



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, October 30, 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
11:00 AM

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 Derek Evans (415) 554-7702.

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

Disability Access

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the September 18, 2012, and September 25, 2012, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

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

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

Items 1 and 2

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

1. [120955](#) **[Appointments, Balboa Park Station Community Advisory Committee - Nicole Agbayani, Rita Evans, David Mauroff, William L. Walker, Daniel Weaver, and Veronica Garcia]**

Motion appointing Nicole Agbayani, Rita Evans, David Mauroff, William L. Walker, Daniel Weaver, and Veronica Garcia, terms to be determined, to the Balboa Park Station Community Advisory Committee. (Clerk of the Board)

Attachments: [Comm Packet 101812](#)

[Legislation Ver2](#)

[Board Packet 103012](#)

Question: Shall this Motion be APPROVED?

2. [121005](#) **[Appointment, Graffiti Advisory Board - Michael Grgich]**
Motion appointing Michael Grgich, term ending April 10, 2013, to the Graffiti Advisory Board. (Clerk of the Board)

Attachments: [Comm Packet 101812](#)
[Legislation Ver2](#)
[Board Packet 103012](#)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

3. [120812](#) **[Administrative Code - Public Housing Right to Return to Revitalized Housing]**
Sponsors: Olague; Cohen and Mar
Ordinance amending the San Francisco Administrative Code by: 1) adding Chapter 39, Sections 39.1 through 39.9, to establish the San Francisco Right to Revitalized Housing Ordinance and set City policy regarding the Right to Return to Revitalized Public Housing Units; and 2) adding Section 37.6(n) to establish new powers for the San Francisco Residential Rent Stabilization and Arbitration Board in connection with the new San Francisco Right to Revitalized Housing Ordinance.

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Response PLN 091812](#)
[Response PLN 092712](#)
[Comm Packet 100112](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Comm Packet 101512](#)
[Legislation Ver3](#)
[Leg Digest Ver3](#)
[Board Packet 102312](#)
[Board Packet 103012](#)

10/23/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [120352](#) **[Administrative Code - Housing Preservation and Production]**

Sponsors: Olague; Kim, Campos and Mar

Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.

(Supervisor Wiener dissented in Committee.)

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Response PLN 071212](#)

[Comm Packet 073012](#)

[Comm Packet 091012](#)

[Comm Packet 092412](#)

[Legislation Ver2](#)

[Leg Digest 2](#)

[Comm Packet 100112](#)

[Legislation Ver3](#)

[Leg Digest Ver3](#)

[Board Packet 101612](#)

[Board Packet 102312](#)

[Legislation Ver4](#)

[Board Packet 103012](#)

10/16/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/16/2012; CONTINUED AS AMENDED ON FIRST READING.

10/23/2012; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Kim, Elsbernd

5. [120985](#) **[CEQA Findings - San Antonio Backup Pipeline Project in Alameda County]**
Sponsor: Chu

Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, related to the San Antonio Backup Pipeline Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

Attachments: [Legislation Ver1](#)

[Budget Analyst 102412.pdf](#)

[Comm Packet 102412](#)

[Board Packet 103012](#)

Question: Shall this Resolution be ADOPTED?

6. [120986](#) **[Lease - Transportation Security Administration - International Terminal and Terminal 2]**

Sponsor: Elsbernd

Resolution approving and authorizing the execution of Lease No. GS-09B-03014 with the Transportation Security Administration for terminal space to be occupied by the U.S. Transportation Security Administration, a Federal agency, in the International Terminal and Terminal 2 of the San Francisco International Airport with a term of five years.

Attachments: [Legislation Ver1](#)

[Budget Analyst 102412.pdf](#)

[Comm Packet 102412](#)

[Board Packet 103012](#)

Question: Shall this Resolution be ADOPTED?

7. [121021](#) **[Multifamily Housing Revenue Note - Candlestick Heights Apartments - 833-881 Jamestown Street - Not to Exceed \$70,000,000]**

Sponsor: Cohen

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in a principal amount not to exceed \$70,000,000 for the purpose of providing financing for the acquisition and construction of a 196-unit multifamily residential rental housing project located at 833-881 Jamestown Street, known as Candlestick Heights Apartments: 1) approving the form of and authorizing the execution of a funding loan agreement; 2) approving the form of and authorizing the execution of a borrower loan agreement; 3) providing the terms and conditions of the note and authorizing the execution and delivery thereof; 4) approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; 5) authorizing the collection of certain fees; 6) approving modifications, changes, and additions to the documents; 7) granting general authority to City officials to take actions necessary to implement this Resolution; and 8) ratifying and approving any action heretofore taken in connection with the note and the project.

Attachments: [Legislation_Ver1](#)

[Comm_Packet_102412](#)

[Board_Packet_103012](#)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Kim, Elsbernd

- 8. **120980** **[Expansion of Authority Regarding Lease - 1455 Market Street]**
Resolution authorizing additional allowance of up to \$5.10 per rentable square foot for construction of improvements amortized by Landlord over initial term of seven years at eight percent to be paid as additional rent in the amount of \$1,929.10 per month for property located at 1455 Market Street. (Real Estate Department)

(Fiscal Impact)

Attachments: [Legislation Ver1](#)
[Comm Packet 102412](#)
[Legislation Ver2](#)
[Budget Analyst 102412.pdf](#)
[Board Packet 103012](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Elsbernd, Olague

- 9. **120277** **[Liquor License - 1059 Hyde Street]**
Resolution determining that the issuance of a Type 20 off-sale general license to LandMark Retail Group for CVS Pharmacy, located at 1059 Hyde Street (aka 1401 California Street) (District 3), will serve the public convenience and necessity of the City and County of San Francisco.

Attachments: [Comm Packet 102212](#)
[Legislation Ver2](#)
[Board Packet 103012](#)

Question: Shall this Resolution be ADOPTED?

- 10. **120729** **[Liquor License Transfer - 165 Jefferson Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 247 Powell Street to 165 Jefferson Street (District 3), to Nick Bovis for the GDL SFO Inc., will serve the public convenience and necessity of the City and County of San Francisco.

Attachments: [Comm Packet 102212](#)
[Legislation Ver2](#)
[Board Packet 103012](#)

Question: Shall this Resolution be ADOPTED?

11. [120826](#) **[Liquor License - 810 Van Ness Avenue]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Roger Abuyaghi (Nob Hill Restaurant Ventures Inc.) for After Five, located at 810 Van Ness Avenue (District 6), will serve the public convenience and necessity of the City and County of San Francisco.

Attachments: [Comm Packet 102212](#)
[Legislation Ver2](#)
[Board Packet 103012](#)

Question: Shall this Resolution be ADOPTED?

12. [120865](#) **[Liquor License Transfer - 1201 Minnesota Street]**
Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 2200 Jerrold Avenue to 1201 Minnesota Street (District 10), to Nelly Ghassan for the Gifted Basket, will serve the public convenience and necessity of the City and County of San Francisco.

Attachments: [Comm Packet 102212](#)
[Legislation Ver2](#)
[Board Packet 103012](#)

Question: Shall this Resolution be ADOPTED?

13. [120878](#) **[Liquor License - 1115-1117 Market Street]**
Resolution determining that the issuance of a Type 64 special on-sale general theater license to Jason Seifer for the American Conservatory Theatre Foundation, dba The Costume Shop, located at 1115-1117 Market Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco.

Attachments: [Comm Packet 102212](#)
[Legislation Ver2](#)
[Board Packet 103012](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

14. [120220](#) **[Planning Code - Signage Requirements for Privately-Owned Public Open Spaces]**

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code to: 1) consolidate into Section 138 the requirements for privately-owned public open space; 2) create a new Zoning Administrator Bulletin that will contain detailed design and graphics requirements for the required informational plaques; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

- Attachments:** [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Response PLN 031512](#)
[Response PLN 071112](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Comm Packet 102212](#)
[Legislation Ver3](#)
[Board Packet 103012](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. [120882](#) **[Administrative Code - Board of Supervisors Review of Affordable Housing Trust Fund]**

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by adding Section 1.60 to require the Mayor's Office of Housing and the Planning Department to report to the Board of Supervisors every five years on the implementation of Charter Section 16.110, the Affordable Housing Trust Fund Charter Amendment.

- Attachments:** [Legislation Ver1](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Response PLN 101812](#)
[Comm Packet 102212](#)
[Legislation Ver3](#)
[Leg Digest Ver3](#)
[Board Packet 103012](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. [121033](#) **[Planning Code - Limited Commercial Uses in Residential Transit Oriented Mission District]**

Sponsor: Campos

Ordinance amending the San Francisco Planning Code Section 231 to allow for greater size and depth from the corner for limited commercial uses in the Residential Transit Oriented Mission (RTO-M) District; and making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Board Packet 103012](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

17. [120815](#) **[Health Code - Bed Bug Infestation Prevention, Treatment, Disclosure and Reporting]**
Sponsors: Kim; Campos
Ordinance amending the San Francisco Health Code by adding Article 11A requiring: 1) the Department of Public Health ("DPH") to provide written information outlining the rights and responsibilities of tenants, property owners and Pest Control Operators ("PCO") regarding the prevention and treatment of bed bug infestations; 2) DPH to develop a training curriculum on bed bug abatement; 3) owners to respond to bed bug infestation complaints; 4) property owners to disclose bed bug infestation history for the previous two years; 5) DPH to collect and publish bed bug data on a quarterly basis; 6) the Health Department to conduct a biannual public hearing to review DPH's written materials, and adopt amendments as appropriate; establishing enforcement procedures; and making environmental findings.

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Response PLN 101112](#)
[Comm Packet 101812](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Board Packet 103012](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

18. 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.

19. 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 20 through 24

20. [121040](#) **[Bid to Host and Support for the 2016 and 2017 Super Bowl]**
Sponsors: Farrell; Chiu
Resolution recognizing the formation of the 2016 and 2017 Super Bowl Bid Committee and declaring the Board of Supervisor's support to host the Super Bowl in 2016 and 2017.
Attachments: [Legislation Ver1](#)
[Board Packet 103012](#)

10/23/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
21. [121049](#) **[Supporting the Passage of Senate Bill 637 and House of Representative Bill 3125 - Earthquake Insurance Affordability Act]**
Sponsor: Mar
Resolution supporting the passage of Senate Bill 637 and House of Representative Bill 3125, which would enact the Earthquake Insurance Affordability Act.
Attachments: [Legislation Ver1](#)
[Board Packet 103012](#)

10/23/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
22. [121050](#) **[Linda Avery-Herbert Day - October 30, 2012]**
Sponsors: Olague; Campos, Chiu, Farrell, Wiener and Mar
Resolution declaring October 30, 2012, as Linda Avery-Herbert Day in the City and County of San Francisco.
Attachments: [Legislation Ver1](#)
[Board Packet 103012](#)

10/23/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

23. [121051](#) [Approval of a 45-Day Extension for Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]

Sponsor: Olague

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code by: 1) adding Section 744.1 to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; 2) amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; 3) amending Sheets ZN02 and ZN07 of the Zoning Map to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and 4) adopting 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](#)
[Board Packet 103012](#)

10/23/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. [121052](#) [Approval of a 45-Day Extension for Planning Commission Review of Establishing the Divisadero Street Neighborhood Commercial District (File No. 120796)]

Sponsor: Olague

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120796) amending the San Francisco Planning Code by: 1) adding Section 743.1 to establish the Divisadero Neighborhood Commercial District; 2) repealing the Divisadero Street Alcohol Restricted Use District established in Section 783; 3) amending Section 151.1 and a portion of Table 151.1, Sections 263.20, 607.1(f), and 702.3, the specific provisions of the Section 711 Zoning Control Table, and Section 790.55 to make conforming and other technical changes; 4) amending Sheets ZN02 and ZN07 of the Zoning Map to include the Divisadero Neighborhood Commercial District; 5) amending Sheet SU02 of the Zoning Map to delete the Divisadero Street Alcohol Restricted Use Special Use District; and 6) adopting 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](#)
[Board Packet 103012](#)

10/23/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

25. 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

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCE

121036

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

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

Attachments: [Legislation_Ver1](#)

10/19/2012; RECEIVED FROM DEPARTMENT.

10/30/2012; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

121032

[Agreement - SFO Shuttle Bus Company - Shuttle Bus Services]

Resolution approving the agreement between SFO Shuttle Bus Company and the City and County of San Francisco to provide shuttle bus services at San Francisco International Airport acting by and through its Airport Commission. (Airport Commission)

Attachments: [Legislation Ver1](#)

10/18/2012; RECEIVED FROM DEPARTMENT.

10/30/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

121034

[Real Property Lease - 1380 Howard Street - Community Behavioral Health Services]

Resolution authorizing the extension of a lease of 79,950 sq. ft. of office space at 1380 Howard Street for use by the Department of Public Health's Community Behavioral Health Services Division for a term of an additional 5 years from January 1, 2013, through December 31, 2017. (Real Estate Department)

Attachments: [Legislation Ver1](#)

10/18/2012; RECEIVED FROM DEPARTMENT.

10/30/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

121035

[Real Property Lease - 760 Harrison Street - Cort Family Living Trust - Public Health Services]

Resolution retroactively authorizing the extension of a lease of real property at 760 Harrison Street for the Department of Public Health with the Cort Family Living Trust for a term of an additional 5 years from July 1, 2012, to June 30, 2017. (Real Estate Department)

Attachments: [Legislation Ver1](#)

10/18/2012; RECEIVED FROM DEPARTMENT.

10/30/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

121037

[Airport Lease Agreements - Cellular Service Equipment Sites]

Resolution approving the Cellular Service Equipment Sites Leases between New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., GTE Mobilnet of California Limited Partnership dba Verizon Wireless, and T-Mobile West Corporation and the City and County of San Francisco, acting by and through its Airport Commission retroactive to July 1, 2009, and approving Amendment No. 1 to the Cellular Service Equipment Leases with New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., and GTE Mobilnet of California Limited Partnership dba Verizon Wireless. (Airport Commission)

10/19/2012; RECEIVED FROM DEPARTMENT.

10/30/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

121038

[Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution approving the acquisition of thirty Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program; adopting findings that the Project is Categorically Exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and Mayor to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

Attachments: [Legislatin Ver1](#)

10/22/2012; RECEIVED FROM DEPARTMENT.

10/30/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

121039 [Petitions and Communications]

Petitions and Communications received from October 15, 2012, through October 22, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 30, 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 will not be redacted.

From Office of the Sheriff, submitting Inmate Welfare Fund Annual Report. Copy: Each Supervisor. (1)

From Laguna Honda Hospital and Rehabilitation Center, submitting a quarterly report in response to Resolution No. 200-05. Copy: Each Supervisor. (2)

From Office of the Treasurer and Tax Collector, submitting CCSF Investment Report for September 2012. (3)

From State Fish and Game Commission, submitting Notice of Receipt of Petition to list Clear Lake Hitch as threatened or endangered under the California Endangered Species Act. Copy: Each Supervisor. (4)

From concerned citizens, regarding Haight Ashbury Recycling Center. 6 letters. (5)

From Office of the Clerk of the Board, the following department has submitted their 2012 Local Agency Biennial Notice: (6)
Human Services Commission

From Capital Planning Committee, submitting their recommendations on the Annual Infrastructure Construction Cost Inflation Estimate. Copy: Each Supervisor, Budget & Finance Committee Clerk. (7)

From concerned citizens, regarding Sheriff Ross Mirkarimi. Copy: Each Supervisor, 2 letters. (8)

From Lozeau Drury, LLP, submitting Notice of Intent to File Suit regarding the Beach Chalet Athletic Fields Renovation Project. File No. 120692. Copy: Each Supervisor, Clerk of the Board, Legislative Deputy, City Attorney. (9)

From Alliance for a Better District 6, regarding CVS Pharmacy liquor license. File No. 120277. Copy: Each Supervisor, City Operations & Neighborhood Services Committee Clerk. (10)

From Dr. Ronald Marsh, regarding nudity in San Francisco. File No. 120984. Copy: Each Supervisor. (11)

From Tenant Associations Coalition of San Francisco, regarding Gold Dust Lounge at Fisherman's Wharf liquor license. File No. 120729. Copy: Each Supervisor, City Operations & Neighborhood Services Committee Clerk. (12)

From Brian Browne, opposing the extension of the Revenue Bond Oversight Committee. File No. 120221. Copy: Each Supervisor, Rules Committee Clerk. (13)

From various City Departments, submitting FY2011-2012 Annual Reports: (14)
Office of the Controller - City Services Auditor
Budget & Legislative Analyst Office
Department on the Status of Women

From Office of the Controller, submitting memorandum regarding Exemptions from Overtime Maximum for Employees. (15)

From San Francisco Employees' Retirement System, submitting response to the 2011-2012 Civil Grand Jury Report, "Investment Policies and Practices of the San Francisco Employees' Retirement System." File No. 120844. Copy: Government Audit & Oversight Committee Clerk, Clerk of the Board, Legislative Deputy. (16)

From Department of Public Health, submitting response to recent radiological findings on Treasure Island. File No. 120915. Copy: Each Supervisor, Rules Committee Clerk. (17)

From Public Utilities Commission, regarding release of reserves for Water System Improvement Program. Copy: Clerk of the Board, Legislative Deputy, Budget & Finance Committee Chair and Clerk. (18)

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

ADJOURNMENT