

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - FINAL

Tuesday, November 1, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT

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

Angela Calvillo, Clerk of the Board

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.

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of September 27, 2011. The motion carried by the following vote:

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

COMMUNICATIONS

Rick Caldeira, Legislative Deputy Director, informed the Board of Supervisors that he was in receipt of correspondence from the Mayor communicating the Mayor's Veto of legislation contained in File No. 110998 which would amend Administrative Code Sections related to the Health Care Security Ordinance.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

111048 [Appropriating \$1,000,000 of Mirant Potrero, LLC, Settlement Funds to the Department of Public Health for Neighborhood Improvement and Mitigation in FY2011-2012]

Sponsor: Cohen

Ordinance appropriating \$1,000,000 of Mirant Potrero, LLC, settlement funds to the Department of Public Health for neighborhood improvement and mitigation in the neighborhoods most impacted by the Potrero Power Plant in FY2011-2012.

(Fiscal Impact)

Ordinance No. 217-11

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

110995 [Mission Bay South Blocks 41-43, Phase 2 - Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 41-43, Phase 2, including acquisition facilities on Owens Street and within public utility easements in private streets; declaring City property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating Owens Street and improvements for street and roadway purposes; establishing street grades and sidewalk widths on Owens Street; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 215-11

FINALLY PASSED

110996 [Mission Bay Park Block P16 - Improvements]

Ordinance dedicating City property and portions of State Trust Parcels 4 and 5, known as Mission Bay Park Block P16, lying along Third Street, Mission Bay Boulevard North, and Mission Bay Boulevard South for public use and naming the new park "Mission Bay Commons Park;" accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

Ordinance No. 216-11

FINALLY PASSED

Recommendation of the Public Safety Committee

110883 [Accept and Expend Grant - Mass Notification System Security Improvements - \$551,552]

Sponsor: Chiu

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of \$551,552 from the Department of Homeland Security, 2010 Port Security Grant Program, for Ferry Building and Ferry Terminal Mass Notification System improvements at the Port of San Francisco.

Resolution No. 460-11

ADOPTED

Recommendations of the Rules Committee

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)

PASSED, ON FIRST READING

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)

PASSED, ON FIRST READING

111099 [Settlement of Lawsuit - Damian Fleming - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Damian Fleming against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 14, 2010, in San Francisco Superior Court, Case No. CGC 10-501543, entitled Fleming v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

110390 [Authorizing Tax Collector to File Suit Against Responsible Relatives of Recipient of Services at City Hospitals to Recover Value of Services]

Resolution authorizing Tax Collector Attorney to file suit against responsible relatives to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

Resolution No. 459-11

ADOPTED

111072 [Appointments, Shelter Monitoring Committee - Simon Martinez, Deborah Muise, and Ramon Lacayo]

Motion appointing Simon Martinez, Deborah Muise, and Ramon Lacayo, terms ending November 23, 2012, to the Shelter Monitoring Committee. (Clerk of the Board)

Simon Martinez, seat 1, succeeding Rita Lark, resigned, must be homeless or formerly homeless within the 3 years prior to appointment and living with their homeless child under age 18, for the unexpired portion of a two-year term ending November 23, 2012.

Deborah Muise, seat 3, succeeding Mary Howe, resigned, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2012.

Ramon Lacayo (residency requirement waived), seat 4, succeeding Amanda Heier, term expired, must be selected from a list of candidates that are nominated by community agencies that provide behavioral health, housing placement, or other services to the homeless, for the unexpired portion of a two-year term ending November 23, 2012.

Motion No. M11-156

APPROVED

111097 [Appointments, Immigrant Rights Commission - Kathleen Coll, Mario Paz, Angus McCarthy, Felix Fuentes, Melba Maldonado, and Toye Moses]

Motion appointing Kathleen Coll, Mario Paz, Angus McCarthy, Felix Fuentes, Melba Maldonado, and Toye Moses, terms ending June 6, 2013, to the Immigrant Rights Commission. (Clerk of the Board)

Kathleen Coll, seat 4, succeeding Melba Maldonado, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Mario Paz (residency requirement waived), seat 6, succeeding Lorena Melgarejo, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, the member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Angus McCarthy, seat 7, succeeding Angus McCarthy, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, the member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Felix Fuentes, seat 8, succeeding Felix Fuentes, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, the member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Melba Maldonado (residency requirement waived), seat 10, succeeding Ana Perez, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, the member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Toye Moses, seat 11, succeeding Toye Moses, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the San Francisco Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2013.

Motion No. M11-157

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

Privilege of the floor was granted to Cheryl Adams (City Attorney's Office) who responded to questions raised throughout the discussion relating to File Nos. 110951, 110952, and 110953.

110951 [Approving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion approving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Supervisor Mar, seconded by Supervisor Farrell, 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 Mar, seconded by Supervisor Farrell, 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

110952 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 18415, approving Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Supervisor Mar, seconded by Supervisor Farrell, 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 Mar, seconded by Supervisor Farrell, 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

110953 [Preparation of Findings Related to the Conditional Use Authorization - 4141 Geary Boulevard/450 - 6th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.0951C on property located at 4141 Geary Boulevard/450 - 6th Avenue.

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

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Supervisor Mar, seconded by Supervisor Farrell, 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 Mar, seconded by Supervisor Farrell, 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

From the Clerk**111169 [Adopting Findings Reversing the General Rule Exclusion Determination - 1171 Sansome Street]**

Motion adopting findings reversing the Planning Department's determination that a project located at 1171 Sansome Street (aka 1111 Sansome Street) is exempt from environmental review through a general rule exclusion. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to November 8, 2011. The motion carried by the following vote:

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

From the Government Audit and Oversight Committee Without Recommendation**111030 [Administrative Code - Health Care Security Ordinance]
Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 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) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 3) require employers imposing surcharges to pay for the required expenditures to report certain information to OLSE in connection with the surcharge; 4) add an employee notification requirement; 5) modify penalty provisions; and 6) set an operative date.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Sections 14.1.5 and 14.1.6 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) require that contributions to a health reimbursement account remain available to the employee for two years; rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

Supervisor Cohen requested to be added as a co-sponsor.

Privilege of the floor was granted to Jason Elliot (Mayor's Office) who responded to questions raised throughout the discussion.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to November 15, 2011, with the Board sitting as a Committee of the Whole. The motion carried by the following vote:

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

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

Recommendation of the Land Use and Economic Development Committee

110590 [Planning Code - Reconstruction of Buildings Damaged or Destroyed by Fire or Acts of God]

Sponsor: Cohen

Ordinance amending the San Francisco Planning Code Sections 181(d) and 188(b) to: 1) provide a process for the reconstruction of buildings damaged or destroyed by fire or acts of God; 2) provide a retroactive operative date of August 1, 2009; and 3) adopt findings, including environmental findings and Planning Code Section 302 findings.

PASSED, ON FIRST READING 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

110999 [Administrative Code - Financial Policy Regarding Selected Nonrecurring Revenues]

Sponsors: Mayor; Chiu, Farrell and Chu

Ordinance amending the San Francisco Administrative Code Section 10.60, and adding Section 10.61, to adopt a binding financial policy under Charter Section 9.120 providing that Selected Nonrecurring Revenues may only be spent on Nonrecurring Expenditures. (Controller) (Fiscal Impact.)

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to November 15, 2011. The motion carried by the following vote:

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

111000 [Administrative Code - Certificates of Participation and Commercial Paper Debt Policies]**Sponsors: Mayor; Farrell, Chiu and Chu**

Ordinance amending the San Francisco Administrative Code by adding Section 10.62 to adopt a binding financial policy under Charter Section 9.120 regarding certificates of participation and commercial paper. (Controller)

PASSED, ON FIRST READING by the following vote:

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

111001 [Administrative Code - Budget Procedures and Reporting Requirements]**Sponsors: Mayor; Chiu, Farrell and Chu**

Ordinance amending the San Francisco Administrative Code Sections 3.3, 3.4, 3.5, 3.6, 3.20, 22A.6, 88.4, and by repealing Sections 88.8, and 88.10 to: 1) update budget procedures to accommodate two-year budget cycles and five-year financial planning requirements; and 2) eliminate outdated and duplicative reporting requirements. (Controller)

PASSED, ON FIRST READING by the following vote:

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

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]**Sponsors: Mayor; Mar**

Ordinance appropriating \$1,843,125 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)

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

PASSED, ON FIRST READING by the following vote:

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

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.

PASSED, ON FIRST READING by the following vote:

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

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

Resolution retroactively 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)

Resolution No. 461-11

ADOPTED by the following vote:

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

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)

Resolution No. 462-11

ADOPTED by the following vote:

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

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)

Resolution No. 463-11

ADOPTED by the following vote:

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

111009 [Adopting a Fixed Two-Year Budget for Airport, the Port, and the Public Utilities Commission]

Sponsors: Mayor, Chiu, Farrell and Chu

Resolution adopting a fixed two-year budgetary cycle for the Airport, the Port, and the Public Utilities Commission, defining terms, and setting deadlines. (Controller)

Resolution No. 464-11

ADOPTED by the following vote:

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

111010 [General Obligation Refunding Bonds - Series 2011-R1 - Not to Exceed \$1,355,991,219]**Sponsor: Mayor**

Resolution authorizing the issuance from time to time, in one or more series, of not to exceed \$1,355,991,219 aggregate principal amount of the City and County of San Francisco General Obligation Refunding Bonds, including the initial series or series of such Bond to be designated as "City and County of San Francisco General Obligation Refunding Bonds, Series 2011-R1," to refund certain outstanding General Obligation Bonds; approving the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories, verification agents, and other agents for said bonds; approving the form and authorizing the execution and delivery of escrow agreements relating to the refunded bonds; approving and directing the tax levy for repayment of said bonds; approving procedures for competitive or negotiated sales including approving forms of official notice of sale and notice of intention to sell said bonds and authorizing the selection of underwriters and the execution and delivery of bond purchase agreements; approving the form and authorizing the execution and delivery of continuing disclosure certificates; approving the form and authorizing the distribution of the preliminary official statement and authorizing the execution, delivery, and distribution of the official statement for the Series 2011 R1 Bonds; authorizing payment of costs of issuance of said bonds; approving modifications to documents; ratifying actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the bonds and the refunding of certain outstanding General Obligation Bonds.

(Fiscal Impact)

Resolution No. 448-11

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee**110767 [Planning Code - Alcoholic Beverages in the Mission Alcoholic Beverage Special Use Subdistrict]**

Sponsors: Kim; Wiener and Mar

Ordinance amending the San Francisco Planning Code Section 249.60 to: 1) permit bowling alleys and single screen theatres in the Mission Alcoholic Beverage Special Use Subdistrict to serve alcoholic beverages; 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: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110984 [Transportation Code - Residential Parking Permit Application Penalties]

Ordinance amending the San Francisco Transportation Code, Article 7, Division I, Section 7.2.50, and adding Section 7.3.11, to authorize administrative and misdemeanor penalties for submitting false, misleading, or fraudulent information on a residential parking permit application. (Municipal Transportation Agency)

PASSED, ON FIRST READING by the following vote:

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

Recommendation of the Public Safety Committee

110967 [Police Code - Regulating Public Nudity in Restaurants and Public Seating Areas]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code Section 1071.1 to: 1) prohibit public nudity in restaurants; and 2) prohibit sitting on public benches or public seating areas without clothing or some other separate material between the person's genitals, buttocks, or anal region and the seating surface.

PASSED, ON FIRST READING by the following vote:

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

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

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. 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 Derek Kim, son of the late Kim Kun Tai, of the Korean American Community Association of the Bay Area, in recognition of his contributions and accomplishments to the Korean American Community.

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Alan and Ellen Marks, co-founders of the California Brain Tumor Association, in recognition of their advocacy efforts relating to cell phone radiation exposure.

COMMITTEE REPORTS

Recommendations of the City Operations and Neighborhood Services Committee

111164 [Supporting the Occupy Wall Street Protest Movement and the People's Right to Peaceful Assembly]

Sponsors: Avalos; Campos, Kim and Mar

Resolution supporting the Occupy Wall Street Protest Movement and urging Mayor Lee to uphold people's right to peaceful assembly and collaborate with OccupySF to ensure the safety of the protestors, their supporters, and the greater public in the City and County of San Francisco.

Supervisor Avalos, seconded by Supervisor Kim, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Resolution supporting the Occupy Wall Street Protest Movement and urging the City to uphold people's right to peaceful assembly and collaborate with OccupySF to ensure the safety of the protestors, their supporters, and the greater public.

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Resolution be AMENDED on Page 4, Line 12, by adding 'unless there is an objective threat to public safety or public health.' The motion carried by the following vote:

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

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

Resolution No. 465-11

ADOPTED AS AMENDED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

111165 [Supporting Regulated and Safe Patient Access to Medical Cannabis]

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

Resolution supporting regulated and safe patient access to medical cannabis in the City and County of San Francisco.

Resolution No. 466-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

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

Walter Paulson; shared in song certain concerns with the Board.

Male Speaker; expressed concerns relating to public assembly.

Michael Goldman; expressed concerns relating to public assembly.

Male Speaker; expressed various concerns.

Female Speaker; expressed concerns relating to medical cannabis.

Joyce Collatos; expressed concerns relating to affordable housing for seniors.

Tom Gilbert; expressed concerns relating to noise pollution.

Male Speaker; expressed concerns relating to attorneys on politics.

Otto Duffy; expressed concerns relating to homelessness in San Francisco.

Dora Jones; expressed concerns relating to police brutality.

Peter Warfield; expressed concerns relating to the SF Public Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**111168 [Accept and Expend Grant - Prevention Training Center Clinical Training Program - \$96,121]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$96,121 from the University of California, San Francisco, to fund the Prevention Training Center Clinical Training Program for the period of April 1, 2012, through March 31, 2013.

Resolution No. 467-11

ADOPTED

111114 [Committee of the Whole - Ground Lease Agreement - 25 Essex Street, Commonly Known as Rene Cazenave Apartments - November 8, 2011]**Sponsor: Kim**

Motion scheduling the Board to sit as a Committee of the Whole on November 8, 2011, at 3 p.m., to hold a public hearing on the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 25 Essex Street, Assessor's Parcel No. 064-3749, commonly known as Rene Cazenave Apartments to 25 Essex, L.P., a California limited partnership, consistent with the provisions of the California Community Redevelopment Law Section 33433.

Motion No. M11-158

APPROVED

111175 [Final Map 4633: 1584 - 1598 Church Street]

Motion approving Final Map 4633, a Mixed-Use, Six Unit Residential and One Unit Commercial Condominium Project, located at 1584 - 1598 Church Street being a subdivision of Assessors Block No. 6601, Lot No. 006; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-159

APPROVED

111176 [Final Map 6374: 2020 Ellis Street]

Motion approving Final Map 6374, a 12 Unit Residential Condominium Project, located at 2020 Ellis Street being a subdivision of Assessors Block No. 1101, Lot No. 047; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-160

APPROVED

111177 [Final Map 6466: 574 Natoma Street]

Motion approving Final Map 6466, an 11 Unit Residential Condominium Project, located at 574 Natoma Street being a subdivision of Assessors Block No. 3726, Lot No. 075; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-161

APPROVED

The foregoing items were acted upon 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

111189 [Administrative Code - Right to Counsel in Civil Matters]

Sponsors: Chiu; Kim, Wiener and Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Article 58, Sections 58.1 through 58.3 to: 1) declare San Francisco to be a Right to Civil Counsel City; and 2) declare the intent of the Board of Supervisors to create a one-year San Francisco Right to Civil Counsel pilot program.

11/01/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

111190 [Administrative, Police Codes - Prevailing Rate of Wages Under City Contracts For Specified Services]

Sponsors: Wiener; Chiu, Mirkarimi and Campos

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

11/01/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/2/2011.

101055 [Environment Code - Checkout Bags and Checkout Bag Charge]**Sponsor: Mirkarimi**

Ordinance amending the San Francisco Environment Code by: 1) amending Section 1702 to extend the restrictions on checkout bags from supermarkets and chain pharmacies to all retail establishments and food establishments in the City, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, rising to 25 cents, if they provide a customer with a checkout bag; 3) setting an operative date of July 1, 2012; and, 4) making environmental findings.

(Economic Impact)

08/03/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

08/12/10; REFERRED TO DEPARTMENT.

10/12/10; RESPONSE RECEIVED.

11/16/10; SUBSTITUTED AND ASSIGNED to City Operations and Neighborhood Services Committee.

11/01/11; SUBSTITUTED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111101 [Administrative, Business and Tax Regulations, Fire, Health, and Police Codes - Business License Fees]**Sponsors: Chiu; Chu, Kim and Cohen**

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

10/18/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/17/2011.

10/25/11; REFERRED TO DEPARTMENT.

11/01/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Resolutions**111191 [Issuance of Qualified Energy Conservation Bonds - Not to Exceed \$8,291,079]****Sponsor: Chu**

Resolution approving the issuance of not to exceed \$8,291,079 aggregate principal amount of Qualified Energy Conservation Bonds to be issued by the Public Utilities Commission of the City and County of San Francisco, acting on behalf of the City and County of San Francisco; approving the execution and delivery by the Commission of an Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, a Direct Purchase Agreement, and a Filing Agent Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters.

(Fiscal Impact)

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111192 [Issuance of New Clean Renewable Energy Bonds - Not to Exceed \$6,600,000]**Sponsor: Chu**

Resolution approving the issuance of not to exceed \$6,600,000 aggregate principal amount of New Clean Renewable Energy Bonds to be issued by the Public Utilities Commission of the City and County of San Francisco, acting on behalf of the City and County of San Francisco (Commission); approving the execution and delivery by the Commission of an Equipment Lease/Purchase Agreement, an Acquisition Fund and Account Control Agreement, a Direct Purchase Agreement, and a Filing Agent Agreement; and authorizing the taking of appropriate actions in connection therewith; and related matters.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111193 [Real Property Lease - 6th Street Baldwin House, LLC - 72-6th Street]**Sponsors: Mayor; Kim**

Resolution authorizing the lease with 6th Street Baldwin House, LLC, of approximately 1,932 rentable square feet of ground space located at 72-6th Street for the Police Department.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111194 [Accept and Expend Gift - Donor Database - \$75,000]**Sponsor: Chu**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend an in-kind gift valued at \$75,000 from the Salesforce.com Foundation to provide the department with a web-based donor database and 10 user licenses for a period of over five years (2011-2015).

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111195 [Accept and Expend Grant - Sudden Oak Death - \$569]**Sponsor: Farrell**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$569 from the California Department of Food and Agriculture to fund the program entitled "Sudden Oak Death" for the period of July 1, 2011, through June 30, 2012.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111197 [Accept and Expend Gift - Strawberry Hill Restoration Project - \$15,500]**Sponsor: Mar**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at \$15,500 from the San Francisco Parks Trust to support the Strawberry Hill Restoration Project.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111198 [Accept and Expend Gift - Golden Gate Park Tennis Courts Resurfacing - \$45,680]**Sponsor: Mar**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at \$45,680 from the San Francisco Tennis Coalition for the resurfacing of two banks of courts (courts 6-17) at the Golden Gate Park Tennis Complex.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111202 [Approval of a 90-Day Extension for Planning Commission Review of Washington-Broadway Special Use District 1; Waterfront Special Use Districts 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets (File No. 110547)]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110547) amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including 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.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111204 [Approval of a 90-Day Extension for Planning Commission Review of Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts (File No. 110548)]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110548) amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, 607.4, and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; 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.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111111 [California Constitution Appropriations Limit for FY2011-2012]

Sponsor: Chu

Resolution establishing the appropriations limit for FY2011-2012 pursuant to California Constitution Article XIII(B).

10/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

11/01/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Motions

111203 [Committee of the Whole - Public Hearing on the Disclosure Responsibilities of Public Officials Under Federal Securities Law]

Sponsor: Chiu

Motion that the Board of Supervisors convene as a Committee of the Whole on November 15, 2011, at 3:00 p.m., to hold a public hearing on the disclosure responsibilities of public officials under federal securities law.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111130 [Committee of the Whole - Ground Lease Agreement - 474 Natoma Street, Commonly Known as the Natoma Family Apartments - November 15, 2011]

Sponsor: Kim

Motion scheduling the Board to sit as a Committee of the Whole on November 15, 2011, at 3:00 p.m., to hold a public hearing on the proposal of the Redevelopment Agency of the City and County of San Francisco on a Resolution to consider the proposal of the San Francisco Redevelopment Agency to enter into a Ground Lease Agreement and lease the land located at 474 Natoma Street, Assessor's Block No. 3725, Lot No. 101, commonly known as the Natoma Family Apartments to 474 Natoma, LLC, a California limited liability company, consistent with the provisions of the California Community Redevelopment Law Section 33433.

11/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

111196 [Hearing - Power Rates and Cost of Service for City Departments and Other Customers]

Sponsor: Campos

Hearing to examine the current San Francisco Public Utilities Commission rates and cost of service for City departments and other SFPUC power customers and consider impact of changing the rates to cover cost of service.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111200 [Public Hearing - Administrative Code - Health Care Security Ordinance]

Hearing of persons interested in or objecting to proposed amendment of the whole entitled, "Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Sections 14.1.5 and 14.1.6 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) require that contributions to health reimbursement account remain available to the employee for two years, rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date." (Clerk of the Board)

11/01/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCES****111135 [Settlement of Lawsuit - Diane Bauer - \$35,000]**

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111136 [Settlement of Lawsuit - David Cheung - \$80,000]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111137 [Settlement of Lawsuit - Elaine Choy - \$28,850]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111138 [Settlement of Lawsuit - Shonna Cook - \$27,785]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111139 [Settlement of Lawsuit - James Cordova/Maria Morales - \$26,965]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111140 [Settlement of Lawsuit - Brenda Dickson - \$28,000]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111141 [Settlement of Lawsuit - Susan Garduno - \$25,730]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111142 [Settlement of Lawsuit - KLW, LLC - \$110,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC, against the City and County of San Francisco for \$110,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111143 [Settlement of Lawsuit - Lawrence LaBianca - \$34,965]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111144 [Settlement of Lawsuit - Jane Martin and David Baker - \$50,000]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111145 [Settlement of Lawsuit - Pat Moore and Tom Moore - \$30,000]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111146 [Settlement of Lawsuit - James Ramsey and Patricia Carazo Ramsey - \$33,000]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111147 [Settlement of Lawsuit - Sally Seid - \$27,815]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111148 [Settlement of Lawsuit - Angela Sinicropi and Martin Takigawa - \$26,820]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111149 [Settlement of Lawsuit - Sunday Bazaar/2170 Folsom, LLC - \$60,000]

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

10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

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

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

10/18/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111154 [Agreement - Tracking Environmental Attributes]

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

10/24/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

111150 [Settlement of Claim - James Christian - \$200,000]

Resolution approving the settlement of the unlitigated claim filed by James Christian against the City and County of San Francisco for \$200,000; claim was filed on May 31, 2011. (City Attorney)
10/17/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Rules Committee.

111152 [Airport Lease and Use Agreement - Swiss International Air Lines, Limited]

Resolution approving the terms of 2011 Airline/Airport Lease and Use Agreement L11-0182 between the City and County of San Francisco and Swiss International Air Lines, Limited, to conduct international flight operations at San Francisco International Airport. (Airport Commission)
10/21/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111153 [Contract Extension - Voting System - Not to Exceed \$2,264,800]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Dominion Voting Systems for an amount not to exceed \$2,264,800 and to extend the term of the contract through December 10, 2013. (Elections Department)
(Fiscal Impact)

10/24/11; RECEIVED FROM DEPARTMENT.

11/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Chiu

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation related to the reporting of contract information and change orders.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Northwest and Southwest corners of Fillmore and Post

Southwest corner of Divisadero and Sutter

Northwest corner of Hayes and Fillmore

Southeast corner of Fillmore and Haight

444 Divisadero

Southeast corner of Pine and Divisadero

Northeast corner of Post and Divisadero

Northeast corner of Geary and Divisadero

Northwest corner of Pierce and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

783 Haight

Northeast corner of Haight and Steiner

Northwest corner of Waller and Steiner

Northwest corner of Hayes and Divisadero

Northwest corner of Fulton and Divisadero

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

San Francisco Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Northwest corner of Fulton and Divisadero

Southeast corner of Hayes and Divisadero

Northwest corner of Pierce and Haight

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

Northwest corner of Pierce and Haight

Northeast corner of McAllister and Divisadero

444 Divisadero

Northeast corner of Haight and Scott

Southwest corner of Geary and Divisadero

Advertiser

Southwest corner of California and Divisadero

Northeast corner of Post and Divisadero

Southwest corner of Hayes and Divisadero

USA Today
1750 Divisadero

Jobs and Careers
Approximately 1650 Divisadero
1750 Divisadero

Real Estate Times
Northeast corner of Geary and Divisadero

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
212 Divisadero
280 Divisadero
Southeast corner Stanyan and Page
334 Divisadero
532 Divisadero
Southwest corner Ashbury and Haight
Southwest corner Haight and Fillmore
In front of 520 Haight
In front of 535 Haight
Southwest corner Divisadero and Golden Gate
824 Divisadero
928 Divisadero
1199 Divisadero
Southeast corner of Oak and Divisadero
Northeast corner of McAllister and Divisadero
Approximately 1106 Divisadero
Approximately 1198 Divisadero
Approximately 1280 Divisadero
Approximately 1650 Divisadero
2200 Post
Approximately 2090 Post
Approximately 2190 Post
Approximately 2110 Post
Approximately 2020 Post
Southeast corner of Geary and Scott (approximately 9 feet off the ground)
1670 Eddy
1502 Golden Gate
1346 McAllister
Approximately 1375 McAllister
Approximately 405 Fillmore
Approximately 690 Page
248 Scott
630 Waller

Concrete Poles
Approximately 2060 Post
1470 Golden Gate
Opposite 753 Oak

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:*

Residential and Commercial Buildings

*285 Divisadero
334 Divisadero
507 Divisadero
208 Scott
1067 Oak
799 Haight
670 Stanyan
1345 Divisadero
538 Divisadero
717 Divisadero
432 Divisadero
736 Divisadero
838 Divisadero
1067 Oak
1800 Turk, on East side
1347 Divisadero
1649 Divisadero
Approximately 1645 Turk
1513 Golden Gate
Southwest corner of Pierce and Golden Gate
1440 Golden Gate, on East side
863 Scott
949 Fell
702 Oak
232 Scott*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:*

Garbage Cans

*Southeast corner of Oak and Divisadero
Northeast corner of McAllister and Divisadero
Southwest corner of Geary and Divisadero
Northeast corner of Pine and Divisadero
Southeast & Northwest corners Haight & Fillmore
Southwest & Northeast Waller and Fillmore
Southeast corner Masonic and Haight
Northeast corner Ashbury and Haight*

Mailboxes

*Southeast corner of Golden Gate and Divisadero
Northeast corner of McAllister and Divisadero
Southeast corner of Ellis and Divisadero
Northeast corner of Scott and McAllister
Northeast corner Haight and Fillmore
Northeast corner of Haight and Scott*

*Public Restroom
Kimball playground*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following public property locations:*

Utility Boxes

*Northeast corner of Eddy and Divisadero
Southwest corner of Ellis and Divisadero
Northeast corner of Geary and Divisadero
Northeast corner of Golden Gate and Divisadero
Northeast corner of Steiner and Post
Northeast corner of Oak and Steiner
Near 1110 Oak*

Bus Shelters

*Southeast corner of Hayes and Divisadero
Northeast corner of Pierce and McAllister
465 Fillmore*

Emergency Boxes

*Southeast corner of Steiner and Page
Opposite 1513 Golden Gate
Northeast corner of Fell and Divisadero
Southwest corner Pierce and Haight
Southwest corner Haight and Buchanan*

In Memoriams

Kim Kun Tai - Supervisor Kim

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:20 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 December 13, 2011.

Angela Calvillo, Clerk of the Board