

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, December 6, 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 Commissioners Fewer, Maufas, Norton, Cohen, Avalos, Chu

2nd and 4th Thursday  
3:30 PM

**City Operations and Neighborhood Services Committee**  
Supervisors Elsbernd, Avalos, Mar

2nd and 4th Monday  
10:00 AM

**Government Audit and Oversight Committee**  
Supervisors Farrell, Chiu, Campos

2nd and 4th Thursday  
1:00 PM

**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, Farrell, Elsbernd

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 43

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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 2:11 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of October 25, 2011. The motion carried by the following vote:

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

## COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor communicating the Mayor's notice of appointments to the Human Rights Commission, under Charter Section 3.100(18), appointments are effective unless rejected within 30 days by a 2/3rd vote of the Board.*

## CONSENT AGENDA

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

#### 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.

**Ordinance No. 236-11**

**FINALLY PASSED**

**Recommendations of the Rules Committee****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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**PASSED, ON FIRST READING**

**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)

**Resolution No. 513-11**

**ADOPTED**

**111178 [Appointments, Medical Cannabis Task Force - Hunter Holliman, Leonard Watkins, Martin Olive, Sarah Shrader, Brent Saupe, and Jean Talleyrand]**

Motion appointing Hunter Holliman, Leonard Watkins (residency requirement waived), Martin Olive, Sarah Shrader, Brent Saupe, and Jean Talleyrand, terms ending December 31, 2012, to the Medical Cannabis Task Force. (Clerk of the Board)

Hunter Holliman, seat 2, succeeding David Goldman, resigned, must be a representative of a local patient advocacy organization with a background in working to protect the interests of medical cannabis patients, for a term ending December 31, 2012.

Leonard Watkins, seat 4 (residency requirement waived), succeeding Mary Schroeder, resigned, must be a representative of a hospice or a residential care facility with a background as an employee or volunteer in direct services working with medical cannabis patients or as a nurse or physician with a background in working with or treating of medical cannabis patients, for a term ending December 31, 2012.

Martin Olive, seat 6, succeeding Martin Olive, term expired, must be a person with a background in the management of a medical cannabis dispensary, for a term ending December 31, 2012.

Sarah Shrader, seat 8, succeeding Sarah Shrader, term expired, must be a representative of a drug policy organization working specifically on medical cannabis issues, for a term ending December 31, 2012.

Brent Saupe, seat 10, succeeding Albert Blais, resigned, must be a person with a background in providing medical cannabis to low-income patients, for a term ending December 31, 2012.

Jean Talleyrand, seat 15, new appointment, must be a licensed or an accredited health care practitioner practicing in San Francisco with a background in medical cannabis and familiarity with the laws and regulations governing medical cannabis, for a term ending December 31, 2012.

**Motion No. M11-171**

**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

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

#### **101055 [Environment Code - Checkout Bags and Checkout Bag Charge]**

**Sponsors: Mirkarimi; Avalos and Campos**

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 County of San Francisco, 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)

*Privilege of the floor was granted to Melanie Nutter, Director, Department of Environment, who provided an overview and responded to questions raised throughout the discussion.*

**Supervisor Mirkarimi, seconded by Supervisor Wiener, 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 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 County of San Francisco, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, if they provide a customer with a checkout bag; 3) setting an operative date of October 1, 2012; and 4) making environmental findings.

**Supervisor Kim, seconded by Supervisor Chu, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to February 7, 2012. The motion carried by the following vote:**

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 4 - Avalos, Campos, Mar, Mirkarimi

### Recommendation of the Government Audit and Oversight Committee

#### **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).

**Ordinance No. 237-11**

**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

**111096 [Contract Amendment - Western Area Power Administration - Electric Services - Not to Exceed \$15,950,888]**

Ordinance approving the second amendment to the contract between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for delivery of low-cost power and scheduling coordinator services to Treasure Island and Yerba Buena Island; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of the San Francisco Administrative Code Section 21.19 which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of the San Francisco Administrative Code Section 21.35 which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission) (Fiscal Impact)

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

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

**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)

*Supervisors Kim and Cohen requested to be added as co-sponsors.*

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

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

**111102 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Compensation Paid to Individuals with a Felony Conviction]**

**Sponsors: Mirkarimi; Campos**

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a Payroll Expense Tax exclusion for compensation paid to individuals who have a felony conviction.

(Fiscal Impact)

(Supervisor Chu dissented in Committee.)

**A motion was made by Supervisor Cohen, seconded by Supervisor Elsbernd, that this matter be RE-REFERRED to the Budget and Finance Committee. The motion FAILED by the following vote:**

Ayes: 4 - Chiu, Chu, Cohen, Wiener

Noes: 7 - Avalos, Campos, Elsbernd, Farrell, Kim, Mar, Mirkarimi

**NOT PASSED ON FIRST READING by the following vote:**

Ayes: 5 - Campos, Cohen, Kim, Mar, Mirkarimi

Noes: 6 - Avalos, Chiu, Chu, Elsbernd, Farrell, Wiener

**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)

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

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

**111110 [Placing Funds for Defense of Special Circumstances Cases on Controller Reserve and Establishing Release Guidelines]**

**Sponsor: Campos**

Resolution placing funds intended for defense of special circumstances cases on Controller reserve and adopting guidelines for release of such funds.

**Resolution No. 512-11**

**ADOPTED by the following vote:**

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

**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.

**Resolution No. 519-11**

**ADOPTED by the following vote:**

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

**111218 [Apply for, Accept and Expend Grant - Community of Veterans Engaged in Restoration Program - \$249,662]**

**Sponsor: Mayor**

Resolution authorizing the Sheriff's Department to retroactively apply for, accept and expend \$249,662 in funds from the Office of Justice Programs, through the Justice and Mental Health Collaboration Program, the Community of Veterans Engaged in Restoration Program will strive to increase public safety and reduce recidivism among incarcerated and recently released veterans with post-traumatic stress disorder in the City and County of San Francisco.

**Resolution No. 514-11**

**ADOPTED by the following vote:**

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

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**Recommendations of the Land Use and Economic Development 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)

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

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

**111080 [Zoning Map - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 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 No. 1 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.

**Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion carried by the following vote:**

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

**111213 [Summary Vacation - Hunt Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]**

**Sponsor: Kim**

Ordinance ordering the summary vacation of Hunt Street as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

**Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion carried by the following vote:**

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

**111240 [General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]**

Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

**Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion carried by the following vote:**

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

**111214 [Real Property Lease - San Francisco Community College District - Near the Intersection of Phelan and Ocean Avenues]**

**Sponsor: Elsbernd**

Resolution approving the lease of property near the intersection of Phelan and Ocean Avenues for a public plaza for seventy-five years to San Francisco Community College District, an institution of higher education organized under the State of California Education Code; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this Resolution.

**Resolution No. 515-11**

**ADOPTED by the following vote:**

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

**Recommendation of the Rules Committee****111050 [Administrative Code - San Francisco Sentencing Commission and Recidivism Reduction Ordinance of 2011]**

**Sponsors: Wiener; Farrell, Cohen and Chiu**

Ordinance amending the San Francisco Administrative Code by adding Article XXV, Sections 5.250 through 5.250-4 to: 1) establish the San Francisco Sentencing Commission; 2) set forth the Commission's purpose, powers, and duties; and 3) establish membership criteria.

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

**Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to January 10, 2012. The motion carried 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 Mar, seconded by Supervisor Chiu, 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 Mar introduced, welcomed, and presented a Certificate of Honor to the winners of the Great Race in recognition of their accomplishments and continued community support.*

*The Board of Supervisors introduced, welcomed, and presented a Certificate of Honor to Eng Eng Chan, Senior Personnel Analyst, of the Office of the Clerk of the Board, in recognition of her 30 years of service to the City and County of San Francisco upon her retirement.*

## SPECIAL ORDER 4:00 P.M.

*Supervisor Elsbernd was noted absent at 4:36 p.m., and noted present at 4:52 p.m.  
Supervisor Cohen was noted absent at 4:55 p.m., and noted present at 5:17 p.m.*

### 111183 [Public Hearing - Conditional Use Appeal - 2041 Larkin Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's September 22, 2011, Conditional Use Authorization identified as Planning Case No. Case No. 2010.1083C, by its Motion No. 18448, under Planning Code Section 209.6(b) to install a wireless telecommunications service facility consisting of up to six panel antennas and related equipment in an existing church as part of AT&T's Wireless Telecommunications Network within the RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District, on property located at 2041 Larkin Street, Assessor's Block No. 0572, Lot No. 003. (District 3) (Appellant: Laura Albert on behalf of the Russian Hill Community Association) (Filed October 24, 2011) (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Board. Kathleen Courtney, Felix Litman, and Donald David (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Lily Lee; Martha Silvia Solotar; Male Speaker; Chris Mittelstaedt; Laura Albert; John Lamkin; Leslie de Taillandier; Grant Faulkner; Isaac Constantine; Marlene Tran; Male Speaker; Walter Paulson; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jennifer Hayes, John di Bene, and Bill Hammett (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Donald David (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 AND FILED**

**111184 [Approving Planning Commission Decision Related to Conditional Use Authorization - 2041 Larkin Street]**

Motion approving decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 3 - Avalos, Mar, Mirkarimi

**111185 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 2041 Larkin Street; Approving Conditional Use With Additional Conditions]**

Motion disapproving decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 3 - Avalos, Mar, Mirkarimi

Motion disapproving decision of the Planning Commission by its Motion No. 18448, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street, approving Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street subject to all of the conditions imposed by the Planning Commission by its Motion No. 18448, and further subject to additional conditions imposed by the Board of Supervisors on December 6, 2011. (Clerk of the Board)

**Motion No. M11-172**

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

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 3 - Avalos, Mar, Mirkarimi

**111186 [Preparation of Findings Related to the Conditional Use Authorization - 2041 Larkin Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.1083C on property located at 2041 Larkin Street.

**Motion No. M11-173**

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

Ayes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 3 - Avalos, Mar, Mirkarimi

**SPECIAL ORDER 4:00 P.M.****111235 [Public Hearing - Tentative Parcel Map Appeal - 1138-1140 Page Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 31, 2011, approving a Tentative Parcel Map for a 4-unit new construction condominium subdivision located at 1138-1140 Page Street, Assessor's Block No. 1219, Lot No. 011. (District 5) (Appellant: Fazilat Kazeminezhad on behalf of Page Group, LLC) (Filed November 10, 2011) (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Board. Fazilat Kazeminezhad (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Walter Paulson; spoke in support of the appeal. Bruce Storrs (Department of Public Works) and AnMarie Rodgers (Planning Department) provided an overview of the decision of the Department of Public Works. John O'Connor (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Department of Public Works. Shawn Yeager; spoke in support of the project and in opposition to the appeal. Marie Maldonavan (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 AND FILED**

**111236 [Approving the Department of Public Works Decision and Approving the Tentative Parcel Map - 1138-1140 Page Street]**

Motion finding the Tentative Parcel Map for a 4-unit new construction condominium subdivision located at 1138-1140 Page Street, Assessor's Block No. 1219, Lot No. 011, 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)

**Motion No. M11-174**

**Supervisor Elsbernd, seconded by Supervisor Kim, 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

**111237 [Disapproving the Department of Public Works Decision and Disapproving the Tentative Parcel Map - 1138-1140 Page Street]**

Motion finding the Tentative Parcel Map for a 4-unit new construction condominium subdivision at 1138-1140 Page Street, Assessor's Block No. 1219, Lot No. 011, 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)

**Supervisor Elsbernd, seconded by Supervisor Kim, 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

**111238 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1138-1140 Page 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 4-unit new construction condominium conversion subdivision located at 1138-1140 Page Street, Assessor's Block No. 1219, Lot No. 011. (Clerk of the Board)

**Supervisor Elsbernd, seconded by Supervisor Kim, 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

## COMMITTEE REPORTS

### Referred from the City Operations and Neighborhood Services Committee Without Recommendation

**110966 [Park Code - Long Term Management Agreement with the National Park Service for Sharp Park]**

**Sponsor: Avalos**

Ordinance amending the San Francisco Park Code Section 3.20 to: 1) require the Recreation and Park Department to offer long term management agreement to the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area's legislative boundary (Sharp Park); and 2) making environmental and other findings.

**Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

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

Noes: 4 - Chu, Cohen, Elsbernd, Farrell

**Supervisor Chiu, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED on Page 7, beginning on Line 5, by adding '(h) Nothing in this Ordinance precludes the General Manager from entering into negotiations with other third parties for the lease, contract or agreement for operation of the golf course, subject to the restriction on new leases set forth in subsection (b), above. Any such agreement shall be subject to the approval of the Board of Supervisors.'. The motion carried by the following vote:**

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

Noes: 4 - Chu, Cohen, Elsbernd, Farrell

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

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

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

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

*Supervisor Elsbernd was noted absent at 7:18 p.m., and noted present at 7:32 p.m.*

*Supervisor Farrell was noted absent at 7:18 p.m., and noted present at 7:32 p.m.*

## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.*  
*James Chaffee; expressed concerns relating to the SF Public Library.*  
*Barbara Tengeri; spoke regarding cultural dance.*  
*Walter Paulson; shared in song certain concerns with the Board.*  
*Male Speaker; expressed concerns relating to foreclosure evictions.*  
*Maggie; expressed concerns relating to foreclosure evictions.*  
*Tom Gilberty; expressed concerns relating to noise pollution.*  
*Alex Samayoa; expressed concerns relating to foreclosure evictions.*  
*Greg Ledbetter; spoke in support of medical cannabis.*  
*Christie Hakim; expressed concerns relating to foreclosure evictions.*  
*Michael Goldman; expressed concerns relating to foreclosure evictions and support for OccupySF.*  
*John Scone; spoke in support of medical cannabis.*  
*Shawna Goedner; spoke in support of medical cannabis.*  
*Hewitt Crane; spoke in support of medical cannabis.*  
*Marky Kranze; spoke in support of medical cannabis.*  
*Staysha; spoke in support of medical cannabis.*  
*Teresa Cooper; spoke in support of medical cannabis.*  
*John Gallo; spoke in support of medical cannabis.*  
*Female Speaker; spoke in support of medical cannabis.*  
*Female Speaker; expressed concerns relating to Parkmerced.*  
*David Cary; expressed various concerns relating to ranked choice voting.*  
*Male Speaker; spoke in support of medical cannabis.*  
*Male Speaker; expressed various religious concerns.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### 111259 [Declaration of the November 8, 2011, Election Results]

**Sponsor: Chiu**

Resolution declaring the results of the November 8, 2011, Consolidated General Election.

**Resolution No. 508-11**

**ADOPTED**

### 111272 [Airport Concession Lease Correction - J. Avery Enterprises]

**Sponsor: Chu**

Resolution correcting Resolution No. 220-11, which approved Amendment No. 1, retroactive to April 14, 2011, to Domestic Terminal Food and Beverage Lease No. 03-0192 with J. Avery Enterprises, dba Klein's Deli, and the City and County of San Francisco, acting by and through its Airport Commission.

**Resolution No. 516-11**

**ADOPTED**

**111279 [Doris Blum Day - November 9, 2011]****Sponsor: Farrell**

Resolution commending Doris Blum on her 100th Birthday and proclaiming November 9, 2011, as Doris Blum Day in the City and County of San Francisco.

**Resolution No. 520-11**

**ADOPTED**

**111280 [Accept and Expend Grant - Pest Exclusion/Nursery Inspection - \$500]****Sponsor: Mayor**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant (Agreement #11-0220-SA) in the amount of \$500, from the California Department of Food and Agriculture to fund the program Pest Exclusion/Nursery Inspection for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

**Resolution No. 517-11**

**ADOPTED**

**111283 [Expressing Concern Over Federal Cuts to Medicaid and Medicare Programs]****Sponsor: Cohen**

Resolution expressing concern over proposed Federal cuts to Medicaid and Medicare programs that will result in impacts to healthcare access for residents of the City and County of San Francisco.

**Resolution No. 521-11**

**ADOPTED**

**111292 [Accept and Expend Grant - Organic Program - \$3,100]****Sponsor: Mar**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant (Agreement #11-0113-SA) from the California Department of Food and Agriculture in the amount of \$3,100 to fund the Organic Program for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

**Resolution No. 511-11**

**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 Mar requested that File No. 111268 be severed so that it may be considered separately.*

**111268 [Recommending a Multi-Language Multiple-Offender Driving Under the Influence Program]**

**Sponsors: Mar; Elsbernd**

Resolution recommending the National Council on Alcoholism and Other Drug Addictions be licensed to offer a Russian language multiple-offender driving under the influence program in the City and County of San Francisco.

**Supervisor Mar, seconded by Supervisor Avalos, 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 recommending the National Council on Alcoholism and Other Drug Addictions be licensed to offer a multiple-offender driving under the influence program in languages other than Spanish in the City and County of San Francisco.

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

**Resolution No. 518-11**

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

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

**IMPERATIVE AGENDA**

*There were none.*

**LEGISLATION INTRODUCED AT ROLL CALL****Introduced by a Supervisor or the Mayor****Ordinances****111315 [Planning Code - Automobile Sale or Rental in NC-S Districts]**

**Sponsor: Elsbernd**

Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; 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.

12/06/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/5/2012.

**111316 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]****Sponsor: Chiu**

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, Section 906.4 to clarify the amount of payroll expense tax attributable to stock-based compensation that a person may exclude from its payroll expense tax liability.

12/06/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 1/5/2012.

**Resolutions****111317 [Real Property Lease - Bauer Intelligent Transportation, Inc. - Pier 50]****Sponsor: Chiu**

Resolution approving Port Commission Lease No. L-15004 with Bauer Intelligent Transportation, Inc., a California Corporation, for certain real property located at Pier 50, Sheds A and C, in the City and County of San Francisco, for a term of ten years.

(Fiscal Impact)

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111318 [Accept and Expend Grant - Lead Hazard Reduction Demonstration Program for FY2011-2012 - \$2,500,000 and Program Income Not to Exceed \$200,000]****Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing to retroactively accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in the amount of \$2,500,000 and program income not to exceed \$200,000.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111319 [Commending Supervisor and Sheriff-Elect Ross Mirkarimi]****Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener**

Resolution commending and honoring Supervisor Ross Mirkarimi for his distinguished service as a member of the Board of Supervisors of the City and County of San Francisco and congratulating him on his election to the Office of Sheriff.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111320 [Supporting Assembly Concurrent Resolution 42 - "Eat Local, Buy California Grown Day"]****Sponsors: Chu; Mar and Campos**

Resolution supporting Assembly Concurrent Resolution 42, encouraging families, restaurants, and grocers to buy California-grown floriculture, fiber, and foods, and declaring Sundays as "Eat Local, Buy California Grown Day" in the City and County of San Francisco.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111321 [Accept and Expend Grant - Justice Reinvestment Initiative - \$100,000]****Sponsor: Cohen**

Resolution authorizing the Adult Probation Department as lead staff to the Reentry Council of San Francisco to accept and expend a technical assistance grant with a cash value of \$100,000 from the United States Department of Justice, awarded to the Reentry Council, for activities related to the Justice Reinvestment Initiative.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111322 [Honoring Warren Hellman - Renaming Speedway Meadow as Hellman Meadow]****Sponsors: Elsbernd; Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi and Wiener**

Resolution honoring Warren Hellman and supporting the decision to rename Golden Gate Park's Speedway Meadow as Hellman Meadow.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111323 [Amy L. Brown Day - January 6, 2012]****Sponsors: Elsbernd; Chiu, Chu, Mar and Campos**

Resolution honoring Amy L. Brown and proclaiming January 6, 2012, to be "Amy L. Brown Day" in the City and County of San Francisco.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111324 [Recognizing the 90th Anniversary of the San Francisco Office of the Public Defender]****Sponsors: Mirkarimi; Mar and Campos**

Resolution recognizing that the San Francisco Office of the Public Defender, founded in 1921, is celebrating its 90th anniversary this year.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**111327 [Commending Sheriff Michael Hennessey]****Sponsors: Mirkarimi; Farrell, Avalos, Chiu, Elsbernd, Wiener, Chu, Cohen, Campos, Kim and Mar**

Resolution commending and honoring Sheriff Michael Hennessey for his distinguished tenure as the longest serving Sheriff of the City and County of San Francisco and congratulating him on his retirement.

12/06/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Request for Hearing**

### **111325 [Hearing - City's Response to the Surge in Homeless Families]**

**Sponsor: Avalos**

Hearing on the City's response to the surge in homelessness among families, and for various City agencies, including the Human Services Agency and the Housing Authority, to outline their response to the crisis, including: 1) any plans to expand the rental subsidy program; 2) any plans to address the loss in federal homeless prevention and rapid re-housing funds; 3) any plans to increase homeless prevention efforts; 4) any plans to expedite the filling of vacant San Francisco Housing Authority units and moving homeless families into them; and 5) ways that we can protect households from foreclosure evictions.

12/06/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

## **Introduced by the President at the Request of a Department**

## **PROPOSED ORDINANCES**

### **111285 [Changing the Official Sidewalk Width - Portion of Mason Street]**

**Sponsor: Chiu**

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

11/17/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### **111286 [Settlement of Lawsuit - Patricia Sancinito - \$75,000]**

Ordinance authorizing settlement of the lawsuit filed by Patricia Sancinito against the City and County of San Francisco and Laguna Honda Hospital for \$75,000; the lawsuit was filed on May 19, 2011, in San Francisco Superior Court, Case No. CGC-11-511076; entitled Patricia Sancinito v. City and County of San Francisco, Laguna Honda Hospital. (City Attorney)

11/22/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Rules Committee.

**111287 [Settlement of Lawsuit - Mitchell Engineering/Obayashi Corporation, JV - \$14,950,000]**

Ordinance authorizing settlement of the lawsuit entitled Mitchell Engineering/Obayashi Corporation, JV (MEOC) v. City and County of San Francisco, et al., and related cross-actions, Santa Clara County Superior Court Case No. 1-08-CV-116915 by payment of \$14,950,000 from the City to MEOC. (City Attorney)

11/22/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Rules Committee.

**111288 [Waiving the Competitive Bid Requirements and Approving Modified Indemnification Clause for the Design of a Runway Safety Area Engineered Material Arresting System]**

Ordinance waiving the competitive bid requirements of San Francisco Administrative Code Chapter 6, approving a modified indemnification clause pursuant to the requirements of Chapter 6, and authorizing the Airport Commission to award a contract to complete the design of a runway safety area engineered material arresting system. (Airport Commission)  
(Fiscal Impact)

11/22/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## PROPOSED RESOLUTIONS

**111289 [Airport Concession Lease Amendment - Boarding Area F Principal Retail - Pacific Gateway Concessions, LLC]**

Resolution approving Amendment No. 1 to Boarding Area "F" Principal Retail Concession Lease No. 04-0139 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

11/21/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**111290 [Airport Lease Modification - United Air Lines, Inc.]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease L00-0464 at Plot 6 with United Air Lines, Inc., at San Francisco International Airport to: 1) extend the term; 2) reduce the demised premises; 3) modify the annual rent; 4) provide for a deferred City improvements payment to City; and 5) provide for certain terms of retroactivity relating to the rent and the deferred City improvements payment. (Airport Commission)  
(Fiscal Impact)

11/21/11; RECEIVED FROM DEPARTMENT.

12/06/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*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 the following private property locations:*

*Residential and Commercial Buildings*

*312 Divisadero*

*930 Haight*

*208 Scott*

*799 Haight*

*334 Divisadero*

*344 Divisadero*

*505 Divisadero*

*507 Divisadero*

*1290 Hayes, on East side*

*607 Divisadero*

*616 Divisadero*

*838 Divisadero*

*848 Divisadero*

*860 Divisadero*

*1034 Divisadero*

*1234 Divisadero*

*1347 Divisadero*

*1363 Divisadero*

*1854 Divisadero*

*Southwest corner of Scott and Geary*

*Approximately 2609 Pine*

*1513 Golden Gate*

*1949 Post, on roll down gate*

*Northeast corner of Scott and Haight*

*Parking Lots*

*Northwest corner of Grove and Gough*

*Billboards*

*Approximately 1280 Hayes*

*Vacant Lots*

*Approximately 1280 Hayes*

*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 the following utility poles:*

*Metal Poles*

*Approximately 2110 Post*

*Approximately 2010 Post*

*2281 Sutter*

*1861 Scott*

*1807 Scott*

*Northeast corner of Waller and Castro*

*In front of 248 Fillmore*

*Southwest corner of Buchanan and Haight*

*In front of 351 Haight*

*Approximately 2621 Bush*

*Southeast corner of Garden and Broderick*

*2299 Post*

Approximately 1415 Scott  
Southeast corner of McAllister and Scott  
1477 McAllister  
740 Haight  
210 Divisadero  
Southwest corner of O'Farrell and Divisadero  
Northwest corner of O'Farrell and Divisadero  
275 Divisadero  
280 Divisadero  
334 Divisadero  
352 Divisadero  
Approximately 2110 Geary  
Southeast corner of Oak and Divisadero  
1290 Hayes  
Southeast corner of Hayes and Divisadero  
928 Divisadero  
Approximately 1280 Divisadero  
751 Scott  
779 Scott  
Wood Poles  
Southwest corner of Buchanan and Page

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 the following public property locations:

Utility Boxes

Northeast corner of Waller and Scott  
Southeast corner of Golden Gate and Scott  
Northeast corner of Oak and Scott  
Northeast corner of Page and Divisadero  
Southwest corner of Grove and Divisadero  
Southeast corner of Fulton and Divisadero  
Northwest corner of Oak and Divisadero  
Northwest corner of Pine and Divisadero  
Approximately 1085 Page  
Southwest corner of Turk and Scott  
Approximately 1130 Oak  
Northwest corner of Bush and Scott  
Southeast corner of California and Broderick

Bus Shelters

Northeast corner of Pierce and McAllister  
Northwest corner of Divisadero and Haight  
Emergency Boxes

Northeast corner of Divisadero and Waller  
Parking Meters

Approximately 318 Divisadero  
607 Divisadero  
621 Divisadero  
629 Divisadero  
Approximately 2110 Geary  
Parking and Traffic Signs  
Approximately 1610 Pierce

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  
Northwest corner of Page and Divisadero  
Northwest corner of Pierce and Haight  
Northeast corner of Geary and Broderick  
444 Divisadero  
Northwest corner of Hayes and Fillmore  
Southeast corner of Fillmore and Haight  
San Francisco Chronicle  
Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
Northwest corner of Divisadero and Fulton  
783 Haight  
Northwest corner of Steiner and Waller  
Southeast corner of Hayes and Divisadero  
Northwest corner of Page and Divisadero  
Southeast corner of Haight and Divisadero  
Northwest corner of Hayes and Divisadero  
Southeast corner of Hayes 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  
Northeast corner of Geary and Broderick  
Northwest corner of Post and Divisadero  
Northwest corner of Fulton and Divisadero  
Northwest corner of Pierce and Haight  
Southwest corner of Geary and Divisadero  
Southeast corner of Hayes and Divisadero  
SF Weekly  
Southeast corner of Masonic and Haight  
Southeast corner of Haight and Fillmore  
Northwest corner of Hayes and Divisadero  
Northwest corner of Pierce and Haight  
Northeast corner of Scott and Haight  
1195 Oak  
Northeast corner of Broderick and Geary  
Northeast corner of Geary and Divisadero  
Northwest corner of Bush and Divisadero  
Northwest corner of Fulton and Divisadero  
Southwest corner of Geary and Divisadero  
444 Divisadero  
Southwest corner of Hayes and Divisadero  
Northeast corner of McAllister and Divisadero  
Advertiser  
Southwest corner of California and Divisadero  
Northwest corner of Fulton and Divisadero  
Southwest corner of Geary and Divisadero  
Southwest corner of Bush and Divisadero  
Real Estate Times  
Northeast corner of Geary and Divisadero  
Jobs and Careers

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Southeast corner of Hayes and Divisadero  
Southwest corner of Geary and Divisadero  
Approximately 1650 Divisadero  
1750 Divisadero  
Southwest corner of O'Farrell and Divisadero  
HP Western Edition Journal  
Southwest 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 the following locations:  
Garbage Cans  
Southeast corner of Divisadero and Fulton  
Northeast corner of Pine and Divisadero  
Southwest corner of Haight and Fillmore  
Mailboxes  
Northeast corner of Haight and Divisadero  
Southwest corner of Bush and Divisadero  
Northwest corner of Geary and Divisadero  
2320 Sutter  
Southwest corner of Buchanan and Hermann  
Northeast corner of Scott and Haight  
Fire Hydrants  
Northeast corner of Broderick and Page

**In Memoriams**

Richard Bechelli – Supervisor Farrell  
Michael Goldstein – Entire Board  
Solange “Sonia” Pierre – Supervisor Campos  
Samuel Litke – Entire Board

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 7:42 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 January 24, 2012.*

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Angela Calvillo, Clerk of the Board