowerSF Program]

Ordinance appropriating \$19,500,000 of Hetch Hetchy fund balance at the Public Utilities Commission to support CleanPowerSF Community Choice Aggregation program consistent with the contractual requirements and budgetary authorizations as approved by the San Francisco Public Utilities Commission and the Board of Supervisors and adding Administrative Code Sections 10.100.372 and 10.100.373 to establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund. (Public Utilities Commission)

12/27/2011; RECEIVED FROM DEPARTMENT.

12/27/2011; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

111372 [Settlement of Lawsuit - City to Receive \$3,170,000 for Sale of Parcel in San Mateo County]

Ordinance authorizing settlement of a lawsuit filed by San Mateo County Transit District against the City and County of San Francisco and Artichoke Enterprises, Inc., aka Artichoke Joe's; and Does 1 through 50, to condemn and take by right of eminent domain property owned by the City and County of San Francisco located in San Bruno, California, for \$3,170,000; the lawsuit was filed April 13, 2010, in San Mateo County Superior Court, Case No. CIV 494013; entitled San Mateo County Transit District v. City and County of San Francisco, Artichoke Enterprises, Inc. aka Artichoke Joe's; and Does 1 through 50, inclusive. (City Attorney)

Attachments: [Legislation Ver1](#)

12/30/2011; RECEIVED FROM DEPARTMENT.

12/30/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111373 [Settlement of Lawsuit - City to Pay \$238,000 for Subsurface Easement in Alameda County]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100, to condemn and take by right of eminent domain a permanent subsurface easement of approximately 69,609 square feet in property owned by San Mateo County Transit District, located in Newark, California, commonly known as APNs 537-0551-020 and 537-0551-021-01; filed June 3, 2010, in Alameda County Superior Court, Case No. RG 10518243; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; Union Sanitary District for the County of Alameda, State of California; and Does 1 through 100. (City Attorney)

Attachments: [Legislation VER1](#)

12/30/2011; RECEIVED FROM DEPARTMENT.

12/30/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111374 [Planning Code - Creating a New Definition of Student Housing]**Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 3) amending Section 207(b)(3) to exempt Student Housing from the unit mix requirement in RTO, NCT, DTR, and Eastern Neighborhoods Mixed Used Districts; 4) amending Section 307 to permit the conversion of Student Housing into residential uses, when certain conditions are met; 5) amending Section 312 to require notice for a change of use to Group Housing; 6) amending Section 317 to prohibit the conversion of residential units into Student Housing; and 7) amending Section 401 to make conforming amendments and amend the definition of Qualified Student Housing; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

Attachments: [Legislation_Ver1](#)

12/15/2011; RECEIVED FROM DEPARTMENT.

12/15/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 6, 2011, through December 30, 2011, for reference by President to appropriate committee on January 10, 2012.

111376 [Settlement of Unlitigated Claim - Anita Scott - \$200,000]

Resolution approving the settlement of the unlitigated claim filed by Anita Scott against the City and County of San Francisco for \$200,000; claim was filed on September 23, 2011. (City Attorney)

12/23/2011; RECEIVED FROM DEPARTMENT.

12/23/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111377 [Settlement of Unlitigated Claim - Claire Himmel - \$60,000]

Resolution approving the settlement of the unlitigated claim filed by Claire Himmel against the City and County of San Francisco for \$60,000; claim was filed on September 26, 2011. (City Attorney)

12/23/2011; RECEIVED FROM DEPARTMENT.

12/23/2011; RECEIVED AND ASSIGNED to the Rules Committee.

111378 [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 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).

Attachments: [Legislation_Ver1](#)

12/13/2011; RECEIVED FROM DEPARTMENT.

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

120001**[Petitions and Communications]**

Petitions and Communications received from December 6, 2011, through December 30, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on January 10, 2012.

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

From concerned citizens, submitting support for the proposed Ordinance that extends the restrictions on checkout bags to all retail and food establishments in the City and County of San Francisco. File No. 101055, 20 letters (1)

*From David Lee, submitting petition opposing the proposed Ordinance that extends the restrictions on checkout bags to all retail and food establishments in the City and County of San Francisco. File No. 101055, Copy: Each Supervisor (2)

From Planning Department, regarding the proposed Ordinance that extends the restrictions on checkout bags to all retail and food establishments in the City and County of San Francisco. File No. 101055, Copy: Each Supervisor (3)

*From concerned citizens, submitting support for restoring Sharp Park wetlands and wildlife. File No. 110966, 100 letters (4)

From Mousa Khouri, submitting opposition to proposed liquor license at 3950 24th Street. (5)

*From Green Cross, submitting copy of letter sent to Governor Brown requesting he join the petition to remove marijuana from the list of Schedule 1 drugs. Copy: Each Supervisor (6)

From Office of the Mayor, submitting the following appointments: (7)

Human Rights Commission

Susan Belinda Christian, term ending September 2, 2015

Richard Roda, term ending May 15, 2015

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointments by the Mayor: Copy: Rules Committee Clerk (8)

Human Rights Commission

Susan Belinda Christian, term ending September 2, 2015

Richard Roda, term ending May 15, 2015

From Office of the Mayor, submitting the following appointment: (9)

Health Service Board

Jean S. Fraser, term ending May 15, 2013

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointment by the Mayor: Copy: Rules Committee Clerk (10)

Health Service Board

Jean S. Fraser, term ending May 15, 2013

*From concerned citizens, submitting support for Conditional Use authorization on property located at 3901 Mission Street. File No. 111125, 40 letters (11)

*From Health Commission, submitting the San Francisco Hospitals Charity Care Report. (12)

*From Department of Elections, submitting the November 8, 2011, Consolidated Municipal Election Supplemental Statement of Vote Report. File No. 111259, Copy: Each Supervisor (13)

From Civil Service Commission, submitting notice of posting proposed amendments, to the Civil Service Commission Conflict of Interest Rule Series 018. Copy: Each Supervisor (14)

From Victor Gilbert, regarding proposed legislation regulating commercial dog walkers operating on park property. File No. 111104, 2 letters (15)

From Nina Beety, regarding the California Public Utilities Commission. (16)

From Recreation and Park Department, submitting the FY2011-2012 First Quarter Lead Poisoning Prevention Report. Copy: Each Supervisor (17)

From concerned citizens, submitting opposition to Conditional Use Authorization on property located at 2041 Larkin Street. File No. 111183, Copy: Each Supervisor, 3 letters (18)

*From State Department of Public Health, regarding the FY2011-2012 Funding Application Approval Agreement. (19)

From General Services Agency, submitting the Indemnification Quarterly Report for 2009 through 2011. (20)

*From Office of the Controller, submitting the Ellis-O'Farrell Parking Garage Audit Report for the period covering May 1, 2008, through June 30, 2010. (21)

From Joan Wood, regarding the renovation of the Beach Chalet Athletic Field. (22)

From ACLU Foundation of Northern California, submitting support for restricting the use of local funds to respond to civil immigration detainers. File No. 111269 (23)

From Clisham & Sortor, regarding Proposition C on the November 8, 2011, Consolidated Municipal Election. File No. 111259, Copy: Each Supervisor, City Attorney (24)

From Office of the Mayor, submitting the following appointment: (25)
Board of Permit Appeals
Richard Hillis, term ending July 1, 2012

From concerned citizens, submitting support for the interdepartmental jurisdictional transfer of property located at 341 Corbett Avenue. 11 letters (26)

From concerned citizens, submitting opposition to the interdepartmental jurisdictional transfer of property located at 341 Corbett Avenue. 2 letters (27)

From Fred Merrick, regarding buses on Van Ness Avenue. Copy: Each Supervisor (28)

From Michael Webb, regarding the La Boulange Bakery at 1266-9th Avenue. (29)

From Jorge Delgadillo, regarding the San Francisco nightlife survey. (30)

*From San Francisco Public Golf Alliance, submitting opposition to Sharp Park's proposed long-term agreement with the National Park Service. File No. 110966, Copy: Each Supervisor, 755 letters (31)

*From San Francisco Public Golf Alliance, submitting a list of frequently asked questions/answers about Sharp Park Golf Course. (32)

From Office of the Treasurer & Tax Collector, submitting the November 2011 Investment Report. Copy: Each Supervisor (33)

From Uma Veloo, submitting support for bird safe buildings. (34)

From Capital Planning Committee, submitting recommendations on the following: issuances and sales of the 2010 Earthquake Safety and Emergency Response General Obligation Bond, the 2008 Clean and Safe Neighborhood Parks General Obligation Bond, and the 2011 Road Repaving and Street Safety General Obligation Bond. Copy: Each Supervisor (35)

From State Public Utilities Commission, submitting notification of PG&E's application to recover cost for the adoption of its Smart Grid Pilot Deployment Program. Copy: Each Supervisor (36)

From Office of the Mayor, submitting letter vetoing the proposed ordinance that enters into exclusive negotiations with the National Park Service pertaining to City-owned property at Sharp Park. File No. 110966, Copy: Each Supervisor (37)

From Dan Dudley, regarding banning the sale of specific types of spinning-rotating power toothbrushes that do not have pressure sensors to protect the health, safety, and welfare of its citizens. Copy: Each Supervisor (38)

From concerned citizens, submitting their position on the rebuilding of California Pacific Medical Center. File No. 111271, Copy: Each Supervisor, 4 letters (39)

From Aaron Goodman, regarding the 19th Avenue Transit Corridor Investment Study. 2 letters (40)

From Aaron Goodman, regarding the current owner of Parkmerced. Copy: Each Supervisor (41)

From Jeanne Lu, regarding recycling in San Francisco. File No. 110055, Copy: Each Supervisor (42)

From concerned citizens, submitting opposition to the Conditional Use Authorization on property located at 3901 Mission Street. File No. 111125, 18 letters (43)

From California Clerk of the Board of Supervisors Association, thanking the Board of Supervisors for the Resolution recognizing the Clerks of the Boards. Copy: Each Supervisor (44)

From Department of Public Works, submitting the FY2010-2011 Monument Preservation Fund Annual Report. Copy: Each Supervisor (45)

From James Chaffee, regarding a false arrest lawsuit. Copy: Each Supervisor (46)

From Shasta County Board of Supervisors, regarding Shasta County's continued support of veterans. Copy: Each Supervisor (47)

From Bill Quan, regarding the Rent Board's decision to allow existing tenants, under their old rental agreements, to smoke in their units. (48)

From Planning Department, regarding amendments relating to disability access improvements for small businesses and landlord obligations. File No. 111047, Copy: Each Supervisor, Land Use Committee Clerk (49)

*From Office of the Controller, submitting the Western Addition A-2 Redevelopment Plan Audit Report. (50)

From Office of the Controller, submitting the October 2011 Government Barometer Report. Copy: Each Supervisor (51)

From Office of the Controller, submitting the Airport Commission's concession audits of EAN, LLC, and Clear Channel Outdoor, Inc. (52)

*From Office of the Controller, submitting the Recreation and Park Department's construction audit of McCoppin Square Park Renovation. (53)

*From Office of the Controller, submitting report concerning the financial statement audit of the City Investment Pool held by the Office of the Treasurer and Tax Collector for the period from July 1, 2010, through June 30, 2011. (54)

From Office of the Mayor, submitting notice that Mayor Ed Lee will be out of state from December 23, 2011, until December 31, 2011. Supervisor Malia Cohen will serve as Acting Mayor. Copy: Each Supervisor, City Attorney (55)

From Office of the Mayor, submitting notice that in the event Mayor Ed Lee leaves the state without designating via a separate letter, Supervisor Carmen Chu will serve as Acting Mayor. If Supervisor Chu is unavailable, Supervisor Sean Elsbernd will serve as Acting Mayor. Copy: Each Supervisor, City Attorney (56)

From Human Services Agency, submitting support for the Children's Advocacy Center and the Center for Youth Wellness. Copy: Each Supervisor (57)

From Controller's Office & Film Commission, regarding San Francisco Film Rebate Program. (58)

From UCSF, submitting notice of preparation of a draft Environmental Impact Report for UCSF Medical Center at Mission Bay, Fourth Street Public Plaza. Copy: Each Supervisor (59)

From State Department of Social Services, regarding elimination of funding for fraud investigations and program integrity efforts related to the In-Home Supportive Services Program pursuant to the California State Budget Act of 2011. (60)

*From State Fish and Game Commission, submitting notice of proposed regulatory action relating to the incidental take of the Black-backed Woodpecker. Copy: Each Supervisor (61)

From James Chaffee, regarding the Friends of the San Francisco Public Library. (62)

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

Erica Maybaum, Legislative Aide - Leaving (63)

From State Public Utilities Commission, submitting notification of PG&E's filing of testimony to recover cost of seismic studies recommended by the California Energy Commission. Copy: Each Supervisor (64)

*From Public Utilities Commission, regarding proposed power rate increases for City Departments who were paying less than their cost of service. Copy: Each Supervisor (65)

From Aaron Goodman, regarding the lack of rental housing in San Francisco. (66)

From Leland Mellott, regarding the former Art Commission Building at 165 Grove Street. (67)

From SSL Law Firm, submitting letter in support of appeal of the Final Environmental Impact Report for the SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project. File No. 111293, Copy: Each Supervisor (68)

*From SSL Law Firm, submitting correspondence in opposition to the City's proposed summary vacation of Hunt Street. File No. 111213, Copy: Each Supervisor (69)

*From SSL Law Firm, submitting the first set of attachments associated with correspondence in support of appeal of the Final Environmental Impact Report for the SFMOMA Expansion, Fire Station Relocation, and Housing Project. File No. 111293, Copy: Each Supervisor (70)

*From SSL Law Firm, submitting the second set of attachments associated with correspondence in support of appeal of the Final Environmental Impact Report for the SFMOMA Expansion, Fire Station Relocation, and Housing Project. File No. 111293, Copy: Each Supervisor (71)

*From Farella Braun & Martell, submitting letter in support of amending the General Plan, rezoning 676 Howard Street, and 935 Folsom Street; and the vacation of Hunt Street in conjunction with development of the SFOMA Expansion Project. File No. 111081, 111240, and 111213, Copy: Planning Department (72)

*From Farella Braun & Martell, submitting letter in opposition to appeal of the Final Environmental Impact Report for the SFMOMA Expansion, Fire Station Relocation, and Housing Project. File No. 111293 (73)

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

Attachments: [Bd Packet 011012](#)

[Bd Packet 011012](#)

ADJOURNMENT