



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, October 9, 2012 - 2:00 PM

Special Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

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

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

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

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

Public Safety Committee
Supervisors Avalos, Olague, Mar

Rules Committee
Supervisors Kim, Farrell, Campos

Meeting Days

Wednesday
11:00 AM

4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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

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

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. Meetings are broadcast live on KPOO 89.5 FM. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702.

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

Disability Access

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

OFFICIAL MISCONDUCT HEARING

Board of Supervisors Sitting as a Committee of the Whole

Pursuant to File No. 120948, approved on 9/25/12.

The Chair intends to allot the following time limits: oral presentation by the Ethics Commission (10 minutes); oral presentation by the Mayor (20 minutes); oral presentation by the Sheriff (20 minutes); rebuttal by the Mayor (5 minutes), followed by public comment on the matter.

- 1. 120949 [Hearing - Determination on Charges of Official Misconduct Proceedings Against Sheriff Ross Mirkarimi]**
Hearing to consider the recommendation of the San Francisco Ethics Commission related to the charges of Official Misconduct presented by Mayor Edwin Lee against Sheriff Ross Mirkarimi, pursuant to Charter Section 15.105(a). (Presented by Mayor on 3/21/12.) (Received from Ethics Commission on 9/18/12). (Clerk of the Board)
Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

(Only one of the following two motions should be approved.)

- 2. 120950 [Determination - Sustaining the Charges of Official Misconduct Against Sheriff Ross Mirkarimi]**
Motion sustaining the charges of Official Misconduct against Sheriff Ross Mirkarimi presented by Mayor Edwin Lee. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

3. 120951 **[Determination - Not Sustaining the Charges of Official Misconduct Against Sheriff Ross Mirkarimi]**

Motion not sustaining the charges of Official Misconduct against Sheriff Ross Mirkarimi presented by Mayor Edwin Lee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

4. GENERAL PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

LEGISLATION INTRODUCED BY THE PRESIDENT AT THE REQUEST OF DEPARTMENT

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

PROPOSED RESOLUTIONS

120980 [Expansion of Authority Regarding Lease - 1455 Market Street]

Resolution authorizing additional allowance of up to \$10.00 per rentable square foot for construction of improvements amortized by Landlord over initial term of seven years at eight percent to be paid as additional rent in the amount of \$3,809.27 per month for property located at 1455 Market Street. (Real Estate Department)

10/01/2012; RECEIVED FROM DEPARTMENT.

10/09/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

120981 [Approval of Construction of Structures in Union Square Park for Central Subway Project]

Resolution approving, under Charter Section 4.113, construction of surface and subsurface structures in Union Square Park for the Central Subway Project's Union Square Market Street Station. (Municipal Transportation Agency)

10/01/2012; RECEIVED FROM DEPARTMENT.

10/09/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120992 [Petitions and Communications]

Petitions and Communications received from September 24, 2012, through October 1, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 9, 2012.

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

From various City Departments, submitting responses to the 2011-2012 San Francisco Civil Grand Jury Report, "Where There's Smoke...The Need to Strengthen the Arts Commission's Stewardship of San Francisco's Cultural Legacy." (1)

Department of Children, Youth and Their Families
Arts Commission

From the Controller, submitting a copy of memo regarding Process for Allocating Board Member District Allocations. (2)

From Department of Alcoholic Beverage Control, regarding Public Convenience of Necessity Determinations. Copy: Each Supervisor, Clerk of the Board, City Attorney, City Operations and Neighborhood Services Committee Clerk. (3)

*From Department of Public Works, submitting Annual Report for FY2011-2012. (4)

From concerned citizens, regarding broadcasting Board of Supervisors' meetings on KPOO Radio. 8 letters. (5)

From concerned citizens, regarding parking of oversized vehicles. File No. 120142. 14 letters. Copy: Each Supervisor. (6)

From Bay Area Air Quality Management District, regarding public hearing. (7)

From concerned citizens, regarding Sheriff Ross Mirkarimi. File No. 120949. 2 letters. (8)

From Public Utilities Citizens' Advisory Committee, regarding drink tap reuse. File No. 120488. (9)

From Department of Public Health, regarding Grant Budget Revision - Implementing New Directions in HIV Prevention in San Francisco. (10)

From concerned citizen, regarding SF public nudity. (11)

From Stephanie Greenburg and Micki Jones, regarding support to require treatment/jail for chronic inebriates. (12)

From Nikos Diaman, regarding the downsizing of future efficiency apartments. File No. 120191. (13)

From Roland Salvato, regarding the preservation of the Bernal Library mural. (14)

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

ADJOURNMENT