



# 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, June 5, 2012 - 2:00 PM

#### Regular Meeting

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

Angela Calvillo, Clerk of the Board

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#### BOARD COMMITTEES

##### Committee Membership

**Budget and Finance Committee**  
Supervisors Chu, Avalos, Kim, Cohen, Wiener

**Budget and Finance Sub-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  
1:00 PM

Wednesday  
10:00 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

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

## **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 Erasmo Vazquez (415) 554-4909.

**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](mailto: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

## APPROVAL OF MEETING MINUTES

*Approval of the April 24, 2012, Board Meeting Minutes.*

## COMMUNICATIONS

## CONSENT AGENDA

*All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.*

*Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.*

### Items 1 through 11

### Recommendations of the Budget and Finance Sub-Committee

*Present: Supervisors Chu, Avalos, Kim*

1. **120406 [Administrative Code - Film Rebate Program Extension and Funding]**  
**Sponsor: Farrell**  
Ordinance amending the San Francisco Administrative Code Section 57.8 to: 1) extend the Film Rebate Program for two additional years, through June 30, 2014; and 2) increase the total amount of available funds up to \$2,000,000 for film rebates during that period.  
  
(Fiscal Impact)  
  
05/22/2012; PASSED, ON FIRST READING.  
  
**Question: Shall this Ordinance be FINALLY PASSED?**

2. 120433 **[Accept and Expend Grant - Replacement of Refrigeration Equipment in Small Businesses - \$403,000]**

**Sponsor: Chu**

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$403,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to study the impact that the replacement of old refrigeration equipment in San Francisco businesses would have on energy usage and peak power demand in the City, and amending Ordinance No. 146-11 Annual Salary Ordinance, FY2011-2012 and FY 2012-2013) to reflect the addition of one (1) Class 5640 Environmental Specialist grant funded position (.25 FTE) at the Department of the Environment.

05/22/2012; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Government Audit and Oversight Committee**

*Present: Supervisors Farrell, Elsbernd, Chiu*

3. 120368 **[Endorsing the 2011 and 2012 Annual Language Access Ordinance Compliance Reports]**

**Sponsor: Chiu**

Resolution endorsing "Language Matters: Language Access Ordinance Annual Compliance Summary Report, July 2011" and "Language Access Ordinance Annual Compliance Summary Report, March 2012," issued by the Office of Civic Engagement and Immigrant Affairs.

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Elsbernd, Chu, Olague*

4. 110716 **[Transportation Code - Tour Bus Parking and Loading]**

**Sponsors: Chiu; Farrell**

Ordinance amending the San Francisco Transportation Code, Division I, Article 7 by: 1) amending Section 7.2.27 to remove the restriction on the use of white zones by commercial vehicles and clarify that this Section does not apply to Stands established under Division II of the Code and designated for the use of Tour Buses; 2) amending Section 7.2.38 to establish violations for vehicles other than authorized Tour Buses parking or stopping in restricted Tour Bus Stands and for Tour Buses that exceed posted time limits in such Stands; 3) amending Section 7.2.80 to exclude Tour Bus Stands from otherwise applicable parking restrictions imposed in specified use districts on vehicles required to register with the California Public Utilities Commission; and 4) making environmental findings.

05/22/2012; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

5. 120405 **[Police Code - Regulating the Use of Amplified Sound on Unenclosed Tour Buses and Establishing Fee]**

**Sponsor: Chiu**

Ordinance amending San Francisco Police Code Sections 46, 2901, 2916, and 2922, and adding Section 2913, to: 1) clarify that the definition of "Sound Truck" in Section 46 does not include unenclosed tour buses; 2) clarify that the noise restrictions imposed by Article 29 do not apply to the City and County of San Francisco; 3) prohibit the use of amplified sound systems on unenclosed tour buses unless such systems have been certified by the San Francisco Department of Public Health as not being audible from a distance of 50 or more feet from the vehicle or contain volume limiting electronics to meet that requirement; 4) adding a reporting requirement for the Department of Public Health; 5) adding fees for the Department of Public Health approval and issuance of a Certificate of Authorization to Operate Electronically Amplified Sound on Unenclosed Tour Bus; 6) authorize the Department of Public Health and the Police Department to enforce the requirements of Section 2913; 7) clarify that Article 29 should not be construed to conflict with Federal or State laws; and 8) adopt findings, including environmental findings.

05/22/2012; PASSED, ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

**Recommendation of the Public Safety Committee**

*Present: Supervisors Avalos, Olague, Mar*

6. 120440 **[Accept and Expend Grant - Water-Based Response Capabilities - \$215,000]**

**Sponsor: Chiu**

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$215,000 from the Federal Emergency Management Agency for the FY2011 Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay.

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Kim, Farrell, Campos*

7. 120068 **[Settlement of Lawsuit - Kevin Woodson v. CCSF - \$45,000]**

Ordinance authorizing settlement of the lawsuit filed by Kevin Woodson against the City and County of San Francisco for \$45,000; the lawsuit was filed on December 10, 2010, in the United States District Court, Northern District of California, Case No. C11-00057 JCS; entitled Kevin Woodson, et al. v. City and County of San Francisco, et al. and the waiver of the San Francisco General Hospital lien. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 8.     **120273**     **[Confirming Reappointment, Local Homeless Coordinating Board - Christine Ma, M.D.]**  
Resolution confirming the Controller's reappointment of Christine Ma, M.D., term ending October 21, 2015, to the Local Homeless Coordinating Board, and waiving residency requirement. (Controller)  
  
**Question: Shall this Resolution be ADOPTED?**
  
- 9.     **120491**     **[Appointment, Local Homeless Coordinating Board - Laura Guzman]**  
Motion appointing Laura Guzman, term ending October 21, 2015, to the Local Homeless Coordinating Board, and waiving residency requirement. (Clerk of the Board)  
  
**Question: Shall this Motion be APPROVED?**
  
- 10.    **120490**     **[Appointments, Child Care Planning and Advisory Council - Candace Wong, Simon Lee, Natalie Kriger, and Michele Rutherford]**  
Motion appointing Candace Wong, Simon Lee, Natalie Kriger, and Michele Rutherford, terms ending March 19, 2015, to the Child Care Planning and Advisory Council. (Clerk of the Board)  
  
**Question: Shall this Motion be APPROVED?**
  
- 11.    **120492**     **[Appointments, Pedestrian Safety Advisory Committee - John Lowell, Paul Supawanich, Howard Strassner, Robin Brasso, and Zachary Marks]**  
Motion appointing Paul Supawanich and Robin Brasso, terms ending March 28, 2013, and John Lowell, Howard Strassner, and Zachary Marks, terms ending March 28, 2014, to the Pedestrian Safety Advisory Committee (Clerk of the Board)  
  
**Question: Shall this Motion be APPROVED?**

**REGULAR AGENDA**

**UNFINISHED BUSINESS**

*There were none.*

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Present: Supervisors Chu, Avalos, Kim, Cohen, Wiener*

12. 120428 **[Appropriating \$587,756,000 for Wastewater Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]**  
**Sponsor: Mayor**  
Ordinance appropriating \$587,756,000 of proceeds from revenue bonds, wastewater revenue, state grants, and bond interest income for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program, comprised of \$299,402,000 for FY2012-2013, and \$288,354,000 for FY2013-2014, and placing \$255,600,000 on Board Finance Committee reserve as well as placing all applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, accept and expend a Department of Water Resources administered grant in the amount of \$24,147,000 and allow reimbursement of prior expenditures, funded from Wastewater Revenue Bonds, to be funded by the grant retroactive to December 2011; notably if the State delays the disbursement of the \$24,147,000 in grant funding, Wastewater Revenue Bonds may be substituted as a source for the grant funds.

(Fiscal Impact)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

13. 120429 **[Appropriating \$171,001,000 for Water Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]**  
**Sponsor: Mayor**  
Ordinance appropriating \$171,001,000 of proceeds from revenue bonds, water revenues, and interest income for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program, comprised of \$60,084,000 for FY2012-2013, and \$110,917,000 for FY2013-2014, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness.

(Fiscal Impact)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**



- 14. 120430 [Appropriating \$141,171,000 for Hetch Hetchy Water and Power Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]**  
**Sponsor: Mayor**  
Ordinance appropriating \$141,171,000 of Hetch Hetchy revenue, California Energy Commission loan and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Enterprise's Capital Improvement Program consisting of \$51,383,000 for FY2012-2013, and \$89,788,000 for FY2013-2014, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and loan funds.
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 15. 120467 [Water Revenue Bond Issuance and Sale - Not to Exceed \$163,400,000]**  
Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed \$163,400,000 to finance various capital water projects benefitting the Water Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 16. 120468 [Power Revenue Bond Issuance and Sale - Not to Exceed \$12,300,000]**  
Ordinance approving the issuance and sale of power revenue bonds by the San Francisco Public Utilities Commission (SFPUC) in an aggregate principal amount not to exceed \$12,300,000 to finance various power capital projects benefitting the SFPUC Power Enterprise, pursuant to Section 9.107(8) of the City Charter; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 17. 120469 [Wastewater Revenue Bond Issuance and Sale - Not to Exceed \$522,810,000]**  
Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed \$522,810,000 to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

**18. 120437 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]**

**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for the following services for FY2012-2013 and FY2013-2014: employee and public parking management, information booth, security, and shuttle bus services (Airport); paratransit, security, parking citation and collection, meter collection and coin counting, towing, and transit shelter maintenance services (Municipal Transportation Agency); janitorial and security services (Port); security services (Public Utilities Commission).

**Question: Shall this Resolution be ADOPTED?**

**19. 120454 [Lease of Real Property - 1455 Market Street]**

Resolution authorizing the lease of 24,440 square feet at 1455 Market Street for seven years plus option to extend for the San Francisco Department of the Environment's Office purposes. (Real Estate Department)

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Farrell, Elsbernd, Chiu*

**20. 120378 [Administrative Code - Establishing a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force]**

**Sponsors: Wiener; Olague, Campos and Cohen**

Ordinance amending the San Francisco Administrative Code, Chapter 5, Article XII, by adding Sections 5.110 through 5.115, to establish a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force and establish its powers and duties.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**21. 120477 [Lease Amendment - San Francisco Forty Niners - Candlestick Park Stadium]**

**Sponsors: Mayor; Farrell**

Resolution: 1) approving and authorizing an amendment to the Lease of Candlestick Park Stadium with San Francisco Forty Niners, LLC, to grant the Forty Niners an additional option to terminate the Lease early, between May 31, 2014, and May 31, 2015, providing for the Forty Niners to pay the City \$1,000,000 in consideration for the early termination option, and providing that if the Forty Niners exercise the option, the Forty Niners make added minimum guaranteed payments to the City, in lieu of the rent scheduled under the current Lease, of \$4,295,000 if the team plays no regular season or post-season NFL games at Candlestick in the 2014 season and up to \$5,000,000 more if the team does play such games; 2) approving and accepting the dedication under the amendment of \$1,045,000 of such \$4,295,000 minimum guaranteed payment for youth programs for the City's Recreation and Park Department; 3) ratifying prior acts; and 4) making environmental findings.

(Fiscal Impact)

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Mar, Cohen, Wiener*

22. 120047 **[Planning Code - Including Financial Services Within Definition of Formula Retail]**  
**Sponsors: Mar; Olague**  
Ordinance amending the San Francisco Planning Code by: 1) amending Section 703.3(c) to include financial services within the uses subject to formula retail controls in Neighborhood Commercial Districts; 2) amending Section 806.3(c) including financial services within the uses subject to formula retail controls in Mixed Use Districts; 3) amending Section 303.3(i) making conforming amendments; and 4) making findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendation of the Public Safety Committee**

*Present: Supervisors Avalos, Olague, Mar*

23. 120431 **[Administrative Code - Establishing a Wage Theft Task Force]**  
**Sponsors: Campos; Mar, Chiu, Kim, Avalos, Olague and Cohen**  
Ordinance amending the San Francisco Administrative Code by adding Sections 5.260 through 5.260-5 to: 1) establishing a Wage Theft Task Force to make recommendations to the Board of Supervisors regarding how the City may best address wage theft in San Francisco; 2) provide for the Task Force's membership, organization, and duties; and 3) set a sunset date for the Task Force.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendations of the Rules Committee**

*Present: Supervisors Kim, Farrell, Campos*

24. 111326 **[Confirming Appointment, Municipal Transportation Agency Board of Directors - Cristina Rubke]**  
**Sponsor: Mayor**  
Motion confirming the Mayor's appointment of Cristina Rubke, term ending March 1, 2016, to the Municipal Transportation Agency Board of Directors.
25. 120493 **[Appointment, Association of Bay Area Governments Executive Board - Supervisor Christina Olague]**  
Motion appointing Supervisor Christina Olague, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

**Question: Shall this Motion be APPROVED?**

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

### 26. ROLL CALL FOR INTRODUCTIONS

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

### COMMITTEE REPORTS

*Reports from committees, if any, recommending emergency or urgent measures.*

*The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Thursday, May 31, 2012, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 5, 2012.*

### 27. 120435 [Park Code - Marina Small Craft Harbor Fees and Licenses]

**Sponsor: Farrell**

Ordinance amending the San Francisco Park Code Section 12.11 to: 1) reflect the fees for FY2011-2012 for berthing licenses in the San Francisco Marina Small Craft Harbor; 2) establish a flat daily rate for short-term dock fees; 3) delete fees for obsolete services; 4) add new transfer fee provisions; and 5) authorize annual renewals of berthing licenses pursuant to the Recreation and Park Commission's Marina Rules; and making environmental findings and findings of consistency with the General Plan.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

### 28. 120436 [Appropriating \$1,039,600 of Fund Balance in the Marina Yacht Harbor Operating Fund to the Recreation and Park Department for the West Harbor Renovation Project in FY2011-2012]

**Sponsor: Farrell**

Ordinance appropriating \$1,039,600 in fund balance in the Marina Yacht Harbor Operation Fund to the Recreation and Park Department in FY2011-2012 for funding the construction of 36 additional slips as a part of the West Harbor Renovation Project.

(Fiscal Impact)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

## 29. 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.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

*These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.*

### Items 30 through 42

*Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.*

- 30. 120562 [José Julio Sarria Day - May 22, 2012]**  
**Sponsors: Campos; Olague, Wiener and Kim**  
 Resolution honoring José Julio Sarria for his tremendous contributions to San Francisco's political and cultural life, including being the first openly gay candidate for a political elected office in the United States when he ran for the San Francisco Board of Supervisors in 1961, and declaring May 22, 2012, as José Julio Sarria Day in the City and County of San Francisco.
- 05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 31. 120563 [Accept and Expend Grant - California Arts Council State Local Partnership Program - \$14,400]**  
**Sponsors: Chu; Mayor**  
 Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$14,400 from the California Arts Council State Local Partnership Program to help support the Arts Commission's Arts Education Program.
- 05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

- 32. 120564 [Accept and Expend Grant - Keith Haring Foundation Grant - \$15,000]**  
**Sponsor: Chu**  
Resolution to accept and expend a \$15,000 grant from the Keith Haring Foundation to the San Francisco Arts Commission's ArtCare Program to restore and conserve Keith Haring's "Dancing Figures" sculpture, located at Third and Howard Streets.
- 05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 33. 120565 [Accept and Expend Grant - Keith Haring Foundation Grant - \$50,000]**  
**Sponsor: Chu**  
Resolution to accept and expend a \$50,000 grant from the Keith Haring Foundation to the San Francisco Arts Commission's ArtCare Program to restore and conserve Keith Haring's "Dancing Figures" sculpture, located at Third and Howard Streets.
- 05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 34. 120566 [Accept and Expend Grant - Koret Foundation Grant - \$25,000]**  
**Sponsor: Chu**  
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$25,000 from the Koret Foundation for the ArtCare Program.
- 05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 35. 120567 [Lyme Disease Awareness Month - May 2012]**  
**Sponsor: Kim**  
Resolution proclaiming May 2012 as Lyme Disease Awareness Month in the City and County of San Francisco.
- 05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 36. 120569 [Accept and Expend Grant - California Arts Council's Artist in Schools Grant - \$9,600]**  
**Sponsor: Chu**  
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$9,600 from the California Arts Council for the WritersCorps Program at Mission High School.
- 05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

**37. 120570 [Accept and Expend Grant - Walter and Elise Haas Fund's Creative Work Fund - \$40,000]**

**Sponsor: Chu**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$40,000 from the Walter and Elise Haas Fund's Creative Work Fund for the WritersCorps Project with Leticia Hernández, "Dar A Luz."

05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**38. 120571 [Accept and Expend Grant - National Endowment for the Arts Access - \$15,000]**

**Sponsor: Chu**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$15,000 from the National Endowment for the Arts Access to Artistic Excellence Grant Program for the fall 2011 Exhibition, "Shift."

05/22/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**39. 120586 [Approval of a 30-Day Extension for Planning Commission Review of Signage Required for Privately-Owned Publicly Accessible Open Spaces - File No. 120220]**

**Sponsor: Chiu**

Resolution extending by 30-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120220) amending the San Francisco Planning Code by: 1) amending Sections 135(h)(4), 135.3(g), and 138(i) to impose additional signage requirements for privately owned publicly-accessible open spaces; 2) amending Section 603(k) to make a conforming amendment; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

05/30/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**40. 120587 [Annette Lonich Day - June 22, 2012]**

**Sponsor: Board of Supervisors**

Resolution declaring June 22, 2012, as Annette Lonich Day in the City and County of San Francisco and commending her on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 34 years of service to the City and County of San Francisco. (Clerk of the Board)

05/30/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**41. 120588 [Gail Johnson Day - June 8, 2012]**

**Sponsor: Board of Supervisors**

Resolution declaring June 8, 2012, as Gail Johnson Day in the City and County of San Francisco and commending her on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 36 years of service to the City and County of San Francisco. (Clerk of the Board)

05/30/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**42. 120574 [Final Map 6375: 2000 Ellis Street]**

Motion approving Final Map 6375, a 21 Unit Residential Condominium Project, located at 2000 Ellis Street, being a subdivision in Assessor's Block No. 1101, Lot No. 048; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

05/29/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?**

**43. IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**LEGISLATION INTRODUCED AT ROLL CALL**

*Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

*Pursuant to Section 2.8 of the Rules of Order of the Board of Supervisors, 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 May 15, 2012, through May 25, 2012, for reference by President to appropriate Committee on June 5, 2012.*

- 120576 [Settlement of Lawsuit - State Farm Gen. Ins. Co. v. CCSF - \$37,500]**  
Ordinance authorizing settlement of the lawsuit filed by State Farm Gen. Ins. Co. against the City and County of San Francisco for \$37,500; the lawsuit was filed on March 25, 2010, in Superior Court of the State of California, Case No. CGC-10-498127; entitled State Farm Gen. Ins. Co. v. City and County of San Francisco. (City Attorney)

05/24/2012; RECEIVED FROM DEPARTMENT.

06/05/2012; RECEIVED AND ASSIGNED to the Rules Committee.

- 120577 [Settlement of Lawsuit - Anderson v. CCSF - \$62,500]**  
Ordinance authorizing settlement of the lawsuit filed by Phyllis Anderson against the City and County of San Francisco for \$62,500; the lawsuit was filed on April 1, 2010, in San Francisco Superior Court, Case No. CGC-09-498287; entitled Phyllis Anderson v. Laguna Honda Hospital, CCSF, and Does 1-50, inclusive. (City Attorney)

05/24/2012; RECEIVED FROM DEPARTMENT.

06/05/2012; RECEIVED AND ASSIGNED to the Rules Committee.

## PROPOSED RESOLUTIONS

*Proposed resolutions received from May 15, 2012, through May 25, 2012, for reference by President to appropriate Committee on June 5, 2012.*

- 120578 [Settlement of Alleged Violations of the North American Electric Reliability Corporation Standards and Payment of a \$50,000 Penalty]**  
Resolution approving a settlement of the unlitigated Notice of Alleged Violation filed by the Western Electricity Coordinating Council against Hetch Hetchy Water and Power on September 30, 2011, with respect to alleged violations of the North American Electric Reliability Corporation Reliability Standards. (City Attorney)

05/21/2012; RECEIVED FROM DEPARTMENT.

06/05/2012; RECEIVED AND ASSIGNED to the Rules Committee.

- 120580 [Report of Assessment Costs for Blighted Properties]**  
Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

05/24/2012; RECEIVED FROM DEPARTMENT.

06/05/2012; RECEIVED AND ASSIGNED to the Board of Supervisors.

**120581 [Parking Meter Management System]**  
Resolution authorizing the San Francisco Municipal Transportation Agency to execute an agreement with Serco Inc. for parking meter coin collection, counting, and support services for an amount not to exceed \$46,410,974 and for a term of five years, with an option to extend the term for up to an additional four years. (Municipal Transportation Agency)

05/21/2012; RECEIVED FROM DEPARTMENT.

06/05/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**120582 [Contract Amendment - Construction Management Services for the Bay Division Region Required for the Water System Improvement Program Projects - \$26,500,000]**  
Resolution authorizing an amendment to the San Francisco Public Utilities Commission contract CS- 914 for Construction Management Services with Jacobs Engineering Group, Inc., to be provided on projects in the Water System Improvement Program, and authorizing the General Manager to execute this amendment, increasing the agreement by \$1,500,000 for a total agreement amount of \$26,500,000 and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)

05/25/2012; RECEIVED FROM DEPARTMENT.

06/05/2012; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

**120583 [Real Property Lease Expansion - KLW, LLC - 3120 Mission Street]**  
Resolution authorizing the amendment of an existing lease at 3120 Mission Street with KLW, LLC, to expand the premises by approximately 5,000 square feet for the Human Services Agency. (Real Estate Department)

05/21/2012; RECEIVED FROM DEPARTMENT.

06/05/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

**120585 [Real Property Sublease - 1440 Harrison Street Development Group, LLC - 1440 Harrison Street]**  
Resolution authorizing the exercise of a five year option to extend the Sublease of the 52,200 square foot building at 1440 Harrison Street for the Human Services Agency. (Real Estate Department)

05/23/2012; RECEIVED FROM DEPARTMENT.

06/05/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

**120548 [Petitions and Communications]**

Petitions and Communications received from May 15, 2012, through May 25, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 5, 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 Human Services Agency, submitting request for waiver of Administrative Code Chapter 12B for Fleetcor Tech. (1)

From Tes Welborn, submitting support for the reappointment of Bruce Wolfe to the Sunshine Ordinance Task Force. (2)

From Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (3)

- Melissa Tidwell, Redistricting Task Force - Leaving
- Eric McDonnell, Redistricting Task Force - Leaving
- Hope Johnson, Sunshine Ordinance Task Force - Leaving
- Mike Alonso, Redistricting Task Force - Leaving

From concerned citizens, regarding proposed amendments to Planning Code Articles 10 and 11. Copy: Each Supervisor, File Nos. 120300, 120301, 3 letters (4)

From Office of the Mayor, submitting copy of letter urging the Golden State Warriors to build their new home in San Francisco in time for the 2017 National Basketball Association Season. (5)

From Office of the Mayor, submitting the following appointments: Copy: Rules Committee Clerk (6)

- Commission on the Status of Women
  - Andrea Shorter, term ending April 13, 2016
  - Julie D. Soo, term ending April 13, 2016
- Recreation and Park Commission
  - Allan Low, term ending June 27, 2013
- Treasure Island Development Authority
  - Mark Dunlop, term ending February 16, 2016

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointments by the Mayor: (7)

- Commission on the Status of Women
  - Andrea Shorter, term ending April 13, 2016
  - Julie D. Soo, term ending April 13, 2016
- Recreation and Park Commission
  - Allan Low, term ending June 27, 2013
- Treasure Island Development Authority
  - Mark Dunlop, term ending February 16, 2016

From Veterans Affairs Commission, submitting support for resolution urging the Secretary of the Navy to christen a ship as the "U.S.S. Harvey Milk." File No. 120447, Copy: Each Supervisor (8)

From concerned citizens, regarding the Beach Chalet Project. Copy: Each Supervisor, 15 letters (9)

From Aaron Goodman, regarding the Community Safety Element. (10)

From Office of the Controller, regarding the implementation of the FY2010-2011 San Francisco Civil Grand Jury recommendations. (11)

From concerned citizens, regarding the 8 Washington Street Project. File Nos. 120266, 120397 (12)

From Marvis Phillips, regarding California Pacific Medical Center. File No. 120549 (13)

From Haight Ashbury Improvement Association, regarding the proposed Oak and Fell Street bike lanes. Copy: Each Supervisor (14)

From Sala-Haqueenyah Chandler, regarding Doctor Burke's office at 3450 Third Street. Copy: Each Supervisor (15)

From Public Utilities Commission, submitting request for release of reserved funds for the San Francisco Electric Reliability Payment. File No. 120544, Copy: Budget and Finance Clerk (16)

From Screen Actors Guild, regarding the Film Rebate Program. File No. 120406, Copy: Each Supervisor (17)

From Howard Wong, regarding the FY2012-2013 Budget. (18)

From Malana Moberg, regarding housing in San Francisco. (19)

\*From Rita O'Flynn, regarding non-profit organizations that engage in prohibited political activities. (20)

From Civil Service Commission, regarding certification of salary setting for elected officials. (21)

From Department of Public Works, regarding the Earthquake Safety and Emergency Response Program's Third Bond Sale. (22)

From Richard Skaff, submitting the Spring 2012 Designing Accessible Communities Newsletter. (23)

From Darrel Cameron Horsted, Inc., submitting notice of change of address for the Darrel Cameron Horsted law firm. (24)

From Brandt-Hawley Law Group, submitting notice of commencement of action on behalf of San Francisco Beautiful, regarding an appeal of determination of exemption from environmental review for AT&T Network "Lightspeed" Upgrade located on La Playa Street between Cabrillo and Fulton Streets. File No. 110344, Copy: Each Supervisor (25)

\*From Office of Citizen Complaints, submitting the 2012 First Quarter Report. (26)

\*From Office of the Controller, submitting the Airport Commission's Audit Report. (27)

From Capital Planning Committee, regarding the supplemental appropriation request from the Recreation and Park Department for the West Harbor Renovation Project. File No. 120436, Copy: Each Supervisor, Budget and Finance Committee Clerk (28)

From Capital Planning Committee, regarding appropriation of General Fund and non-General Fund sources for the FY2012-2013 and FY2013-2014 Budget. Copy: Each Supervisor, Budget and Finance Committee Clerk (29)

From Office of the Treasurer and Tax Collector, submitting the April 2012 Investment Report. Copy: Each Supervisor (30)

\*From concerned citizen, submitting petition regarding various cab driver issues. (31)

From Francisco Da Costa, regarding the quality of life in San Francisco. (32)

From Scott Yeazle, regarding ending homelessness and poverty nationwide. (33)

From concerned citizens, regarding Ross Mirkarimi. Copy: Each Supervisor, 5 letters (34)

From Office of Civic Engagement & Immigrant Affairs, urging the Mayor and Board of Supervisors to preserve city services for all San Francisco residents in the upcoming fiscal year. (35)

From Fire Department, submitting request for waiver of Administrative Code Chapter 12B for the Holiday Inn. (36)

From Assessment Appeals Board, submitting notice of a Special Meeting on May 29, 2012. (37)

From Katharine Pearce, thanking the Board of Supervisors for broadcasting their meetings on the radio. (38)

From Civil Service Commission, submitting the May 21, 2012, Civil Service Commission Meeting Minutes. (39)

From Emil Lawrence, regarding the Taxi Commission. (40)

From Bruce Brugmann, urging the Board of Supervisors to reappoint Bruce Wolfe, and the four members who are experienced with public access and open government issues to the Sunshine Ordinance Task Force. File Nos. 120486, 120553 (41)

From Mara Recker, regarding the Department of Public Works notice to cut down four very large trees on the corner of Vallejo Street and Van Ness Avenue. (42)

From Transbay Joint Powers Authority Citizens Advisory Committee, submitting support for approval of the Transit Center District Plan. Copy: Each Supervisor (43)

From Southeast Community Facility Commission, submitting support for the Center for Youth Wellness at 3450-3rd Street. Copy: Each Supervisor (44)

From Deetje Boler, regarding an appointment to the Sunshine Ordinance Task Force. File No. 120553, Copy: Each Supervisor (45)

From Linda Wheeldon, regarding Sharp Park. Copy: Each Supervisor (46)

From Office of the Controller, submitting the Public Utilities Commission (PUC) Audit Report, concerning the PUC's management of its lease with Santa Clara Sand and Gravel. (47)

From Recreation and Park Department, submitting the FY2011-2012 Third Quarter Lead Poisoning Prevention Report. Copy: Each Supervisor (48)

From Planning Department, regarding the demographic profiles for new Supervisorial Districts. Copy: Each Supervisor (49)

\*From Planning Department, submitting an update to the Community Safety Element General Plan. (50)

\*From PricewaterhouseCoopers, submitting the California Academy of Sciences Audit Report. (51)

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

## **ADJOURNMENT**