



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, January 8, 2013 - 12:00 PM

Inaugural Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, LONDON BREED, DAVID CAMPOS, DAVID CHIU, CARMEN CHU,
MALIA COHEN, MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

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, Chiu, Commissioners Fewer, Maufas, Mendoza

City Operations and Neighborhood Services Committee
Supervisors Chu

Government Audit and Oversight Committee
Supervisors Wiener, Chiu

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

Public Safety Committee
Supervisors Avalos, Mar

Rules Committee
Supervisors Kim, Farrell, Avalos

Meeting Days

Wednesday
11:00 AM

4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

Agenda Item Information

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

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

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

Meeting Procedures

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

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

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

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

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

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

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

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

Disability Access

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

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

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

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

Know Your Rights Under The Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

1. OATH OF OFFICE

President David Chiu welcomes and introduces the Honorable Cynthia Ming-mei Lee, Presiding Judge, Superior Court of California, County of San Francisco, whereupon Judge Lee will administer the oath of office to the following individuals:

*David Campos
Eric Mar
John Avalos
David Chiu
Norman Yee
London Breed*

2. NOMINATIONS FOR PRESIDENT OF THE BOARD

3. 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.

4. ELECTION OF THE PRESIDENT OF THE BOARD

Newly elected President designates Members of the Board to escort him/her to the dias.

5. REMARKS FROM THE MAYOR

President introduces the Honorable Mayor of the City and County of San Francisco and affords an opportunity for brief remarks.

6. REMARKS BY THE MEMBERS OF THE BOARD

President introduces each Board member and affords an opportunity for brief remarks and for introduction of family members in attendance.

7. REMARKS BY THE PRESIDENT OF THE BOARD

President has an opportunity for brief remarks and for introduction of family members in attendance.

ADJOURNMENT

Introduced by the President at the Request of a Department

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

PROPOSED ORDINANCES

Proposed Ordinances received from December 4, 2012, through December 31, 2012, for reference by President to appropriate Committee on January 8, 2013.

121190 [Settlement of Lawsuit - Bryan Vestal - \$420,000]

Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for \$420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of \$110,098.30. (City Attorney)

12/27/2012; RECEIVED FROM DEPARTMENT.

01/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

121211 [Administrative Code - Rescinding Sunset in the San Francisco Bonding and Financial Assistance Program]

Ordinance amending the San Francisco Administrative Code, Section 14B.16, to rescind the sunset clause in the San Francisco Bonding and Financial Assistance Program, make technical amendments, and make environmental findings and findings of consistency with General Plan. (City Administrator)

12/11/2012; RECEIVED FROM DEPARTMENT.

12/27/2012; REFERRED TO DEPARTMENT.

01/08/2013; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

121226 [Settlement of Lawsuit - Sandra Ramos - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for \$60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to \$2,500 for services of an organizational consultant. (City Attorney)

12/27/2012; RECEIVED FROM DEPARTMENT.

01/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

- 121227 [Settlement of Lawsuit - Health Net - City to Receive \$800,000 and Future Payments]**
Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of \$800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

12/27/2012; RECEIVED FROM DEPARTMENT.

01/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

- 121228 [Settlement of Lawsuit - Brendan Cadam - \$42,500]**
Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for \$42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

12/27/2012; RECEIVED FROM DEPARTMENT.

01/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

- 121229 [Settlement of Lawsuit - Maya Vlanin - \$95,000]**
Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for \$95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney)

12/27/2012; RECEIVED FROM DEPARTMENT.

01/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed Resolutions received from December 4, 2012, through December 31, 2012, for reference by President to appropriate Committee on January 8, 2013.

- 121161 [Settlement of Claim - Crystal Cheung - \$110,000]**
Resolution approving the proposed settlement of claim by Crystal Cheung against the City and County of San Francisco for \$110,000; the claim was filed on January 24, 2012, bearing Claim No. 12-01653. (City Attorney)

12/27/2012; RECEIVED FROM DEPARTMENT.

01/08/2013; RECEIVED AND ASSIGNED to the Rules Committee.

- 121191 [Airport Concession Lease - Avila Retail Development and Management, LLC]**
Resolution approving the Boarding Area "F" Specialty Store Lease between Avila Retail Development and Management, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, for the term of approximately seven years commencing on January 13, 2013, and terminating January 1, 2020. (Airport Commission)
- 12/06/2012; RECEIVED FROM DEPARTMENT.
- 01/08/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 121192 [Airport Concession Lease - Host International, Inc.]**
Resolution approving the International Terminal and Terminal 3 Newsstands/Café Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for term of approximately ten years commencing on February 1, 2014, and terminating February 1, 2024. (Airport Commission)
- 12/06/2012; RECEIVED FROM DEPARTMENT.
- 01/08/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 121193 [Contract Amendment - Renewable Energy and Climate Change Professional Services - \$31,400,000]**
Resolution approving the Fourth Amendment to the contract with ICF International, Inc., for Renewable Energy and Climate Change Professional Services, to increase the amount of the contract by \$12,400,000 for a total of \$31,400,000 and to extend the term of the contract from July 1, 2014, to December 31, 2016. (Environment)
- 12/11/2012; RECEIVED FROM DEPARTMENT.
- 01/08/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 121210 [Agreement - Fong and Chan Architects, Inc. - San Francisco General Hospital Rebuild Program]**
Resolution ratifying Modification No. 7 to the Architectural and Engineering Design Services Agreement with Fong & Chan Architects, Inc., for the San Francisco General Hospital Rebuild Program from \$51,507,500 to \$52,521,000 and authorizing the Director of Public Works to execute Modification No. 10 from \$52,710,860 to \$53,376,607. (Public Works Department)
- 12/03/2012; RECEIVED FROM DEPARTMENT.
- 01/08/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 121212 [Agreement - Tides Center to Provide Supportive Housing Property Management Services - \$42,940,312]**
Resolution approving a Second Amendment to the agreement between the Department of Public Health and the Tides Center to provide Supportive Housing Property Management Services at Direct Access to Housing Sites under the Delivering Innovation in Supportive Housing Program, to extend the term by five years and increase the contract by \$25,568,499 for a total of \$42,940,312. (Public Health Department)
- 12/17/2012; RECEIVED FROM DEPARTMENT.
- 01/08/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

121225 [Contract Amendment - Xtech - \$90,580,000]

Resolution retroactively authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from \$60,490,000 to \$90,580,000 with a term of three years through December 31, 2011, with possible extensions through December 31, 2013. (Office of Contract Administration)

12/21/2012; RECEIVED FROM DEPARTMENT.

01/08/2013; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

121213 [Petitions and Communications]

Petitions and Communications received from December 10, 2012, through December 31, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on January 8, 2013.

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 San Francisco Coalition on Homelessness regarding their annual report and 2012 accomplishments. (1)

From Controller, regarding audit report on SFPUC's Job Order Contract Program. (2)

From Recreation and Parks, submitting 1st Quarter report for FY2012-2013 in response to Lead Poisoning Prevention. Copy: Each Supervisor. (3)

From Clerk of the Board, reporting the following individuals have submitted a Form 700 Statement: (4)

- Sean Elsbernd - Supervisor - Leaving
- William Johnston - Legislative Aide - Assuming
- Ahmad El-Najjar - Legislative Aide - Assuming

From Controller, regarding the Opportunities to Claim and Expand Early Periodic Screening, Diagnosis, and Treatment Services report. (5)

From Treasurer & Tax Collector, submitting CCSF Monthly Investment Report as of November 30, 2012. (6)

From Institute for Justice, regarding the proposal to amend City ordinances regarding mobile food vendor locations. File No. 120193. Copy: Each Supervisor. (7)

From Tijuana Express, LLC, submitting notice of application with Public Utilities Commission to provide passenger stage service to regions throughout California. Copy: Each Supervisor. (8)

From Planning, submitting Notice of Preparation of an Environmental Impact Report for the 75 Howard Street Project. Copy: Each Supervisor, Committee Clerk. (9)

From Planning, regarding Transmittal of Planning Department Case No. 2012.0543T: Code Corrections Ordinance. Copy: Committee Clerk. (10)

From Planning, regarding California Environmental Quality Act Procedures. File No. 121019. Copy: Each Supervisor. (11)

From Jul Lynn Parsons, regarding her resignation from the Mayor's Disability Council. Copy: Each Supervisor, Committee Clerk. (12)

From Controller, issuing follow-up memo concerning audit of SFPUC's Tesla Water Treatment Facility and East/West Transmission Main. (13)

From Susan E. Vaughan, regarding Transportation Impact Development Fees. (14)

From Citizen's General Obligation Bond Oversight Committee, presenting their 2011 Annual Report. Copy: Each Supervisor. (15)

From PG&E, regarding Notice of Application Filing of Pacific Gas and Electric Company's 2014 General Rate Case A. 12-11-009. Copy: Each Supervisor. (16)

From Delta Stewardship Council, submitting notice of Recirculated Draft Program Environmental Impact Report for the Delta Plan. Copy: Each Supervisor. (17)

From SF Water, regarding Community Choice Aggregation Program Release of Reserve for \$1,443,500. (18)

From Vanessa Palmer, regarding Charlie the Dog. (19)

From Daniel Henriques, regarding Proposition 8. (20)

From Karen Kidwell, supporting Woodhouse Marina Green and redevelopment of the Marina Degaussing Station. (21)

From Francisco Da Costa, regarding the resolution approving re-designation of 47 selling spaces at Hallidie Plaza. File No. 121003. (22)

From Trust Women Silver Ribbon Campaign, thanking Supervisors Campos and Avalos for introducing a resolution commemorating the 40th anniversary of Roe v. Wade. Copy: Each Supervisor. (23)

From Controller, regarding Airport Cooling Towers Rehabilitation Project. (24)

From American Lung Association, announcing the January 16, 2013, release of their State of Tobacco Control Report. (25)

From Julian Quattlebaum, regarding Charlie the Dog. (26)

From Controller, regarding the Airport's Payroll Operations. (27)

From Louis Nastro, regarding Public Notice for the California State Park and Recreation Commission. Copy Each Supervisor. (28)

From Anmarie Mabbutt, regarding Outside Lands festival permit. File No. 121134. (29)

From concerned citizens, regarding public nudity. File No. 120984. 3 letters. (30)

From Allen Matkins, regarding acquisition by eminent domain of construction license for the Central Subway at 1 Stockton Street. File No. 121090. Copy: Each Supervisor. (31)

From Jon Golinger, regarding 8 Washington Project. File No. 121183. (32)

From State Fish and Game Commission, regarding proposed regulatory action relating to the practice of Falconry. Copy: Each Supervisor. (33)

*From Office of Citizen Complaints, submitting 2012 Third Quarter Statistical Report. (34)

From Amy Perlmutter, regarding Haight Ashbury Recycling Center. (35)

From Olga Ryerson, regarding Executive Directive 12-01, Contractor Partnering and Prompt Payment Policies. (36)

*From concerned citizens, regarding Vibrant Castro Neighborhood Alliance's petition. Copy: Each Supervisor. 82 letters. (37)

*From Chris Geiger, regarding release of Pest Prevention by Design Guidelines report. (38)

From Rent Stabilization and Arbitration Board, submitting revised Rent Board Annual Statistical Report for FY2011-2012 (Revised). (39)

From concerned citizens, regarding Oak/Fell Bike Lane. File No. 121118. 24 letters. (40)

*From concerned citizens, regarding Woodhouse Fish Company Lease. File No. 120987. Copy: Each Supervisor. 226 letters. (41)

From Public Utilities Commission, regarding 415 Area Code Meeting. Copy: Each Supervisor. (42)

*(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.)