

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - FINAL

Tuesday, October 4, 2011 - 2:00 PM

Hearing Room 416  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Regular Meeting

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DAVID CHIU, PRESIDENT

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

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

**Budget and Finance Committee**

Supervisors Chu, Mirkarimi, Kim

Wednesday

10:00 AM

**City and School District Select Committee**

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

2nd and 4th Thursday

3:30 PM

**City Operations and Neighborhood Services Committee**

Supervisors Avalos, Mar, Elsbernd

2nd and 4th Monday

10:00 AM

**Government Audit and Oversight Committee**

Supervisors Campos, Farrell, Chiu

2nd and 4th Thursday

10:00 AM

**Land Use and Economic Development Committee**

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

**Public Safety Committee**

Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday

10:30 AM

**Rules Committee**

Supervisors Kim, Elsbernd, Farrell

1st and 3rd Thursday

1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 106 Number 36

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:13 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### 110900 [Administrative Code - Film Fees and Rebate Program]

**Sponsor: Farrell**

Ordinance amending the San Francisco Administrative Code Sections 57.5 and 57.8 to: 1) decrease filming fees for smaller-budget productions; 2) include documentary films, docudrama films, and "reality" programming among eligible productions for the Film Rebate Program; 3) exempt productions by nonprofit entities, public service announcements, and qualifying student productions from film fees; and 4) make environmental findings.  
(Fiscal Impact)

**Ordinance No. 205-11**

**FINALLY PASSED**

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

#### 110884 [Accept and Expend Grant - the STOP Study - \$443,333]

**Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Centers for Disease Control and Prevention in the amount of \$443,333 to fund the STOP Study for the period of June 15, 2011, through June 14, 2012.

**Resolution No. 423-11**

**ADOPTED**

## **Recommendation of the Public Safety Committee**

### **110846 [Administrative Code - Postrelease Community Supervision Program]**

**Sponsors: Mirkarimi; Cohen**

Ordinance amending the San Francisco Administrative Code by adding Article XXII, Sections 2A.300 and 2A.301, Chapter 2A to: 1) designate the Adult Probation Department as the county agency responsible for providing postrelease community supervision to eligible inmates released from state prison, as required under California Penal Code section 3451; and 2) authorize the Adult Probation Department to develop a Home Detention and Electronic Monitoring Program that can be used as a supervision tool and sanction for persons who violate conditions of their Postrelease Community Supervision Program.

**Ordinance No. 203-11**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **110139 [Settlement of Lawsuit - Loren Miller Homes - \$317,500]**

Ordinance authorizing settlement of the lawsuit filed by Loren Miller Homes, a California corporation, against the City and County of San Francisco for \$317,500; the lawsuit was filed on July 22, 2010, in San Francisco Superior Court, Case No. CGC-10-501831; entitled Loren Miller Homes v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No. 200-11**

**FINALLY PASSED**

### **110692 [Settlement of Lawsuit - West Bay Builders, Inc. - City to Retain \$900,000]**

Ordinance authorizing settlement of the lawsuit entitled West Bay Builders, Inc. v. City and County of San Francisco, San Francisco Superior Court Case No. CGC-10-503366, arising from a breach of contract dispute regarding Contract No. 6159A for construction of a new Recreation and Park Department (RPD) facility known as the Minnie and Lovie Ward Recreation Center and Ocean View Park, for which West Bay Builders, Inc., served as the prime contractor, calling for the RPD to retain \$900,000 from the contract balance and including other material terms of said settlement. (City Attorney)

**Ordinance No. 201-11**

**FINALLY PASSED**

### **110954 [Settlement of Lawsuit - Julio Calero - \$75,000]**

Ordinance authorizing settlement of the lawsuits filed by Julio Calero against the City and County of San Francisco for \$75,000; the lawsuits were filed on September 18, 2009, and March 19, 2010, in San Francisco Superior Court, Case Nos. CGC-08-479969 and CGC-10-497921; entitled Julio Calero, et al. v. City and County of San Francisco, et al. and Julio Calero, et al. v. Colin Construction Company, et al. (City Attorney)

**Ordinance No. 207-11**

**FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

### **Severed from the Consent Agenda**

*Supervisor Mirkarimi requested that File No. 110901 be severed so that it may be considered separately.*

### **Recommendation of the Public Safety Committee**

#### **110901 [Police Code - Safe Storage and Enhanced-Lethality Ammunition Findings]**

**Sponsors: Mirkarimi; Campos, Cohen and Chiu**

Ordinance amending the San Francisco Police Code by adding Sections 4511 and 613.9.5 to add findings to ordinances: 1) requiring a handgun to be kept in a locked container or disabled with a trigger lock; and 2) prohibiting the sale of enhanced-lethality ammunition.

**Ordinance No. 206-11**

**FINALLY PASSED** by the following vote:

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **Recommendation of the Budget and Finance Committee**

#### **110720 [Administrative Code - Gift Funds]**

**Sponsors: Mayor; Chiu and Chu**

Ordinance amending the San Francisco Administrative Code Sections 10.100-100 and 10.100-106, and adding Section 10.100-257 to: 1) create a Recreation and Parks Gift Fund; 2) update the Mayor's Earthquake Emergency Relief Fund to broaden its purpose as a general disaster recovery fund; and 3) amend the Mayor's Fund for the homeless to change the administering agency.

**Ordinance No. 202-11**

**FINALLY PASSED** by the following vote:

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

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

### **110854** [Environment Code - Green Building Requirements for City Buildings]

**Sponsors: Mayor; Mar**

Ordinance amending the San Francisco Environment Code, Chapter 7, Sections 700 through 713 to update the green building requirements for the design, construction, and operation of City buildings.

**Ordinance No.** 204-11

**FINALLY PASSED** by the following vote:

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

## **From the Land Use and Economic Development Committee Without Recommendation**

### **110589** [Planning Code - Zoning Map - Establishing the Lombard and Scott Street Affordable Group Housing Special Use District - 3151-3155 Scott Street]

**Sponsors: Chiu; Avalos, Kim, Mar, Mirkarimi and Campos**

Ordinance amending the San Francisco Planning Code Section Map 2SU, and adding Section 249.55 to: 1) create the Lombard and Scott Street Affordable Group Housing Special Use District for the real property encompassing 3151-3155 Scott Street (Assessor's Block No. 0937, Lot No. 001), at the southwest corner of Scott and Lombard Streets, in order to facilitate the development of an affordable group housing project; 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.

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

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mirkarimi, Wiener

Noes: 1 - Farrell

Absent: 1 - Mar

## **From the Rules Committee Without Recommendation**

### **110718** [Campaign and Governmental Conduct Code - Capping the Amount of Public Matching Funds]

**Sponsors: Farrell; Elsbernd**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.144 to cap the amount of public matching funds.

*Privilege of the floor was granted to Mark Morodomi (Supervising Attorney, City of Oakland), Acting Special Counsel, who responded to questions raised throughout the discussion.*

**PASSED ON FIRST READING.** The motion **FAILED** by the following vote:

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

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

**110955 [Settlement of Lawsuits - Mitchell Engineering; Authorization of Bonds and Appropriation of Funds - Not to Exceed \$15,750,000]**

Ordinance: 1) authorizing settlement of all claims arising out of nine lawsuits involving Mitchell Engineering and the City and County of San Francisco; 2) declaring the intent of the San Francisco Public Utilities Commission to reimburse certain expenditures for settlement costs from proceeds of future bonded indebtedness for purposes of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended; 3) authorizing the issuance of Settlement Bonds in connection therewith, as well as the associated financing cost to issue; 4) appropriating \$15,750,000, including insurance proceeds in the total amount of \$750,000, project construction funds in the total amount of \$920,207, and proceeds of Settlement Bonds in the amount of \$14,079,793; and 5) authorizing the use of substitute fund balance as a source in lieu of Settlement Bonds if available. (City Attorney)

**Ordinance No. 208-11**

**FINALLY PASSED** by the following vote:

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**110870 [Engineering Design Agreement No. CS-879A - Water System Improvement Program - Not to Exceed \$14,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879A for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed \$14,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)  
(Fiscal Impact)

**Resolution No. 418-11**

**ADOPTED** by the following vote:

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

**110871 [Engineering Design Agreement No. CS-879B - Water System Improvement Program - Not to Exceed \$15,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879B for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed \$15,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

**Resolution No. 419-11**

**ADOPTED** by the following vote:

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

**110872 [Engineering Design Agreement No. CS-879C - Water System Improvement Program - Not to Exceed \$16,500,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Engineering Project Design Services Agreement No. CS-879C for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed \$16,500,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

**Resolution No. 420-11**

**ADOPTED by the following vote:**

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

**110874 [Management Services Agreement No. CS-918 - Water System Improvement Program - Not to Exceed \$17,500,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase New Irvington Tunnel Construction Management Services Agreement No. CS-918 for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed \$17,500,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

**Resolution No. 421-11**

**ADOPTED by the following vote:**

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

**110875 [Management Services Agreement No. CS-963 - Water System Improvement Program - Not to Exceed \$34,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase Program Construction Management Services Agreement No. CS-963 for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts not to exceed \$34,000,000 pursuant to Charter Section 9.118. (Public Utilities Commission)

**Resolution No. 422-11**

**ADOPTED by the following vote:**

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

**110960 [Office of the Controller to Examine Confidential State Board of Equalization Tax Records]**

Resolution authorizing designated officers and employees of the City and County of San Francisco to examine sales or transactions and use tax records of the State Board of Equalization pursuant to California Revenue and Taxation Code Section 7056. (Controller)

**Resolution No. 425-11**

**ADOPTED by the following vote:**

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

**110961 [MuniServices, LLC, to Examine Confidential State Board of Equalization Tax Records]**

Resolution authorizing MuniServices, LLC, to examine sales or transactions and use tax records of the State Board of Equalization on behalf of the City and County of San Francisco pursuant to California Revenue and Taxation Code Section 7056. (Controller)  
(Fiscal Impact.)

**Resolution No. 426-11**

**ADOPTED by the following vote:**

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

**110972 [Contract - San Francisco Community Health Authority - Provider Payment Services for the Healthy San Francisco Program]**

**Sponsor: Mayor**

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract with the San Francisco Community Health Authority for provider payment services for the Healthy San Francisco Program for the term of July 1, 2011, through June 30, 2012.  
(Fiscal Impact)

**Resolution No. 427-11**

**ADOPTED by the following vote:**

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

**111005 [Accept and Expend Grant - Primary and Behavioral Health Care Integration - \$473,485]**

**Sponsor: Kim**

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant from Department of Health and Human Services, Substance Abuse and Mental Health Services, and Center for Mental Health Services in the amount of \$473,485 to fund the Primary and Behavioral Health Care Integration for the period September 1, 2011, through August 31, 2012.

**Resolution No. 428-11**

**ADOPTED by the following vote:**

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

## **From the Budget and Finance Committee Without Recommendation**

### **111034 [Tax Credit Agreement - U.S. Bancorp - SFJazz Investment of \$11,104,275]**

**Sponsor: Kim**

Resolution making findings under the California Environmental Quality Act and approving a new market tax credit indemnification agreement with U.S. Bancorp Community Development Corporation in connection with its investment of \$11,104,275 for the new SFJazz Building at 205 Franklin Street.

(Fiscal Impact)

**Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED on Page 5, Line 12, by adding 'FURTHER RESOLVED, That the proposed Indemnification Agreement is limited to U.S. Bancorp's purchase of \$15,000,000 of New Market Tax Credits from SFCIF and not from the purchase of New Market Tax Credits from other community development entities; and, be it'. The motion carried by the following vote:**

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

*Privilege of the floor was granted to Stephen Maduli-Williams (Redevelopment Agency) who responded to questions raised throughout the discussion.*

**Resolution No. 415-11**

**ADOPTED AS AMENDED by the following vote:**

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

## **From the City Operations and Neighborhood Services Committee Without Recommendation**

### **110899 [Administrative Code - False Advertising by Limited Services Pregnancy Centers]**

**Sponsors: Cohen; Chiu, Wiener, Kim, Chu, Mar, Campos and Avalos**

Ordinance amending the San Francisco Administrative Code by adding Chapter 93, Sections 93.1 through 93.5, to prohibit limited services pregnancy centers from making false or misleading statements to the public about pregnancy-related services the centers offer or perform.

*Supervisor Campos requested to be added as a co-sponsor.*

**Supervisor Cohen, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to October 18, 2011. The motion carried by the following vote:**

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

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

### **110791 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled “Hiring Practices of the City and County of San Francisco”]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled “Hiring Practices of the City and County of San Francisco” and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget. (Clerk of the Board)

**Resolution No. 416-11**

**ADOPTED by the following vote:**

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

### **110793 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled “San Francisco’s Ethics Commission: The Sleeping Watchdog”]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled “San Francisco’s Ethics Commission: The Sleeping Watchdog” and urging the Mayor to cause the implementation of accepted findings and recommendations through his department heads and through the development of the annual budget. (Clerk of the Board)

**Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 3, Line 4, by adding 'disagrees' after 'Supervisors'. The motion carried by the following vote:**

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

*Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 2, Line 19, by adding 'within the constraints of the budget' after '7'. The motion carried by the following vote:*

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

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

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

**Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 3, Line 2, by adding 'within the constraints of the budget' after '7'. The motion carried by the following vote:**

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 1 - Avalos

**Resolution No. 417-11**

**ADOPTED AS AMENDED by the following vote:**

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

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

### **110913 [Gift Acceptance - Powell Street Promenade]**

**Sponsor: Kim**

Resolution acknowledging and accepting the Union Square Business Improvement District's gift of the Powell Street Promenade on Powell Street, between Geary Boulevard and Ellis Street, and dedicating these improvements to public use.

**Resolution No.** 424-11

**ADOPTED** by the following vote:

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

*Supervisor Cohen was noted absent at 3:45 p.m. and noted present at 3:53 p.m.*

*Supervisor Elsbernd was noted absent at 3:45 p.m. and noted present at 3:53 p.m.*

*Supervisor Chu was noted absent at 3:45 p.m. and noted present at 3:53 p.m.*

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

### **Privilege of the Floor**

**Supervisor Kim, seconded by Supervisor Avalos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the friends and family of the following honoree. The motion carried by the following vote:**

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

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the friends and family of the late Eric Ivan Fructuoso in recognition of his accomplishments and community support. Supervisors Mirkarimi and Avalos shared in this recognition.*

*Supervisor Kim was noted absent at 7:24 p.m. and noted present at 7:33 p.m.*

*Supervisor Cohen was noted absent at 7:24 p.m. and noted present at 7:31 p.m.*

*Supervisor Farrell was noted absent at 7:32 p.m. and noted present at 7:45 p.m.*

## SPECIAL ORDER 4:00 P.M.

### **110945 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1171 Sansome Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 16, 2010, Case No. 2008.015E, that a project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review under Categorical Exemption, General Rule Exclusion [State CEQA Guidelines Section 15061(b)(3)]. The proposed work involves subdivision of an existing undeveloped lot into a 3,300 square foot parcel and a 9,300 square foot parcel, Lot No. 40, in Assessor Block No. 113. (District 3) (Appellants: David Davies, Jack Weeden, and Verdica Puri) (Filed August 22, 2011; Companion Measure to File Nos. 110946, 110947, and 110948.)

*The President inquired as to whether any member of the public wished to address the Board. Susan Brandt-Hawley and Larry Karp (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Vedica Puri; John Gollinger; F. Joseph Butler; spoke in support of the appeal. Don Lewis; Nannie Turrell (Planning Department); Bruce Storrs (Department of Public Works) provided an overview of the decision of the Planning Department and Department of Public Works and responded to questions raised throughout the discussion. There were no representatives on behalf of the project sponsor and there were no speakers in support of the project. Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING**

### **110946 [Affirming the Exemption Determination - 1171 Sansome Street]**

Motion affirming the determination by the Planning Department that the 1171 Sansome Street project (aka 1111 Sansome Street) is exempt from environmental review. (Clerk of the Board)

**Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:**

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

### **110947 [Reversing the Exemption Determination - 1171 Sansome Street]**

Motion reversing the determination by the Planning Department that the 1171 Sansome Street project (aka 1111 Sansome Street) is exempt from environmental review. (Clerk of the Board)

**Motion No. M11-148**

**Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**110948 [Preparation of Findings to Reverse the Exemption Determination - 1171 Sansome Street]**

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review.

**Motion No.** M11-149

**Supervisor Chiu, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**SPECIAL ORDER 4:00 P.M.****110835 [Public Hearing - Appeal of Tentative Parcel Map - 1171 Sansome Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated June 30, 2011, approving a Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040. (District 3) (Appellants: David Davies and Jack Weeden). (Clerk of the Board)  
(Filed July 11, 2011; Companion Measure to File Nos. 110836, 110837, and 110838.)

*The President inquired as to whether any member of the public wished to address the Board. Susan Brandt-Hawley and Larry Karp (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Vedica Puri; John Gollinger; F. Joseph Butler; spoke in support of the appeal. Don Lewis; Nannie Turrell (Planning Department); Bruce Storrs (Department of Public Works) provided an overview of the decision of the Planning Department and Department of Public Works and responded to questions raised throughout the discussion. There were no representatives on behalf of the project sponsor and there were no speakers in support of the project. Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

*Due to the actions on File Nos. 110946, 110947, 110948, the following three items are tabled by operation of law.*

**HEARD AT PUBLIC HEARING**

**110836 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1171 Sansome Street]**

Motion finding the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works; and approving the Tentative Parcel Map. (Clerk of the Board)

**TABLED BY OPERATION OF LAW**

**110837 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1171 Sansome Street]**

Motion finding the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; disapproving the decision of the Department of Public Works; and disapproving the Tentative Parcel Map. (Clerk of the Board)

**TABLED BY OPERATION OF LAW**

**110838 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1171 Sansome Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-lot subdivision located at 1171 Sansome Street, Assessor's Block No. 0113, Lot No. 040. (Clerk of the Board)

**TABLED BY OPERATION OF LAW**

*Supervisor Cohen was noted absent at 4:05 p.m. and noted present at 4:19 p.m.*

*Supervisor Elsbernd was noted absent at 4:29 p.m. and noted present at 4:35 p.m.*

*Supervisor Mirkarimi was noted absent at 5:59 p.m. and noted present at 7:10 p.m.*

*Supervisor Mar was noted absent at 6:17 p.m. and noted present at 7:33 p.m.*

**SPECIAL ORDER 4:00 P.M.****110977 [Public Hearing - Appeal of Mitigated Negative Declaration - 3151-3155 Scott Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department's issuance and the Planning Commission's affirmation of a Mitigated Negative Declaration (Case No. 2010.0420E) adopted and issued on July 14, 2011, under the California Environmental Quality Act, for a project located at 3151-3155 Scott Street. The proposed work involves the conversion of a building formerly used as a 29-room tourist hotel (d.b.a. King Edward II) to a group housing use with up to 24 affordable group housing units (for transitional age youth (i.e., youth transitioning out of foster care because they have turned 18 years old) between the ages of 18 and 24), one manager's unit, and rooms for programmatic needs. The subject property is located in the NC-3 (Moderate-Scale Neighborhood Commercial) District, and a 40-X Height and Bulk District, Assessor's Block No. 0937, Lot No. 001. (District 2) (Appellants: Lori Brooke and Steven L. Hammond on behalf of the Cow Hollow Association, joined by Various Associations.) (Clerk of the Board)

(Filed September 8, 2011; Companion Measure to Files 110978; 110979, and 110980.)

*The President inquired as to whether any member of the public wished to address the Board. Steve Hammond (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Charles Holden; Howard Squires; Lori Brooke; Alan Silverman; Pamela Squires; Alfred Amini; Eve Soloman; Ann Harvey; Carolyn Harrington; Mildred Ness; Pam Shawshack; Veronica Field; Jennifer Harrington; Patricia Vaughey; Jeff Wood; spoke in support of the appeal. Lisa Gibson; Andrea Contreras; AnMarie Rodgers; (Planning Department); Andrea Ruiz-Esquide (City Attorney's Office); provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Gail Gilman; Wayne Barcelona; Cheryl Adams (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Charles Dickie; Seth Ketzman; Joseph Stickle; Vince Hinnegmann; Joel Lipski; Glendon Anaconda-Hyde; Reverend Arnold Townsend; Rob Giddon; Male Speaker; Steven Chung; Mark Slutzken; Barbara Abehr; Bill Campbell; Vanessa Geary; John Kalin; Thomas Sexton; Nathan Duran; Karen Summerich; Moni Vancer; Stephen Coke; Jeff Perry; Hinney Kelley; Morrie Singleton; Nadia Shireef; Jose Luis Mejia; Sherry Williams; Sandra Banya-Torrey; Richard Singleton; Jeff Bostick; Lisa Blakley; Tim Cullen; Amy Vinehard; Bob; Joe Mathis; Dierdre Cohen; Aguila Dunn; Bryon Whitton; Bob Bardell; Chris Jackson; Peter Cohen; Jennifer Freedomblach; Otto Duffy; spoke in support of the project and in opposition to the appeal. Steve Hammond (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING**

**110978 [Affirming the Issuance of a Final Mitigated Negative Declaration - 3151-3155 Scott Street]**

Motion affirming the issuance by the Planning Department of a Final Mitigated Negative Declaration for a project located at 3151-3155 Scott Street. (Clerk of the Board)

*Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:*

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

*Absent: 2 - Mar, Mirkarimi*

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

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

**Motion No. M11-146**

**Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**110979 [Reversing the Issuance of a Final Mitigated Negative Declaration - 3151-3155 Scott Street]**

Motion reversing the issuance by the Planning Department of a Final Mitigated Negative Declaration for 3151-3155 Scott Street.

*Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:*

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

*Absent: 2 - Mar, Mirkarimi*

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

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

**Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**110980 [Preparation of Findings to Reverse the Issuance of a Final Mitigated Negative Declaration - 3151-3155 Scott Street]**

Motion directing the Clerk of the Board to prepare findings reversing the issuance by the Planning Department of a Final Mitigated Negative Declaration for 3151-3155 Scott Street. (Clerk of the Board)

*Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:*

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

*Absent: 2 - Mar, Mirkarimi*

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

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

**Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**SPECIAL ORDER 4:00 P.M.****110935 [Public Hearing - Conditional Use Appeal - 3151-3155 Scott Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 14, 2011, Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ, by its Motion No. 18405, under Planning Code Sections 303 and 249.55 to convert a vacant tourist hotel (dba Edward II Inn) to a group housing use containing up to 25 units (24 units for transitional age youth between 18 and 24, and one manager's unit) within the NC-3 (Moderate Scale, Neighborhood Commercial) District, the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) and a 40-X Height and Bulk District, on property located at 3151-3155 Scott Street, Assessor's Block No. 0937, Lot No. 001. (District 2) (Appellant: Adam Polakoff on behalf of Cow Hollow Association, joined by Various Associations.)  
(Filed August 15, 2011; Companion Measure to File Nos. 110936, 110937, and 110938.)

*The President inquired as to whether any member of the public wished to address the Board. Steve Hammond (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Charles Holden; Howard Squires; Lori Brooke; Alan Silverman; Pamela Squires; Alfred Amini; Eve Soloman; Ann Harvey; Carolyn Harrington; Mildred Ness; Pam Shawshack; Veronica Field; Jennifer Harrington; Patricia Vaughey; Jeff Wood; spoke in support of the appeal. Lisa Gibson; Andrea Contreras; AnMarie Rodgers; (Planning Department); Andrea Ruiz-Esquide (City Attorney's Office); provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Gail Gilman; Wayne Barcelona; Cheryl Adams (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Charles Dickie; Seth Ketzman; Joseph Stickle; Vince Hinnegmann; Joel Lipski; Glendon Anaconda-Hyde; Reverend Arnold Townsend; Rob Giddon; Male Speaker; Steven Chung; Mark Slutzken; Barbara Abehr; Bill Campbell; Vanessa Geary; John Kalin; Thomas Sexton; Nathan Duran; Karen Summerich; Moni Vancer; Stephen Coke; Jeff Perry; Hinney Kelley; Morrie Singleton; Nadia Shireef; Jose Luis Mejia; Sherry Williams; Sandra Banya-Torrey; Richard Singleton; Jeff Bostick; Lisa Blakley; Tim Cullen; Amy Vinehard; Bob; Joe Mathis; Dierdre Cohen; Aguila Dunn; Bryon Whitton; Bob Bardell; Chris Jackson; Peter Cohen; Jennifer Freedomblach; Otto Duffy; spoke in support of the project and in opposition to the appeal. Steve Hammond (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING**

**110936 [Approving the Planning Commission's Decision Related to the Conditional Use Authorization - 3151-3155 Scott Street]**

Motion approving the Planning Commission's decision, by its Motion No. 18405, approving the Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Motion No. M11-147**

**Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mirkarimi, Wiener  
Noes: 1 - Farrell  
Absent: 1 - Mar

**110937 [Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 3151-3155 Scott Street]**

Motion disapproving the Planning Commission's decision, by its Motion No. 18405, approving Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mirkarimi, Wiener

Noes: 1 - Farrell

Absent: 1 - Mar

**110938 [Preparation of Findings Related to the Conditional Use Authorization - 3151-3155 Scott Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.0420CETZ on property located at 3151-3155 Scott Street. (Clerk of the Board)

**Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mirkarimi, Wiener

Noes: 1 - Farrell

Absent: 1 - Mar

## COMMITTEE REPORTS

### Recommendation of the Government Audit and Oversight Committee

**110998 [Administrative Code - Health Care Security Ordinance]**

**Sponsors: Campos; Cohen, Mar, Avalos, Kim and Mirkarimi**

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, and 14.4 to: 1) clarify that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) add an employee notification requirement; 3) modify penalty provisions; and 4) set an operative date.

**Supervisor Campos, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 5, Line 1, by replacing '(A) A former employee has not made a claim for any of the remaining available funds for 18 months (including a claim made on behalf of any other person eligible for reimbursement from health care expenses from the former employee's remaining available funds); or,' with '(A) The covered employee has not performed work for the employer for 18 months; or,;' and on Page 10, Lines 3, 5, and 6, by replacing '14.3(b)' with '14.3(c)'. The motion carried by the following vote:**

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

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

Ayes: 6 - Avalos, Campos, Cohen, Kim, Mar, Mirkarimi

Noes: 5 - Chiu, Chu, Elsbernd, Farrell, Wiener

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns in Arabic and English.*

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

*Alicia Gamez; expressed various concerns relating to the sunset date of the Noise Pollution Task Force.*

*Female Speaker; expressed concerns relating to falong gong.*

*Peter Li; expressed concerns relating to falong gong.*

*Martin Wong; expressed concerns relating to falong gong.*

*Derek; expressed concerns relating to falong gong.*

*Helena Li; expressed concerns relating to falong gong.*

*Kevin Hui; expressed concerns relating to falong gong.*

*Sharon Uey; expressed concerns relating to human rights and violence in the community.*

*Tom Gilbert; expressed concerns relating to noise pollution.*

*Peter Warfield; expressed concerns relating to the SF Public Library and alterations of the Park Branch Library.*

*Joseph Butler; expressed concerns relating to alternations of the Park Branch Library.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **111062 [Mission Hiring Hall Day - October 13, 2011]**

**Sponsors: Avalos; Mar**

Resolution declaring October 13, 2011, as Mission Hiring Hall Day in the City and County of San Francisco to commemorate the 40th Anniversary and to acknowledge its contributions to community based employment services and honoring Mission Hiring Halls commitment to the creation, preservation, and advocacy of economic justice for our San Francisco workers and communities.

*Supervisor Mar requested to be added as a co-sponsor.*

**Resolution No. 429-11**

**ADOPTED**

### **111063 [Supporting the Central Subway Project and Replacement Housing Obligation]**

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

Resolution supporting the Central Subway Project, replacement of all demolished rent controlled units, and that which provides relocation packages to all displaced tenants.

**Resolution No. 433-11**

**ADOPTED**

**111064 [Walk to School Day - October 5, 2011]****Sponsor: Kim**

Resolution declaring October 5, 2011, as Walk to School Day in the City and County of San Francisco to promote the safety and health of San Francisco children.

**Resolution No. 430-11****ADOPTED****111065 [Extending the Life of the Western SoMa Citizens Planning Task Force]****Sponsor: Kim**

Resolution extending the life of the Western SoMa Citizens Planning Task Force.

**Resolution No. 431-11****ADOPTED****111066 [George Washington High School Day - October 15, 2011]****Sponsor: Mar**

Resolution celebrating the Diamond Jubilee of George Washington High School and proclaiming October 15, 2011, as George Washington High School Day in the City and County of San Francisco.

**Resolution No. 432-11****ADOPTED**

The foregoing items were acted upon by the following vote:

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

**Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Elsbernd requested that File No. 111061 be severed so that it may be considered separately.*

**111061 [Urging Governor Jerry Brown to Support Assembly Bill 438 - Protect Public Libraries from for-Profit Corporation Takeovers]****Sponsor: Avalos**

Resolution urging Governor Jerry Brown to support and implement Assembly Bill 438 that protects public libraries from for profit corporate takeovers.

**Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED to October 18, 2011. The motion carried by the following vote:**

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

**IMPERATIVE AGENDA**

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

#### Ordinances

#### **111075 [Campaign and Governmental Conduct Code - Televising Ethics Commission Meetings]**

**Sponsors: Campos; Chiu and Mar**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Section 3.301 to require the Ethics Commission to televise its meetings on San Francisco Government Television (SFGovTV).

10/04/11; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 11/3/2011.

#### **111076 [Allowing Playground Structures in Certain Portions of Sue Bierman Park]**

**Sponsors: Chiu; Mar**

Ordinance amending the conditions previously placed on portions of Sue Bierman Park, authorizing the construction of playground structures, and making CEQA findings.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

#### **111077 [Police Code - Security Plans for Commercial Parking Garages and Lots]**

**Sponsors: Chiu; Wiener**

Ordinance amending the San Francisco Police Code Sections 1215 through 1215.4, and adding Section 1215.7, to: 1) require a security plan as part of an application for a commercial parking permit; 2) set requirements for security plans; 3) authorize the Chief of Police to suspend or revoke a commercial parking permit for violation of an approved security plan; 4) authorize the Chief of Police to promulgate rules that set requirements for security plans; and 5) authorize enforcement by the City Attorney in a civil action; and making environmental findings.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 11/3/2011.

#### **111078 [Planning Code and Zoning Map Amendments - India Basin Industrial Park]**

**Sponsor: Cohen**

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

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

**111079 [Administrative Code - Additional Pre-Approval Notice for Certain City Projects]****Sponsor: Farrell**

Ordinance amending San Francisco Administrative Code by adding Chapter 79A to expand upon the minimum notice requirements prior to approval of a City Project that are mandated by the Citizens' Right-to-Know Act of 1998.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/3/2011.

**111080 [Zoning Map - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station 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 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.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

**111081 [General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station Relocation and Housing Project)]****Sponsor: Kim**

Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art Expansion/Fire Station Relocation and Housing Project; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/3/2011.

**111082 [Campaign and Governmental Conduct Code - Increasing the Individual Expenditure Ceiling, Capping the Amount of Public Matching Funds in Mayoral Races, and Increasing the Maximum Amount of Public Funding in Supervisorial Races]****Sponsors: Kim; Campos, Mirkarimi, Mar and Avalos**

Ordinance amending the Campaign and Governmental Conduct Code Sections 1.140, 1.143, and 1.144, to increase the amount of the individual expenditure ceiling, cap the amount of public matching funds in mayoral races, and increase the maximum amount of public funding in supervisorial races.

(Fiscal Impact)

10/04/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/3/2011.

**111083 [Administrative Code - Health Care Security Ordinance]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code Sections 14.3 and 14.4, and adding Section 14.3.5, to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) add an employee notification requirement; 3) require employers imposing surcharges to pay for the required expenditures to report certain information to the City; 4) provide for a study of compliance with Chapter 14 and a recommendation regarding more stringent standards for expenditures, and set City policy regarding what those standards should be; 5) modify penalty provisions; and 6) set an operative date.

10/04/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**111084 [Appropriating \$1,843,125 of Children's Fund Contingency in the Department of Children, Youth, and their Families to Fund Subsidized Child Care for Low Income Families - FY2011-2012]****Sponsor: Mayor**

Ordinance appropriating \$1,900,000 of Children's Fund Designated Contingency to the Department of Children, Youth, and their Families to allow California Department of Education Title Five Contractors to provide subsidized child care funding for low income families in order to mitigate State cuts in FY2011-2012.

(Fiscal Impact)

10/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111085 [Memorandum of Understanding, Amendment No. 4 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by extending its term to June 30, 2015, and implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

10/04/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Resolutions****110818 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Central Subway Too Much Money For Too Little Benefit"]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Central Subway Too Much Money for Too Little Benefit" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

09/22/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**110929 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Whistling in the Dark: The San Francisco Whistleblower Program"]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Whistling in the Dark: The San Francisco Whistleblower Program" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

07/11/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**111086 [Golden Gate Valley Branch Library Grand Reopening]**

**Sponsor: Farrell**

Resolution recognizing the grand reopening of the Golden Gate Valley Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to the City and County of San Francisco and its residents.

10/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111087 [Multifamily Housing Revenue Bonds, Series 2011B - Fell Street Apartments - Not to Exceed \$8,100,000]**

**Sponsor: Mirkarimi**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$8,100,000 for the purpose of providing financing for the acquisition and rehabilitation of an 82 unit multifamily rental housing project, known as Fell Street Apartments; approving the form of and authorizing the execution of an indenture of trust providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

10/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111088 [Designation of Authority Related to the California Housing and Community Development Infill Infrastructure Grant]**

**Sponsor: Mayor**

Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to execute any documents necessary to participate in the State Infill Infrastructure Grant Program in accordance with the executed standard agreement with the California State Department of Housing and Community Development as authorized by Resolution No. 492-10.

10/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111089 [Recognizing the Completion and Celebrating the Reopening of McCoppin Square Park]**

**Sponsors: Chu; Elsbernd**

Resolution recognizing the completion of the McCoppin Square rebuild project and celebrating the grand reopening of the park and playground.

10/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111090 [Lease Amendment - St. Francis Yacht Club for the West Harbor Marina Seawall Repair]****Sponsor: Farrell**

Resolution authorizing an amendment to the St. Francis Yacht Club lease allowing the Recreation and Parks Department to offer rent credits for the West Harbor Marina seawall repair.  
(Fiscal Impact)

10/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111091 [Approval of a 60-Day Extension for Planning Commission Review of Self-Service Restaurants, Retail Coffee Stores, and Video Stores (File No. 110152)]****Sponsor: Mirkarimi**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 110152) that would amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; and 7) making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

10/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing****110817 [2010-2011 Civil Grand Jury Report - Central Subway]**

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Central Subway Too Much Money For Too Little Benefit." (Clerk of the Board)

07/07/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

08/18/11; RESPONSE RECEIVED.

08/30/11; RESPONSE RECEIVED.

**110928 [2010-2011 Civil Grand Jury Report - Whistleblower Program]**

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "Whistling in the Dark: The San Francisco Whistleblower Program." (Clerk of the Board)

07/11/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

09/06/11; RESPONSE RECEIVED.

09/09/11; RESPONSE RECEIVED.

**111092 [Hearing - 8 Washington Project]**

**Sponsor: Chiu**

Hearing on the status of the 8 Washington Project.

10/04/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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**Introduced by the President at the Request of a Department****PROPOSED ORDINANCES****111024 [Settlement of Lawsuit - Norman T. Larson, et al. - \$122,500]**

Ordinance approving settlement of the lawsuit filed by Norman T. Larson, San Francisco Apartment Association, San Francisco Association of Realtors, Coalition For Better Housing, Round Hill Pacific, and John Zanghi (collectively "Larson Petitioners") against the City and County of San Francisco by payment by the City and County of San Francisco to the Larson Petitioners' counsel Nielsen, Merksamer, Parrinello, Gross, and Leoni, LLP, in the amount of \$122,500 and other terms; the lawsuit was filed on December 10, 2008, in the San Francisco Superior Court, Case No. 509-083, entitled Larson et al. vs. City and County of San Francisco. (City Attorney)

09/21/11; RECEIVED AND ASSIGNED to Rules Committee.

**111025 [Settlement of Lawsuit - City to Pay \$500 for Sub-Surface Easement in San Mateo 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; and Does 1 through 100; to condemn and take by right of eminent domain a permanent sub-surface easement of approximately 27,829 square feet in property owned by San Mateo County Transit District, located in Menlo Park, California, commonly known as SBE 872-41-20P; filed June 3, 2010, in San Mateo County Superior Court, Case No. CIV 495644; entitled City and County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad Company; State of California, Department of Transportation; and Does 1 through 100. (City Attorney)

09/23/11; RECEIVED AND ASSIGNED to Rules Committee.

**PROPOSED RESOLUTIONS****110372 [Contract Amendment - San Francisco General Hospital - Emergency Electrical Generation System - Not to Exceed \$20,500,000]**

Resolution authorizing the Director of Public Works to execute an amendment to the emergency public work contract to install a new, permanent emergency electrical generation system at San Francisco General Hospital to increase the not to exceed amount from \$18,000,000 to \$20,500,000. (Public Works Department)

(Fiscal Impact)

09/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110986 [Airport Concession Lease - Amendment No. 1 to Terminal 3 Newstands - Pacific Gateway Concessions, LLC]**

Resolution approving Amendment No. 1 to Terminal 3 Newsstands Lease No. 04-0165 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

09/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110987 [Airport Concession Lease - Amendment No. 4 to Boarding Areas B and C Principal Retail - Pacific Gateway Concessions, LLC]**

Resolution approving Amendment No. 4 to Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

09/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110988 [Airport Concession Lease - Amendment No. 3 to North Terminal Bookstore - Books, Inc.]**

Resolution approving Amendment No. 3 to North Terminal Bookstore Lease No. 00-0176 between Books, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

09/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111023 [Interconnection Agreements - Renewable Energy Generating Facilities]**

Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into two long term interconnection agreements for renewable energy generating facilities, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

09/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**In Memoriams**

*Eric Ivan Fructuoso - Supervisors Jane Kim, Ross Mirkarimi, & John Avalos  
Nina and Peter Woo - Supervisor Eric Mar*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 9:03 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on November 22, 2011.*

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Angela Calvillo, Clerk of the Board