



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, May 1, 2012 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Avalos, Kim, 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

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 March 27, 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 10

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Chu, Avalos, Kim

1. 120321 [Accept and Expend Grant - FY2011 Urban Areas Security Initiative Grant and Amendment to Annual Salary Ordinance - \$35,546,960]

Sponsors: Mayor; Chiu

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative Approval Authority (UASI), to retroactively accept and expend a UASI grant in the amount of \$35,546,960 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant-funded position in the Police Department, as follows: one position (.33 FTE) in Class 1824 Principal Administrative Analyst.

04/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Chu, Kim

2. 120284 [De-Appropriating \$2,525,468 in Fringe Benefits and Re-Appropriating to Overtime in the Police Department for FY2011-2012]

Sponsor: Mayor

Ordinance de-appropriating \$2,525,468 in fringe benefits in the Police Department's operating budget and re-appropriating \$2,525,468 to overtime in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.

(Fiscal Impact)

04/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 120319 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2011-2012]

Sponsor: Mayor

Ordinance recognizing revenue losses of \$31,477,332 in the Department of Public Health and appropriating \$67,629,934 of Senate Bill 1128 Reimbursement Revenues, \$25,620,000 of surplus General Hospital Revenues, and \$6,555,007 of General Fund Reserves for State Revenue losses to support additional expenditures in the Department of Public Health including \$28,160,000 at San Francisco General Hospital, \$13,090,000 at Laguna Honda Hospital, and \$27,077,609 for a debt service reserve in FY2011-2012.

(Fiscal Impact)

04/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Elsbernd, Chu, Olague

4. 120079 [Liquor License Transfer - 1192 Guerrero Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 2449-23rd Street to 1192 Guerrero Street (District 8), to Hanna Baqain for Jump Start Coffee & Grocery, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

5. **120138 [Changing Official Sidewalk Width - Portions of Golden Gate Avenue, Polk Street, and Redwood Alley]**
Ordinance: 1) amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks by adding thereto Section 1593 to change the official sidewalk width of, a) Golden Gate Avenue starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing west 104 feet, b) Polk Street starting at the southwest corner of the intersection of Golden Gate Avenue and Polk Street and continuing south for 78 feet, and c) Redwood Alley starting at the northwest corner of the intersection of Polk Street and Redwood Alley and continuing west for 173 feet; 2) making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and 3) requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

04/24/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. **120276 [Local Support for Cesar Chavez Streetscape Project]**
Resolution re-directing a \$3,367,985 Congestion Management Agency Block Grant from the Second Street Streetscape Project to the Cesar Chavez Streetscape Project; affirming local support of the project; reiterating commitment of the necessary non-federal match of \$436,358; and stating assurance to complete the project. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Avalos, Olague

7. **120224 [Accept and Expend Grant - FY2011 Federal Emergency Management Agency Port Security Grant Program - \$1,016,000]**
Sponsor: Chiu
Resolution authorizing the San Francisco Police Department to retroactively accept and expend \$1,016,000 of FY2011 Port Security Grant Program funds from the Federal Emergency Management Agency.

Question: Shall this Resolution be ADOPTED?

8. **120323 [Accept and Expend Grant - FY2010 Buffer Zone Protection Program Grant - \$585,000]**
Sponsor: Chiu
Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2010 Buffer Zone Protection Program grant in the amount of \$585,000 from the U.S. Department of Homeland Security through the California Emergency Management Agency to fund critical infrastructure protection needs.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

- 9. **120344 [Appointment, Immigrant Rights Commission - Celine Kennelly]**
Motion appointing Celine Kennelly, term ending June 6, 2013, to the Immigrant Rights Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

- 10. **120345 [Appointment, Bicycle Advisory Committee - Timothy Doherty]**
Motion appointing Timothy Doherty, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Chu, Kim

- 11. **120283 [De-Appropriating \$6,672,963 in Salaries and Fringe Benefits and Re-Appropriating to Overtime in the Fire Department for FY2011-2012]**
Sponsor: Mayor
Ordinance de-appropriating \$6,672,963 consisting of \$5,000,000 in salaries and \$1,672,963 in fringe benefits in the Fire Department's operating budget and re-appropriating \$6,672,963 to overtime in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requires a two-thirds vote of all members of the Board of Supervisors for approval.

04/24/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 120285 [De-Appropriating \$320,000 in Salaries and Re-Appropriating to Overtime in the Public Utilities Commission for FY2011-2012]

Sponsor: Mayor

Ordinance de-appropriating \$320,000 consisting of \$250,000 in salaries in the Public Utilities Commission Clean Water Department operating budget and re-appropriating \$250,000 to overtime, and de-appropriating \$70,000 in salaries in the Public Utilities Commission Hetch Hetchy Power Department and re-appropriating \$70,000 to overtime, in order to support the department's projected increases in overtime as required per Ordinance No. 194-11, and requires a two-thirds vote of all members of the Board of Supervisors for approval.

(Fiscal Impact)

04/24/2012; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Chu, Avalos, Kim

13. 120275 [Administrative Code - Department of Building Inspection Cash Revolving Fund]

Ordinance amending San Francisco Administrative Code Section 10.135 to increase the cash revolving fund of the Department of Building Inspection from \$2,000 to \$4,500. (Building Inspection Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 120320 [Appropriating \$2,694,000 for Nurses Salaries in FY2011-2012]

Sponsor: Mayor

Ordinance appropriating \$2,694,000 for Nurses Salaries to the Department of Public Health in FY2011-2012.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 120354 [Wastewater Enterprise Commercial Paper Program - Not to Exceed \$300,000,000]

Sponsor: Chu

Ordinance authorizing an increase of the Wastewater Enterprise's Commercial Paper Program to an amount not to exceed \$300,000,000 to be issued from time to time by the San Francisco Public Utilities Commission to finance various capital projects benefitting the Wastewater Enterprise each 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.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 120355 [2012 Water Revenue Bonds Issuance - Not to Exceed \$667,000,000]

Sponsor: Chu

Resolution approving the issuance of water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco not to exceed \$650,000,000 to finance various projects under the Water System Improvement Program pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; the issuance of water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco not to exceed \$17,000,000 to finance the reimbursement of certain legal settlement costs related to various projects under the Capital Improvement Program pursuant to Proposition A of 2002 enacted by voters on November 5, 2002; the issuance of water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco pursuant to the Charter of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

17. 120379 [Appropriating \$58,700,580 Consisting of \$45,000,000 of Certificate of Participation Proceeds, \$4,539,337 of Fund Balance and Re-Appropriating \$9,161,243 to the Port Commission in FY2011-2012]

Sponsors: Mayor; Chiu and Chu

Ordinance appropriating \$58,700,580 consisting of \$45,000,000 of Certificate of Participation 2012 Series A and B proceeds, \$4,539,337 of fund balance and re-appropriating \$9,161,243 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Cruise Terminal Project at Pier 27 and infrastructure and mitigation requirements related to the 34th America's Cup event and the Cruise Terminal Project; and placing \$45,000,000 on Controller's Reserve pending sale of the Certificates of Participation.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 120380 [Certificates of Participation for Various Port Projects - Not to Exceed \$45,000,000]

Sponsors: Mayor; Chiu and Chu

Resolution authorizing the execution and delivery of certificates of participation evidencing an aggregate principal amount of not to exceed \$45,000,000 to finance the design, acquisition, construction, reconstruction, expansion, improvement, equipping, renewal, restoration and/or replacement of certain capital improvements to properties of the Port Commission of the City and County of San Francisco; authorizing the selection of a trustee by the Director of Public Finance and approving the form of a trust agreement for the certificates of participation between the City and County of San Francisco and such trustee (including certain indemnities contained therein); approving the forms of a property lease and a project lease between the City and the trustee relating to all or a portion of the real property and improvements located at 375 Laguna Honda Boulevard and all or a portion of the James R. Herman Cruise Terminal at Pier 27; approving a form of memorandum of understanding with the Port Commission of the City and County of San Francisco relating to repayment of the Certificates and other matters; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; authorizing the selection of underwriters by the Director of Public Finance and approving the form of a purchase contract between the City and the underwriters relating to the certificates of participation, if sold by negotiated sale; approving the forms of a preliminary and final official statement with respect to the certificates of participation; approving the form of a continuing disclosure certificate; approving the issuance and sale of tax-exempt certificates of participation in an aggregate principal amount not to exceed \$45,000,000 following a public hearing; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the certificates of participation; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Elsbernd, Chu, Olague

19. 120322 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee - Small Business Week Sidewalk Sales]

Sponsor: Olague

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Sunday, May 13, 2012, and Saturday May 19, 2012, as part of Small Business Week Sidewalk Sales.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

20. 120256 [Public Infrastructure Improvements - Mission Bay South-Sanitary Sewer Pump Station]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Sanitary Sewer Pump Station, including acquisition facilities located on and under portions of State Trust Parcel 2; 2) accepting said facilities for City maintenance and liability purposes; 3) adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 4) accepting a Department of Public Works Order; and 5) authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 120257 [Public Infrastructure Improvements - Mission Bay South-66" Sewer Force Main Relocation]

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay 66" Sewer Force Main Relocation, including acquisition facilities located under portions of State Trust Parcel 8 and future Owens Street between Sixteenth Street and Mariposa Street; 2) accepting said facilities for City maintenance and liability purposes; 3) adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 4) accepting a Department of Public Works Order; and 5) authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Public Safety Committee

Present: Supervisors Avalos, Olague

22. 111077 **[Police Code - Security Plans for Commercial Parking Garages and Lots]**
Sponsors: Chiu; Wiener
Ordinance amending the San Francisco Police Code Sections 1215 through 1215.4 and adding Section 1215.7 to: 1) require a security plan as part of an application for a commercial parking permit; 2) set requirements for security plans; 3) authorize the Chief of Police to suspend or revoke a commercial parking permit for violation of an approved security plan; 4) authorize the Chief of Police to promulgate rules that set requirements for security plans; and 5) authorize enforcement by the City Attorney in a civil action; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 120351 **[Administrative Code - Police Department Participation in Federal Counterterrorism Activities]**
Sponsors: Kim; Avalos, Campos, Chiu, Olague, Mar, Wiener and Cohen
Ordinance amending the San Francisco Administrative Code by adding Section 2A.74 to: 1) set City policy regarding Police Department participation in federal counterterrorism activities; 2) require a public discussion at the Police Commission before the execution of any Memorandum of Understanding with the Federal Bureau of Investigation regarding the Joint Terrorism Task Force; and 3) set an annual reporting requirement.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

24. 120341 **[Reappointment, Municipal Transportation Agency Board of Director - Malcolm Heinicke]**
Sponsor: Mayor
Motion confirming the Mayor's reappointment of Malcolm Heinicke, term ending March 1, 2016, to the Municipal Transportation Agency Board of Directors.

Question: Shall this Motion be APPROVED?

25. 120346 **[Reappointment, Police Commission - Thomas Mazzucco]**
Sponsor: Mayor
Motion confirming the Mayor's reappointment of Thomas Mazzucco, term ending April 30, 2016, to the Police Commission.

Question: Shall this Motion be APPROVED?

26. 120350 **[Appointment, Health Commission - Cecilia Chung]**
Motion approving the Mayor's appointment of Cecilia Chung, term ending January 15, 2016, to the Health Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Kim, Farrell, Campos

27. 120347 [Appointment, Police Commission - Suzy Loftus]

Sponsor: Mayor

Motion confirming the Mayor's appointment of Suzy Loftus, term ending April 30, 2016, to the Police Commission.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

(The President may entertain a Motion to consolidate the Four Hearings (File Nos. 120332, 120334, 120336 and 120338) related to the Central Subway/Third Street Light Rail Extension Project.)

(Pursuant to File No. 120331, approved April 24, 2012.)

Board of Supervisors Sitting as a Committee of the Whole

28. 120332 [Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 55 Stockton Street]

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 55 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot Nos. 001, 002, 003, and 020, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

29. 120333 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 55 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 55 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot Nos. 001, 002, 003, and 020, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 120331, approved April 24, 2012.)

Board of Supervisors Sitting as a Committee of the Whole

30. 120334 **[Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 233 Geary Street]**
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 233 Geary Street, San Francisco, California, Assessor's Parcel Block No. 0314, Lot No. 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

31. 120335 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 233 Geary Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 233 Geary Street, San Francisco, California, Assessor's Parcel Block No. 0314, Lot No. 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 120331, approved April 24, 2012.)

Board of Supervisors Sitting as a Committee of the Whole

32. 120336 **[Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 77 O'Farrell Street]**
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 77 O'Farrell Street, San Francisco, California, Assessor's Parcel Block No. 0328, Lot Nos. 003 and 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

33. 120337 **[Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 77 O'Farrell Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 77 O'Farrell Street, San Francisco, California, Assessor's Parcel Block No. 0328, Lot Nos. 003 and 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 120331, approved April 24, 2012.)

Board of Supervisors Sitting as a Committee of the Whole

34. 120338 **[Public Hearing - Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 150 Stockton Street]**
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 150 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0313, Lot No. 018, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

35. 120339 **[Acquisition of a Temporary Construction License By Eminent Domain - Central Subway/Third Street Light Rail Extension - 150 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 150 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0313, Lot No. 018, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4:00 p.m. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4:00 p.m. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4:00 p.m.:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4:00 p.m.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4:00 p.m.

36. 120262 **[Appeal of Determination of Exemption from Environmental Review - 1100 Lombard Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 3, 2012, that a project located at 1100 Lombard Street (Building Permit Application No. 2012.02.03.3472) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposal would create a new firewall on the 1100 Lombard Street property (Assessor's Block No. 0069, Lot No. 081). (District 2) (Appellant: Christa Shaw on behalf of the John Sperling 1994 Irrevocable Trust, owner of 2323 Hyde Street) (Filed March 20, 2012).

Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

37. 120263 **[Affirming the Exemption Determination - 1100 Lombard Street]**
Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
38. 120264 **[Reversing the Exemption Determination - 1100 Lombard Street]**
Motion reversing the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review.
Question: Shall this Motion be APPROVED?
39. 120265 **[Preparation of Findings Related to the Exemption Determination - 1100 Lombard Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

40. 120266 **[Public Hearing - Appeal of a Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]**
Hearing of persons interested in or objecting to the Planning Commission's decision, dated March 22, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0030E, through its Motion No. 18560, for the proposed mixed-use, residential, commercial, fitness center, and public open space project at 8 Washington Street/Seawall Lot 351. (District 3) (Appellant: Zane O. Gresham on behalf of Equity Office Properties, Filed March 26, 2012; Sue Hestor on behalf of Friends of Golden Gateway, Filed April 4, 2012).
Question: Shall this Hearing be HEARD AND FILED?

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

- 41. 120267 [Affirming Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
- 42. 120268 [Reversing Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project.
Question: Shall this Motion be APPROVED?
- 43. 120269 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

44. 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.

45. 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.

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

Items 46 through 50

- 46. 120412 [Multifamily Housing Revenue Bonds - 833-881 Jamestown - Candlestick Heights - Not to Exceed \$80,400,000]**
Sponsor: Cohen
 Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor’s Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$80,400,000 for Candlestick Heights - 833-881 Jamestown; authorizing and directing the Director to direct the Controller’s Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$80,400,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

04/24/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 47. 120414 [Accept and Expend Grant - San Francisco Healthy Homes Project - \$30,000]**
Sponsor: Cohen
 Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$30,000 from the San Francisco Foundation to support the San Francisco Healthy Homes Project by developing policies and services to improve indoor air quality and reduce toxic pesticides in public housing.

04/25/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 120415 [Multifamily Housing Revenue Bonds - Tenderloin Family Housing - Not to Exceed \$22,000,000]**Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$22,000,000 for Tenderloin Family Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$22,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

04/25/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 120417 [Supporting Assurance Funding for the Central Subway Project]**Sponsors: Wiener; Chiu, Avalos, Mar, Campos, Olague, Cohen, Kim, Chu and Farrell**

Resolution supporting SFMTA's commitment to issue revenue bonds as assurance funding for the Central Subway Project in the event of any delay or other shortfall in the availability of funding.

04/25/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 120402 [Final Map 6865: 207 - 209-9th-Street]

Motion approving Final Map 6865, a Three Unit Residential, Three Unit Commercial Mixed-Use Condominium Project, located at 207 - 209 9th Street; being a subdivision in Assessor's Block No. 3729, Lot No. 081; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

04/20/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

51. 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 RESOLUTION

Proposed resolution received from April 17, 2012, through April 23, 2012, for reference by President to appropriate committee on May 1, 2012.

120316 [Street Artist Spaces - Post Street, Northwest Corner, at Stockton Street]

Resolution approving re-designation for six months two temporary selling spaces on Post Street, northwest corner, at Stockton Street for street artists certified by Arts Commission, City and County of San Francisco. (Arts Commission)

04/16/2012; RECEIVED FROM DEPARTMENT.

05/01/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120403 [Petitions and Communications]

Petitions and Communications received from April 17, 2012, through April 23, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 1, 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 Office of the Treasurer and Tax Collector, submitting the March 2012 Investment Report. (1)

From Planning Department, submitting notice that the Historic Preservation Commission voted not to initiate landmark designation for the Gold Dust Lounge. File No. 120227, Copy: Each Supervisor (2)

From James Chaffee, regarding members of the Library Commission. (3)

From SF Ocean Edge, regarding the proposed Beach Chalet Project. (4)

From State Public Utilities Commission, submitting notice that PG&E has filed an application to recover costs associated with the Oakley Generating Station Project. Copy: Each Supervisor (5)

From Walter Schivo, submitting opposition to smoke and fog machines in bars and/or nightclubs. Copy: Each Supervisor (6)

From Anne Pagan, regarding the proposed cost-free Muni Youth Pass. (7)

From Paul Nisbet, regarding pedestrian safety on Alemany Boulevard and San Juan Avenue. (8)

From concerned citizens, regarding Ross Mirkarimi. 5 letters (9)

From Allen Jones, regarding the 49er stadium deal in Santa Clara. (10)

From Office of Contract Administration, submitting request for waiver of Administrative Code Chapter 12B for Earthgrains Baking Company. (11)

From Civil Service Commission, submitting notice of a Civil Service Commission action regarding salary setting for Registered Nurses. Copy: Each Supervisor (12)

From Paul Nisbett, submitting an Earth Day request. (13)

From Aaron Goodman, regarding the Unified School District selling public land. 2 letters (14)

From Reuben Nieves, submitting support for State and Federal measures to protect homeowners and suspension of foreclosure activities in San Francisco. File No. 120286, Copy: Each Supervisor (15)

From concerned citizen, regarding law enforcement officers code of ethics. (16)

From Oversight Board (successor agency to the Redevelopment Agency), submitting notice that the April 23, 2012, Oversight Board Meeting has been cancelled, and a Special Oversight Board Meeting will be held on May 7, 2012. (17)

From Western SoMa Citizens Planning Task Force, submitting notice that the Western SoMa Citizens Planning Task Force is suspending its meetings until the draft EIR is completed. Copy: Each Supervisor, Rules Committee Clerk (18)

From State Fish and Game Commission, regarding proposed regulatory action relating to the Blue Cavern State Marine Conservation Area. Copy: Each Supervisor (10)

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

ADJOURNMENT