



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 31, 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, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

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

Public Safety Committee
Supervisors Avalos, Olague, Mar

Rules Committee
Supervisors Kim, Farrell, Campos

Meeting Days

Wednesday
1:00 PM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

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

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

Disability Access

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 17

Recommendations of the Budget and Finance Committee

Present: Supervisors Chu, Avalos

1. [111208](#) **[Administrative Code - Public Guardian/Public Administrator Gift Fund]**
Ordinance amending the San Francisco Administrative Code by adding Section 10.100-190 to create a Public Guardian/Public Administrator Gift Fund to support the operations of the Public Guardian's Office, including needs assessment and conservatorship services for vulnerable persons who are unable to manage their basic personal or financial needs. (Human Services Department)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 011112](#)

[Budget Analyst 011112](#)

[Board Packet 012412](#)

[Board Packet 013112](#)

01/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Chu, Avalos, Kim

2. [111333](#) **[Appropriating \$192,000,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Department of Public Works in FY2011-2012]**
Sponsors: Mayor; Chiu, Chu and Cohen

Ordinance appropriating \$192,000,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond proceeds to the Department of Public Works in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the bonds.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 011112](#)

[Budget Analyst 011112](#)

[Legislation Ver2](#)

[Comm Packet 011812](#)

[Board Packet 012412](#)

[Board Packet 013112](#)

01/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [111335](#) **[Appropriating \$76,500,000 of Road Repaving and Street Safety General Obligation Bonds to the Department of Public Works and the Municipal Transportation Agency in FY2011-2012]**

Sponsors: Mayor; Wiener and Chu

Ordinance appropriating \$76,500,000 of the 2012C Series Road Repaving and Street Safety General Obligation Bond proceeds including \$71,587,375 to the Department of Public Works and \$4,912,625 to the Municipal Transportation Agency for street resurfacing, sidewalk, curb ramp, street structure improvements, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and traffic signal improvements to support transit priority for FY2011-2012 and placing these funds on Controller's Reserve pending the sale of the bonds.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 011112](#)

[Budget Analyst 011112](#)

[Legislation Ver2](#)

[Comm Packet 011812](#)

[Board Packet 012412](#)

[Board Packet 013112](#)

01/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Olague

4. [111134](#) **[Liquor License - 440 Mission Street]**
Resolution determining that the issuance of a Type 40 on-sale beer license to Mark E. Rennie for Bar Downtown, LLC., dba Craft, located at 440 Mission Street (District 6), will serve the public convenience and 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: [Committee Packet 012312](#)
[Legislation Ver2](#)
[Board Packet 013112](#)

Question: Shall this Resolution be ADOPTED?

5. [111260](#) **[Liquor License - 701 Mission Street]**
Resolution determining that the issuance of a Type 64 Special On-Sale General Theater liquor license, to Jeanette Carvajal for the Yerba Buena Center for the Arts, located at 701 Mission 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: [Committee Packet 012312](#)
[Legislation Ver2](#)
[Board Packet 013112](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Farrell, Elsbernd, Chiu

6. [111067](#) **[Administrative Code - Updating Job Classifications and Bargaining Units]**
Ordinance amending the San Francisco Administrative Code Sections 16.200 through 16.222 to reflect changes in job classifications. (Human Resources Department)

Attachments: [Legislation Ver1](#)
[Comm Packet 011212](#)
[Board Packet 012412](#)
[Board Packet 013112](#)

01/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisor Mar, Cohen, Wiener

7. **111285** **[Changing the Official Sidewalk Width - Portion of Mason Street]**
Sponsor: Chiu
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1590 to change the official sidewalk width of Mason Street starting at the southwest corner of the intersection of Mason Street and Washington Street and continuing south 29.52 feet; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 010912](#)
[Board Packet 012412](#)
[Board Packet 013112](#)

01/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

8. **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](#)
[Board Packet 013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. **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](#)
[Board Packet 013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. [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](#)
[Board Packet 013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. [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](#)
[Board Packet 013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. [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](#)
[Board Packet 013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. [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](#)

[Board Packet 013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. [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](#)

[Board Packet 013112](#)

Question: Shall this Resolution be ADOPTED?

15. [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)

Attachments: [Legislation Ver1](#)

[Board Packet 013112](#)

Question: Shall this Resolution be ADOPTED?

16. [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)

Attachments: [Legislation Ver1](#)

[Board Packet 013112](#)

Question: Shall this Resolution be ADOPTED?

17. [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)

Attachments: [Legislation Ver1](#)
 [Board Packet 013112](#)

Question: Shall this Resolution be ADOPTED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Chu, Avalos, Kim

18. [111334](#) **[Appropriating \$75,009,139 of 2008 Clean and Safe Park Bond to the Recreation and Park Department and Port Commission in FY2011-2012]**
Sponsors: Mayor; Chu
Ordinance appropriating \$75,009,139 of 2008 Clean and Safe Park Bond sale proceeds to fund the improvement and construction at various recreation and park facilities, including \$61,185,271 in the Recreation and Park Department and \$10,394,975 in the Port Commission for FY2011-2012.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Comm Packet 011112](#)
[Budget Analyst 011112](#)
[Legislation Ver2](#)
[Comm Packet 011812](#)
[Legislation Ver3](#)
[Board Packet 012412](#)
[Legislation Ver4](#)
[Board Packet 013112](#)

01/24/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

01/24/2012; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Chu, Avalos, Kim

19. [111332](#) **[Appropriating \$4,442,514 of Fund Balance and Interest Earnings from the Sale of the Watermark Land and Condominiums to the Port Commission in FY2011-2012]**

Sponsor: Mayor

Ordinance appropriating \$4,442,514 consisting of \$3,709,630 in fund balance and \$732,884 in interest earnings from the sale of the Watermark Land and Condominiums to the Port Commission in FY2011-2012 to be used for the development of the Brannan Street Wharf and the Mixed-Use Cruise Terminal at Pier 27 and placing \$614,000 on Controller's Reserve pending receipt of the projected interest earnings.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 011112](#)

[Budget Analyst 011112](#)

[Board Packet 012412](#)

[Board Packet 013112](#)

01/24/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

20. **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](#)
 [Legislation Ver3](#)
 [Leg Digest Ver3](#)
 [Board Packet 011012](#)
 [Legislation Ver4](#)
 [Leg Digest Ver4](#)
 [Board Packet 012412](#)
 [Legislation Ver5](#)
 [Board Packet 013112](#)

01/10/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

01/10/2012; PASSED ON FIRST READING AS AMENDED.

01/24/2012; AMENDED.

01/24/2012; 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, Avalos, Kim

21. [120018](#) **[Re-Appropriating \$1,574,127 of General Fund Reserves for State Revenue Loss to Support HIV/AIDS Programs at the Department of Public Health, FY2011-2012]**

Sponsors: Mayor; Wiener, Campos and Olague

Ordinance re-appropriating \$1,574,127 of General Fund reserves for State revenue loss to backfill federal funding reductions to HIV/AIDS programs at the Department of Public Health in FY2011-2012.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 01251212](#)

[Budget Analyst 012512](#)

[120018-2](#)

[Board Packet 013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. [120019](#) **[Accept and Expend Grant - Legal Educational Advocacy Program and Amendment to the Annual Salary Ordinance, FY2011-2012 - \$231,147]**

Sponsor: Campos

Ordinance authorizing the San Francisco Public Defender's Office to retroactively accept and expend a grant in the amount of \$231,147 from the Correction Standards Authority for the purpose of establishing a Legal Educational Advocacy Program; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.50 FTE) at the San Francisco Public Defender's Office.

Attachments: [Legislation Ver1](#)

[Comm Packet 012512](#)

[Board Packet 013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Wiener, Chu

23. [111248](#) [Regulations for Jane Warner and Harvey Milk Plazas]

Sponsor: Wiener

Ordinance: 1) approving regulations for Jane Warner Plaza at the intersection of Castro and 17th Streets and Harvey Milk Plaza adjacent to the intersection of Castro and Market Streets; and 2) authorizing official acts in connection with the regulations.

(Supervisor Mar dissented in Committee.)

Attachments: [Legislation_Ver1](#)
[Legislation_Ver2](#)
[Leg_Digest_Ver2](#)
[Response_SFPD_122911](#)
[Comm_Packet_012312](#)
[Legislation_Ver3](#)
[Leg_Digest_Ver3](#)
[Board_Packet_013112](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

24. [120009](#) [Appointment, California State Association of Counties - Supervisor Eric Mar]

Motion appointing Supervisor Eric Mar, term ending November 28, 2012, to the California State Association of Counties. (Clerk of the Board)

Attachments: [Legislation_Ver1](#)
[Board_Packet_013112](#)

Question: Shall this Motion be APPROVED?

25. [120010](#) **[Appointment, Board of Appeals - Richard Hillis]**

Motion approving the Mayor's appointment of Richard Hillis to the Board of Appeals, for the term ending July 1, 2012. (Mayor)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 12/14/11.)

Attachments: [Legislation Ver1](#)

[Legislation Ver2](#)

[Board Packet 013112](#)

Question: Shall this Motion be APPROVED?

26. [120013](#) **[Appointment, Association of Bay Area Governments Executive Board - Supervisor Carmen Chu]**

Motion appointing Supervisor Carmen Chu, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

Attachments: [Legislation Ver1](#)

[Board Packet 013112](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

27. [120063](#) [Hearing - Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]

Sponsor: Chiu

Hearing of persons interested in or objecting to amendments to the proposed Resolution approving CEQA Findings and Mitigation Monitoring and Reporting Program, and 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.

Attachments: [Board_Packet_013112](#)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Chu, Kim

From the Board

28. [111317](#) **[Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]**
Sponsor: Chiu
Resolution approving CEQA Findings and Mitigation Monitoring and Reporting Program, and 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](#)
[Board Packet 012412](#)
[Legislation Ver3](#)
[Board Packet 013112](#)

01/10/2012; CONTINUED.

01/24/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

01/24/2012; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

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 Land Use and Economic Development Committee at a Regular Meeting on Monday, January 30, 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 31, 2012.

29. [111078](#) [Planning Code and Zoning Map Amendments - India Basin Industrial Park]
Sponsor: Cohen

Ordinance: 1) amending the San Francisco Planning Code Section 249.42 to allow outpatient medical care clinics; 2) amending the San Francisco Planning Code Zoning Map Sheet 8 SU to add parcels in Assessor's Block No. 5211, Lot Nos. 29 through 54 to the India Basin Special Use District, and remove the parcel in Assessor's Block No. 5211, Lot No. 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; and 3) making environmental findings and findings of consistency with general plan.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 122111](#)

[Response PLN 120711](#)

[Comm Packet 012312](#)

[Comm Packet 013012](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Board Packet 013112](#)

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 30 through 35

30. [120025](#) [Opposing the United States Supreme Court's Decision in Citizens United and Supporting Related United States Constitutional Amendment]

Sponsors: Chiu; Cohen, Wiener and Olague

Resolution opposing the United States Supreme Court's interpretation of the Constitution in Citizens United regarding the rights of corporations and supporting an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections of natural persons.

Attachments: [Legislation Ver1](#)

[Board Packet 012412](#)

[Board Packet 013112](#)

01/10/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

01/24/2012; CONTINUED.

Question: Shall this Resolution be ADOPTED?

31. [120028](#) [Urging the National Academy of Arts and Sciences Reinstate 31 Categories of Music for GRAMMY Consideration]

Sponsor: Mar

Resolution urging the reinstatement of the 31 categories of music that were eliminated by the National Academy of Arts and Sciences for GRAMMY consideration on April 6, 2011.

Attachments: [Legislation Ver1](#)

[Board Packet 012412](#)

[Board Packet 013112](#)

01/10/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

01/24/2012; CONTINUED.

Question: Shall this Resolution be ADOPTED?

32. [120052](#) **[Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No 111278)]**

Sponsor: Cohen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No 111278) amending the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)
 [Board Packet 013112](#)

01/25/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. [120053](#) **[Supporting President Barack Obama's Summer Jobs+ Plan and Recommending Similar Plan]**

Sponsor: Elsbernd

Resolution supporting President Barack Obama's Summer Jobs+ plan and recommending the development of a similar plan for youth in San Francisco.

Attachments: [Legislation Ver1](#)
 [Board Packet 013112](#)

01/25/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. [120054](#) **[Supporting the California Cancer Research Act]**

Sponsor: Mar

Resolution supporting the California Cancer Research Act.

Attachments: [Legislation Ver1](#)
 [Board Packet 013112](#)

01/25/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. [120055](#) [Authorization to Apply for Strategic Growth Council Sustainable Communities Planning Grant]

Sponsor: Mayor

Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to implement the Strengthening Neighborhoods Program.

Attachments: [Legislation Ver1](#)

[Board Packet 013112](#)

01/25/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 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.

37. [120072](#) **[Petitions and Communications]**

Petitions and Communications received from January 17, 2012, through January 23, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on January 31, 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 Lippe, Gaffney, and Wagner, regarding America's Cup. File No. 111358, Copy: Each Supervisor (1)

From Deborah Taylor, regarding bicycles on the Golden Gate Bridge pedestrian walkway. Copy: Each Supervisor (2)

From Office of the Mayor, submitting the following appointment: (3)
Arts Commission
JD Beltran, term ending January 15, 2016

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointment by the Mayor: Copy: Rules Committee Clerk (4)
Art Commission
JD Beltran, term ending January 15, 2016

From Office of the Mayor, submitting a communication notifying the Board of Supervisors of the nomination of Naomi Kelly for City Administrator. Copy: Each Supervisor, City Attorney (5)

From UCSF, submitting support for proposed legislation regarding the transfer of assets, obligations, and functions of the Redevelopment Agency to the City and County of San Francisco. File No. 120021, Copy: Each Supervisor (6)

From Shirley and Bruce Selby, regarding Supervisor Mirkarimi. Copy: Each Supervisor (7)

From Civil Service Commission, submitting notice of a Civil Service Commission action regarding salary setting for elected officials. (8)

From Office of the Treasurer & Tax Collector, submitting the December 2011 Investment Report. (9)

From Branch Library Improvement Program, submitting the 2011 Fourth Quarter Report. (10)

From State Fish and Game Commission, regarding proposed regulatory action relating to mammal hunting regulations. Copy: Each Supervisor (11)

From Department on the Status of Women, requesting the opportunity to celebrate the women leaders of San Francisco at the March 6, 2012, Board of Supervisors meeting. Copy: Each Supervisor (12)

From San Francisco Unified School District, submitting notice that Nancy Waymack has been appointed as the San Francisco Unified School District representative on the AB26 Redevelopment Successor Agency Oversight Board. Copy: Each Supervisor (13)

From Office of the Mayor, submitting the following appointment: (14)
Residential Rent Stabilization and Arbitration Board
Brooks Beard, term ending October 1, 2015

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 (15)
Residential Rent Stabilization and Arbitration Board
Brooks Beard, term ending October 1, 2015

From Patti Weber, regarding the Gold Dust Bar on Powell Street. (16)

From Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (17)
Rick Caldeira, COB Deputy - Annual
Vallie Brown, Legislative Aide - Leaving

From concerned citizens, submitting support for proposed regulations for Jane Warner and Harvey Milk Plazas. File No. 111248, 18 letters (18)

From concerned citizens, submitting support for America's Cup. File No. 111358, 5 letters (19)

From Karl Olson, submitting support for the appeal against the America's Cup. File No. 111358 (20)

*(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: [Board_Packet_013112](#)
[Board_Packet_013112](#)

ADJOURNMENT