

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, October 2, 2012 - 2:00 PM

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

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*

### BOARD COMMITTEES

<b>Budget and Finance Committee</b> Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
<b>City and School District Select Committee</b> Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
<b>City Operations and Neighborhood Services Committee</b> Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
<b>Land Use and Economic Development Committee</b> Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
<b>Public Safety Committee</b> Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
<b>Rules Committee</b> Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

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**Members Present:** John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Farrell was noted absent. There was a quorum.*

### **Supervisor Farrell Excused from Voting**

Supervisor Chu, seconded by Supervisor Campos, moved that Supervisor Farrell be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener  
Excused: 1 - Farrell

## **AGENDA CHANGES**

*There were none.*

## **COMMUNICATIONS**

*There were none.*

## **CONSENT AGENDA**

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

**120773 [Planning Code - Reinstating Liquor License Controls and Establishing Conditional Use Requirement for Limited Restaurants - Union Street Neighborhood Commercial District]**

**Sponsors: Farrell; Wiener**

Ordinance amending the San Francisco Planning Code Section 725.1 to: 1) reinstate controls to prohibit liquor license types 47 and 49 in the Union Street Neighborhood Commercial District; and 2) requiring conditional use authorization for Limited Restaurants; and making environmental findings and findings of consistency with the General Plan.

**Ordinance No. 214-12**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **120854 [Settlement of Lawsuit - Brock Rasmussen - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Brock Rasmussen against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 11, 2010, in San Francisco Superior Court, Case No. CGC-10-495963; entitled Brock Rasmussen v. City and County of San Francisco, et al. (City Attorney)

**PASSED ON FIRST READING**

### **120897 [Settlement of Claim - Laurel Dawn Teixeira - \$80,000]**

Resolution approving the settlement of the unlitigated claim filed by Laurel Dawn Teixeira against the City and County of San Francisco for \$80,000; claim was filed on November 7, 2011. (City Attorney)

**Resolution No. 360-12**

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Board

#### **120898 [Successor Agency to the Former Redevelopment Agency]**

##### **Sponsors: Mayor; Kim, Cohen and Olague**

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by: 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets ) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco;" 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

##### **Ordinance No. 215-12**

##### **FINALLY PASSED by the following vote:**

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Noes: 1 - Campos

Excused: 1 - Farrell

## **Recommendation of the Budget and Finance Committee**

### **120751 [Appropriating \$543,200,000 of Proceeds from the Sale of Bonds for Capital Improvement Projects to the Airport Commission - FY2012-2013]**

**Sponsors: Mayor; Chiu**

Ordinance appropriating \$543,200,000 of proceeds from the sale of bonds for capital improvement projects to the Airport Commission for FY2012-2013, and placing the total appropriation of \$543,200,000 on Controller's Reserve pending sale of the bonds.

(Fiscal Impact)

**Ordinance No. 213-12**

**FINALLY PASSED** by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

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

### **120142 [Transportation Code - Large Vehicle Parking Restrictions]**

**Sponsors: Chu; Cohen**

Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or 7 feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers, as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

**Ordinance No. 211-12**

**FINALLY PASSED** by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Mar, Wiener

Noes: 4 - Avalos, Campos, Kim, Olague

Excused: 1 - Farrell

### **120318 [Police Code - Additional Penalties for Foreclosed Properties]**

**Sponsor: Cohen**

Ordinance amending the San Francisco Police Code, Article 1, and adding Sections 96 to 96.6 to: 1) declare that public nuisances occurring at foreclosed properties be considered aggravating factors in imposing civil penalties and injunctive relief; 2) hold individuals and entities who own significant numbers of foreclosed properties to increased civil penalties for failing to maintain the properties; and 3) make environmental findings.

**Ordinance No. 212-12**

**FINALLY PASSED** by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**120928 [Summary Vacation of Public Service Easement; Approval of Sale of Easement Interest - 1407-1435 Market Street]****Sponsor: Kim**

Ordinance ordering the summary vacation of public service easement and approving sale for \$77,000 of City's interest in vacated easement over property located at 1407-1435 Market Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

**Ordinance No. 216-12****FINALLY PASSED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**120523 [Planning Code - Transit Impact Development Fee Increase and Updates]****Sponsors: Mayor; Wiener and Olague**

Ordinance amending the San Francisco Planning Code, Article 4, by: 1) revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); 2) amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Supervisor Wiener, seconded by Supervisor Olague, moved that this Ordinance be CONTINUED ON FIRST READING to October 16, 2012. The motion carried by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**NEW BUSINESS****Recommendations of the Budget and Finance Committee****120903 [Approving Updated Security Provisions for America's Cup Lease Disposition Agreement]****Sponsor: Chu**

Resolution approving revisions to the America's Cup Lease Disposition Agreement with respect to the security for certain obligations of the City; authorizing and directing the procurement of insurance coverage for the City's satisfaction of certain of such obligations; reaffirming the direction for ongoing staff progress reports as to the implementation of the America's Cup events; and authorizing related actions.

(Fiscal Impact)

**Resolution No. 361-12****ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**120908 [Contract - New Flyer of America, Inc. - Low Floor Diesel-Hybrid Buses - Not to Exceed \$36,889,364]****Sponsors: Wiener; Chu**

Resolution approving a contract with New Flyer of America, Inc., for the purchase of 45 40-foot low floor diesel-hybrid buses, and related tools, training and spare parts, through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, in an amount not to exceed \$36,889,364 for a term not to exceed six years.

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

*Privilege of the floor was granted to Nelson Howard (MTA) who responded to questions raised throughout the discussion.*

**Resolution No. 356-12****ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener  
Excused: 1 - Farrell

**120931 [Real Property License Agreement - American Towers, LLC - 99 Moultrie]****Sponsor: Mayor**

Resolution authorizing a renewal license agreement, with retroactive effective date, for telecommunications equipment from American Towers, LLC, at 99 Moultrie for use by the Department of Technology, the Department of Emergency Management, the Police Department and the Municipal Transportation Agency.

**Resolution No. 362-12****ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener  
Excused: 1 - Farrell

**Recommendations of the City Operations and Neighborhood Services Committee****120818 [Administrative Code - Repealing Provisions Extending the Expiration Date of the 2003 Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Administrative Code by: 1) repealing Section 12D.A.22 and amending Section 14B.18 to repeal provisions extending expiration of Chapter 12D.A in the event the injunction in Coral Construction, Inc., v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed; and 2) amending a cross-reference to Section 14B.18 in Section 14B.13(D)(5).

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener  
Excused: 1 - Farrell

**120643 [Liquor License Transfer - 398-12th Street]**

Resolution determining that the premises to premises transfer of a Type 48 on-sale general public premises liquor license from 2700-16th Street to 398-12th Street (District 6) to Mark E. Rennie for Double Rainbow, LLC, dba Roadhouse Tavern, will serve the 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.

**Resolution No.** 358-12

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener  
Excused: 1 - Farrell

**120465 [Liquor License - 937 Geary Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine for public premises bar license to Mohammad Awadalla for Amsterdam Cafe, located at 937 Geary Street (District 6), 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, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

**Resolution No.** 357-12

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener  
Excused: 1 - Farrell

**120721 [Liquor License Transfer - 222 Powell Street]**

Resolution determining that the transfer of a Type 48 on-sale general public liquor license from 2237 Mason Street to 222 Powell Street (District 3) to Mark E. Rennie for Sirhed Enterprises, LLC, dba Sam's Cable Car Lounge, 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, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

**Resolution No.** 359-12

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener  
Excused: 1 - Farrell

**Recommendations of the Land Use and Economic Development Committee****120463 [General Plan - 2012 Community Safety Element Update]**

**Sponsor:** Wiener

Ordinance amending the San Francisco General Plan by adopting the 2012 Community Safety Element update; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b). (Planning Commission)

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener  
Excused: 1 - Farrell



**120464 [Planning Code - Threshold for Application of Inclusionary Affordable Housing Program]****Sponsors: Mayor; Chiu, Kim, Wiener, Cohen and Chu**

Ordinance amending the San Francisco Planning Code Section 415.3 to: 1) provide that, as of January 15, 2013, the requirements of the Inclusionary Affordable Housing Program apply only to housing projects of 10 units or more and will no longer apply to buildings of 5 to 9 units that have not yet received a first construction document; 2) make conforming amendments to Planning Code Section 419.3 related to the Application of the UMU Affordable Housing Requirements to clarify that those requirements only apply to housing projects of 10 units or more; and 3) condition operation of the Ordinance on the adoption and implementation of the Housing Trust Fund Charter Amendment at the November 6, 2012, election; setting an operative date; and making environmental findings and findings of consistency with the General Plan.

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

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**Recommendations of the Rules Committee****120921 [Appointment, Child Care Planning and Advisory Council - Alli Cuentos]**

Motion appointing Alli Cuentos, term ending March 19, 2015, to the Child Care Planning and Advisory Council. (Clerk of the Board)

**Motion No. M12-115****APPROVED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**120925 [Appointment, Entertainment Commission - Naomi Akers]**

Motion appointing Naomi Akers, term ending July 1, 2013, to the Entertainment Commission. (Clerk of the Board)

**Motion No. M12-116****APPROVED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**120927 [Appointments, Wage Theft Task Force - Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik]**

Motion appointing Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik, terms to be determined, to the Wage Theft Task Force. (Clerk of the Board)

**Motion No. M12-117****APPROVED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

## **Recommendation of the Public Safety Committee**

### **111239 [Police Code - Vehicle Press Cards]**

Ordinance amending San Francisco Police Code Sections 939, 939.1, 939.3, 939.5, and 939.7, and repealing San Francisco Police Code Sections 939.2, 939.4, and 939.6, to remove the Chief of Police's authority to issue or regulate Vehicle Press Cards. (Municipal Transportation Agency)

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

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

### **Privilege of the Floor**

Supervisor Campos, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

*Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Wild Side West in recognition of their accomplishments and continued community support.*

*Supervisor Campos introduced, welcomed, and presented Certificates of Honor to Officers David Sands and John Cathey of the San Francisco Police Department (Mission Community Neighborhood) in recognition of their extraordinary work, accomplishments, and continued community support. Captain Ron Moser (Police Department) shared in this commendation.*

## **SPECIAL ORDER 4:00 P.M.**

### **120866 [Public Hearing - Conditional Use Appeal - 175 Junipero Serra Boulevard]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 26, 2012, Conditional Use Authorization identified as Planning Case No. 2012.0348C, by its Motion No. 18674, under Planning Code Sections 209.3(f) and 303 to allow a child care facility for 15 or more children (dba Alpha Kids Academy) within an RH-1(D) (Residential, One-Family, Detached) District, and a 40-X Height and Bulk District, on property located at 175 Junipero Serra Boulevard, Assessor's Block No. 3250, Lot No. 006. (District 7) (Appellant: Margaret Finley) (Filed August 24, 2012).

*The President indicated receipt of a letter from the Appellant, dated September 24, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.*

**HEARD AND FILED**

**120867 [Approving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]**

Motion approving the Planning Commission's decision, by its Motion No. 18674, approving the Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Motion No. M12-118**

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**120868 [Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]**

Motion disapproving the Planning Commission's decision, by its Motion No. 18674, approving Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**120869 [Preparation of Findings Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard. (Clerk of the Board)

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

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

**ROLL CALL FOR INTRODUCTIONS**

*Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on [http://www.sfbos.org/legislation\\_introduced](http://www.sfbos.org/legislation_introduced).*

## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.*  
*James Chaffee; expressed concerns relating to the SF Public Library.*  
*Walter Paulson; shared in song certain concerns with the Board.*  
*Vivian Imperiale; spoke in support for Sheriff Ross Mirkarimi.*  
*Pedro Fernandez; spoke in support for Sheriff Ross Mirkarimi.*  
*Eugene Gordon, Jr.; expressed various concerns.*  
*Female Speaker; spoke in support for Sheriff Ross Mirkarimi.*  
*Female Speaker; spoke in support for Sheriff Ross Mirkarimi.*  
*Brenda Barros; spoke in support for Sheriff Ross Mirkarimi.*  
*Male Speaker; expressed various concerns.*  
*Tom Gilbert; expressed various concerns relating to noise pollution.*  
*Anna Gabriel; spoke in support for Sheriff Ross Mirkarimi.*  
*Peter Warfield; expressed concerns relating to the SF Public Library.*  
*Male Speaker; expressed various religious concerns.*  
*Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### 120970 [Authorizing the Installation of a “Rosie the Riveter” Plaque - Vallejo Street at Kearny Street]

**Sponsor: Chiu**

Resolution authorizing the installation of a new “Rosie the Riveter” bronze sidewalk plaque to replace the existing plaque in accordance with Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance.

**Resolution No. 363-12**

**ADOPTED**

**The foregoing item was acted upon by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

## IMPERATIVE AGENDA

*There were none.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

*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.*

### Ordinances

#### **120220 [Planning Code - Signage Requirements for Privately-Owned Public Open Spaces] Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code to: 1) consolidate into Section 138 the requirements for privately-owned public open space; 2) create a new Zoning Administrator Bulletin that will contain detailed design and graphics requirements for the required informational plaques; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

03/06/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/4/2012.

03/15/12; REFERRED TO DEPARTMENT.

03/15/12; RESPONSE RECEIVED.

07/11/12; RESPONSE RECEIVED.

10/02/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

#### **120982 [Jack Early Commemorative Plaque - Stockton Street Adjacent to Washington Square] Sponsor: Chiu**

Ordinance: 1) commemorating the Stockton Street sidewalk adjacent to Washington Square Park under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance; 2) accepting a plaque in honor of Jack Early as a gift to the City; 3) waiving permit and inspection fees for plaque installation; and 4) directing official acts in furtherance of this Ordinance.

10/02/12; ASSIGNED to Land Use and Economic Development Committee.

#### **120983 [Administrative Code - Release of Community Safety Camera Recordings to Public Defender and Criminal Defense Attorneys] Sponsor: Olague**

Ordinance amending the San Francisco Administrative Code Section 19.6 to require release of community safety camera recordings requested by the Public Defender or other criminal defense attorneys within five court days of the Department of Emergency Management's receipt of the request.

10/02/12; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 11/1/2012.

**120984 [Police Code - Prohibiting Public Nudity]****Sponsor: Wiener**

Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

10/02/12; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/1/2012.

**Resolutions****120985 [CEQA Findings - San Antonio Backup Pipeline Project in Alameda County]****Sponsor: Chu**

Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, related to the San Antonio Backup Pipeline Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120986 [Lease - Transportation Security Administration - International Terminal and Terminal 2]****Sponsor: Elsbernd**

Resolution approving and authorizing the execution of Lease No. GS-09B-03014 with the Transportation Security Administration for terminal space to be occupied by the U.S. Transportation Security Administration, a Federal agency, in the International Terminal and Terminal 2 of the San Francisco International Airport with a term of five years.

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120987 [Lease - Woodhouse Marina Green, LLC - Marina Degaussing Station Restaurant]****Sponsor: Farrell**

Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Woodhouse Marina Green, LLC, for the operation of a restaurant at the Marina Degaussing Station at the Marina Green with a term of ten years.

(Fiscal Impact)

10/02/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120988 [Accept and Expend Grant - Assistive Technology California Disability Employment Initiative - \$105,000]****Sponsor: Mayor**

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$105,000 from the US Department of Labor, passed through California Employment Development Department for the Assistive Technology California Disability Employment Initiative for the period of October 1, 2011, through September 30, 2014.

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120989 [Resolution of Intention - Moscone Expansion Business Improvement District]****Sponsor: Mayor**

Resolution: 1) declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Moscone Expansion District" and levy a multi-year assessment on defined hotel businesses in the district; 2) approving the management district plan for the district; 3) ordering and setting a time and place for a public meeting and a public hearing thereon; 4) approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots; and 5) directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law.  
(Fiscal Impact)

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120990 [Reducing Greenhouse Gas Pollution Under the Clean Air Act]****Sponsors: Chiu; Kim**

Resolution in support of reducing greenhouse gas pollution under the Clean Air Act.

10/02/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120991 [Support of Statewide Education Funding Initiatives]****Sponsor: Mar**

Resolution urging the Board of Supervisors to support statewide education funding initiatives to help San Francisco's public educational system.

10/02/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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

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

**PROPOSED ORDINANCES****120959 [Building Code - Fees and Permit Extensions]**

Ordinance amending the San Francisco Building Code Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4 to address permit expirations and extensions and Tables 1A-A, 1A-B, 1A-F, 1A-G, 1A-J, 1A-K, and 1A-L of Section 110A to modify various fees; and making environmental findings.  
(Building Inspection Department)

09/24/12; RECEIVED FROM DEPARTMENT.

10/02/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

**120976 [Settlement of Lawsuit - Rehab Financial Corporation - City to Receive \$164,099]**

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of \$164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al. (City Attorney)

09/21/12; RECEIVED FROM DEPARTMENT.

10/02/12; RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTION

**120960 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Programs - FY2013-2014]**

Resolution supporting FY2013-2014 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

09/20/12; RECEIVED FROM DEPARTMENT.

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### Requests Granted

*From: Supervisor Mar*

*To: Director, Municipal Transportation Agency*

*Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the feasibility of:*

- 1) Installing a 4-way stop sign at Clement St. and 12th Ave.*
- 2) Installing a 4-way stop sign at Balboa St. and 27th Ave.*
- 3) Installing a 2-way stop sign near 902 Point Lobos at mid-block crosswalk.*
- 4) Installing a bus shelter at Balboa St. and 43rd Ave., outbound side.*
- 5) Removal of unused bus shelter at Cabrillo St. and La Playa St.*

*From: Supervisor Mar*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the feasibility of:  
Replacing old and damaged news racks at:*

- 1) 25 Point Lobos*
- 2) Balboa St. and 6th Ave.*
- 3) Balboa St. and 37th Ave.*
- 4) Balboa St. and 38th Ave.*
- 5) Geary Blvd. and 16th Ave.*
- 6) Geary Blvd. and 19th Ave.*
- 7) Geary Blvd. and 21st Ave.*



### **In Memoriams**

*Henry Rabbitt – Supervisor Sean Elsbernd  
Gary Kray – Supervisor David Chiu  
Munir Khalil Suleiman – Supervisor David Chiu  
Robert Lauter – Supervisor David Chiu*

### **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 4:06 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on November 6, 2012.*

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Angela Calvillo, Clerk of the Board