

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, October 23, 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

**Members Present:** John Avalos, David Campos, David Chiu, Malia Cohen, Sean Elsbernd, Mark Farrell, 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 Chu was noted absent. There was a quorum.*

### **Supervisor Chu Excused from Voting**

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

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

## **AGENDA CHANGES**

*There were none.*

## **APPROVAL OF MEETING MINUTES**

Supervisor Elsbernd, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 4, 2012, and September 11, 2012. The motion carried by the following vote:

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

## **COMMUNICATIONS**

*There were none.*

## CONSENT AGENDA

### Recommendations of the Government Audit and Oversight Committee

**120750 [Administrative Code - Retention of Progressive Payments for Public Works Construction Contracts]**

**Sponsors: Mayor; Chu**

Ordinance amending the San Francisco Administrative Code Section 6.22(J) to reduce the amount of retention withheld from progress payments in construction contracts from ten to five percent; and to make minor clarifying corrections.

**Ordinance No. 225-12**

**FINALLY PASSED**

**120939 [Revising the 2012 Budget and Legislative Analyst's Performance Audit Schedule]**

**Sponsor: Farrell**

Motion revising the Budget and Legislative Analyst's 2012 Performance Audit Schedule to revise the priorities as follows: 1) Department of Public Health and Human Services Agency management of professional services contracts; 2) Adult Probation and Sheriff's departments implementation of Public Safety Realignment; and 3) City departments management and oversight of the former San Francisco Redevelopment Agency assets and functions.

**Motion No. M12-127**

**APPROVED**

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

**120299 [Administrative Code - Extending Restrictions of the Apartment Conversion Ordinance to Business-Sponsored Short Term Occupancies; Allowing Civil Actions by Certain Non-Profit Entities; Revising Enforcement Procedures]**

**Sponsors: Chiu; Mar**

Ordinance amending the San Francisco Administrative Code, Chapter 41A, to extend the restrictions against converting apartment units to short-term occupancies to tenants or guests of business entities that rent such apartments, allow civil actions to be brought by certain non-profit entities, revise enforcement procedures, and making environmental findings.

**Ordinance No. 224-12**

**FINALLY PASSED**

**120774 [Planning Code - Permitting a Five Feet Ground Floor Height Increase for Active Ground Floor Uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts]****Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a five feet ground floor height increase for active ground floor uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts; 2) replacing the figure in Section 263.20; 3) amending Sections 715.1 and 728.1 to make reference to this height exception; and 4) making findings including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

**Ordinance No. 226-12****FINALLY PASSED****Recommendations of the Rules Committee****111160 [Business and Tax Regulations Code - Revisions to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]****Sponsor: Kim**

Ordinance amending the San Francisco Business and Tax Regulations Code Section 906.3-1 to clarify how members of the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area shall be appointed for their initial terms.

**Ordinance No. 223-12****FINALLY PASSED****120929 [Settlement of Lawsuit - City and County of San Francisco - \$95,000]**

Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory judgment and permanent injunction filed by the City and County of San Francisco against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity Residential, for \$95,000; the lawsuit entitled City and County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San Francisco Superior Court. (City Attorney)

**Ordinance No. 222-12****FINALLY PASSED****The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Chu

## REGULAR AGENDA

## UNFINISHED BUSINESS

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

#### **120352 [Administrative Code - Housing Preservation and Production]**

**Sponsors: Olague; Kim, Campos and Mar**

Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.  
(Supervisor Wiener dissented in Committee.)

**Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to October 30, 2012. The motion carried by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **120932 [Accept and Expend Grant - Foreclosure Crisis Relief Fund - \$399,442]**

**Sponsor: Avalos**

Resolution authorizing the Office of the District Attorney to retroactively accept and expend a grant in the amount of \$399,442 through the California Department of Justice for a program entitled "Foreclosure Crisis Recovery Program" for the period of July 1, 2012, through June 30, 2013.

**Resolution No. 383-12**

**ADOPTED by the following vote:**

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

**120933 [Accept and Expend Grant - Compensation for Crime Victims - Not to Exceed \$714,138]****Sponsor: Avalos**

Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to \$714,138 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Joint Powers Agreement" for the period of July 1, 2012, through June 30, 2015.

**Resolution No. 384-12****ADOPTED by the following vote:**

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

Excused: 1 - Chu

**120937 [Accept and Expend Grant - Glen Canyon Creekside Loop Trail Improvements - \$163,587]****Sponsor: Wiener**

Resolution authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant in the amount of \$163,587 from the California Department of Parks and Recreation for the Glen Canyon Creekside Loop Trail Project.

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

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

Excused: 1 - Chu

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a Habitat Conservation Fund Grant in the amount of \$163,587 from the California Department of Parks and Recreation for the Glen Canyon Creekside Loop Trail Project for the period of July 1, 2011, through June 30, 2031.

**Resolution No. 385-12****ADOPTED AS AMENDED by the following vote:**

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

Excused: 1 - Chu

**120944 [Accept and Expend Grant - Criminal Restitution Compact - Not to Exceed \$85,658]****Sponsor: Avalos**

Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to \$85,658 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2012, through June 30, 2013.

**Resolution No. 386-12****ADOPTED by the following vote:**

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

Excused: 1 - Chu

**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)

**Resolution No. 387-12**

**ADOPTED by the following vote:**

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

Excused: 1 - Chu

**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.

**Resolution No. 389-12**

**ADOPTED by the following vote:**

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

Excused: 1 - Chu

**Recommendation of the Government Audit and Oversight Committee****120793 [Board Response - Civil Grand Jury Report - Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

**Resolution No. 381-12**

**ADOPTED by the following vote:**

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

Excused: 1 - Chu

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**Recommendations of the Land Use and Economic Development Committee****120812 [Administrative Code - Public Housing Right to Return to Revitalized Housing]****Sponsors: Olague; Cohen and Mar**

Ordinance amending the San Francisco Administrative Code by: 1) adding Chapter 39, Sections 39.1 through 39.9, to establish the San Francisco Right to Revitalized Housing Ordinance and set City policy regarding the Right to Return to Revitalized Public Housing Units; and 2) adding Section 37.6(n) to establish new powers for the San Francisco Residential Rent Stabilization and Arbitration Board in connection with the new San Francisco Right to Revitalized Housing Ordinance.

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

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

**120886 [Purchase and Sale Agreement - Former Waller Street, from Laguna Street to Buchanan Street - Regents of the University of California]****Sponsor: Wiener**

Resolution authorizing: 1) acceptance of a Purchase and Sale Agreement for former Waller Street, from Laguna Street to Buchanan Street; 2) acceptance of Restrictive Easement against former Waller Street as a condition of the sale; 3) adopting environmental findings and findings that the transaction contemplated is consistent with the San Francisco General Plan and the eight priority policies of the San Francisco Planning Code; and 4) authorizing the Director of Property, or designee, to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

**Resolution No. 382-12****ADOPTED by the following vote:**

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

**120981 [Approval of Construction of Structures in Union Square Park for Central Subway Project]**

Resolution approving, under Charter Section 4.113, construction of surface and subsurface structures in Union Square Park for the Central Subway Project's Union Square Market Street Station. (Municipal Transportation Agency)

**Resolution No. 388-12****ADOPTED by the following vote:**

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

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

### Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, 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, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

#### *RESTAURANT APPRECIATION MONTH*

*Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support as referenced below:*

*Supervisor Avalos recognized Broken Record; and  
Supervisor Cohen recognized Skool; and  
Supervisor Campos recognized Mission Bowling Club; and  
Supervisor Wiener recognized Castro Tarts; and  
Supervisor Kim recognized Sam's Diner; and  
Supervisor Olague recognized Nopa; and  
Supervisor Elsbernd, on behalf of Supervisor Chu, recognized Parkside Tavern; and  
Supervisor Chiu recognized Bottle Cap; and  
Supervisor Farrell recognized Delfina; and  
Supervisor Mar recognized Beach Chalet; and  
Hydra Mendoza, on behalf of Mayor Lee, recognized Old Skool Cafe.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Zendesk in recognition of their accomplishments and continued community support.*

## SPECIAL ORDER 4:00 P.M.

### **120849 [Public Hearing - Tentative Parcel Map Appeal - 1101-1103 Dolores Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated August 9, 2012, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (District 8) (Appellants: Kevin Cheng and Todd Mavis) (Filed August 20, 2012). (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.*

**Supervisor Wiener, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to November 20, 2012. The motion carried by the following vote:**

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

Excused: 1 - Chu

*The President CONTINUED the Hearing open to November 20, 2012.*

**120850 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1101-1103 Dolores Street]**

Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works. (Clerk of the Board)

**Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:**

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

Excused: 1 - Chu

**120851 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1101-1103 Dolores Street]**

Motion disapproving decision of the Department of Public Works and disapproving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:**

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

Excused: 1 - Chu

**120852 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1101-1103 Dolores Street]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (Clerk of the Board)

**Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:**

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

Excused: 1 - Chu

**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.*  
*Ray Hartz; expressed concerns relating to government.*  
*Eugene Gordon, Jr.; expressed various concerns.*  
*Male Speaker; expressed various religious concerns.*  
*Walter Paulson; shared in song certain concerns with the Board.*  
*Darryl Spencer; expressed support for transit in North Beach.*  
*Male Speaker; expressed concerns relating to toxic infill materials.*  
*Male Speaker; expressed various concerns.*  
*Male Speaker; expressed various concerns.*  
*Peter Warfield; expressed concerns relating to the SF Public Library.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **121022 [Multifamily Housing Revenue Bonds - 1401-1415 Mission Street - Not to Exceed \$50,000,000]**

**Sponsor: Kim**

Resolution declaring its intent 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 authorize the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$50,000,000 for a 121-unit residential rental housing development to be located at 1401-1415 Mission Street; authorizing and directing the Director to request 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 CDLAC 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 \$50,000,000; 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.

**Resolution No. 390-12**

**ADOPTED**

### **121024 [Domestic Violence Awareness Month - October 2012]**

**Sponsor: Mar**

Resolution ratifying that the Board of Supervisors declares the month of October 2012 as Domestic Violence Awareness Month in the City and County of San Francisco.

**Resolution No. 391-12**

**ADOPTED**

**121025 [City Employees to Assist the Department of Elections - November 6, 2012, Consolidated Primary Election]****Sponsor: Chiu**

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2012, Consolidated Primary Election.

**Motion No. M12-128****APPROVED****The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Chu

**IMPERATIVE AGENDA***There were no items.***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****121029 [Environment Code - Suspending Yellow Pages Distribution Pilot Program]****Sponsors: Chiu; Elsbernd**

Ordinance amending the San Francisco Environment Code by adding Section 2109 to suspend the Yellow Pages Distribution Pilot Program.

10/23/12; ASSIGNED to Land Use and Economic Development Committee.

**121030 [Police Code - Enforcement Provisions for Clipper Cove Special-Use Area Adjacent to Treasure Island]****Sponsor: Kim**

Ordinance amending the San Francisco Police Code, Section 1.1 "Mooring in Clipper Cove," to further delineate enforcement provisions including infractions, provide for administrative citations and penalties, specify procedures for changing rules and regulations, and clarify existing provisions.

10/23/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/22/2012.

**Resolutions****121031 [Metropolitan Transportation Commission - Strengthen Provisions of Personal Information of the Clipper Card Program]****Sponsors: Avalos; Chiu, Olague and Mar**

Resolution urging the Metropolitan Transportation Commission and the State Legislature to strengthen the privacy provisions of personal information of the Clipper Card Program.

10/23/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**121040 [Bid to Host and Support for the 2016 and 2017 Super Bowl]****Sponsors: Farrell; Chiu**

Resolution recognizing the formation of the 2016 and 2017 Super Bowl Bid Committee and declaring the Board of Supervisor's support to host the Super Bowl in 2016 and 2017.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**121041 [Accept and Expend Grant - Energy Efficiency Program - \$2,977,000]****Sponsor: Mar**

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$2,977,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an energy use and demand reduction through Energy Efficiency Program in the City and County of San Francisco for the period of October 15, 2012, through December 31, 2012.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**121042 [Urging the Development of a Workplace Employee Policy on Domestic Violence]****Sponsors: Mar; Cohen**

Resolution urging the Department on the Status of Women to develop materials for survivors of domestic violence to share with City and private business employees.

10/23/12; RECEIVED AND ASSIGNED to Public Safety Committee.

**121043 [Agreement - Workers' Compensation Third Party Administrator Services - Not to Exceed \$26,288,201]****Sponsor: Mayor**

Resolution authorizing the San Francisco Municipal Transportation Agency and the Department of Human Resources to execute an agreement with Intercare Holdings Insurance Services, Inc., for Workers' Compensation Third Party Administrator services for an amount not to exceed \$26,500,000 and for a term of three years, with an option to extend the term for up to an additional two years.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**121044 [Piers 30-32/Seawall Lot 330 - Warriors Development Project]****Sponsor: Mayor**

Resolution finding that a project proposed by GSW Arena LLC, an affiliate of the Golden State Warriors, to rehabilitate Port property at Piers 30-32, develop on the piers a multi-purpose venue useable for public assembly uses and other events, such as conventions, Warriors home games, cultural events, family shows and performing arts, and for other purposes, including public open space, maritime use, visitor serving retail, and related parking facilities, and develop on Seawall Lot 330 residential, hotel, and/or retail uses and accessory parking, is fiscally feasible and responsible under Administrative Code Chapter 29; urging City and Port officials to make evaluating the proposed project among its highest priorities; and to take all appropriate steps to further environmental review of the proposed project.

(Economic Impact)

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**121045 [Term Sheet - Orton Development, Inc. - Rehabilitation of the 20th Street Historic Buildings and Finding of Fiscal Feasibility]****Sponsors: Mayor; Cohen**

Resolution finding the proposed rehabilitation of the 20th Street Historic Buildings on or near 20th Street, east of Illinois Street, fiscally feasible pursuant to Administrative Code Chapter 29, and endorsing the Term Sheet between Orton Development, Inc., and the San Francisco Port Commission.

(Fiscal Impact)

10/23/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/22/2012.

**121046 [Real Property Lease - 110-12th Street - St. James Family Partnership, L.P. - ReproMail]****Sponsor: Mayor**

Resolution authorizing the lease of 10,469 sq. ft. of space at 110-12th Street with the St. James Family Partnership, L.P., for use by the Office of Contract Administration's ReproMail for the term of approximately ten years commencing on February 1, 2013 and terminating January 31, 2023 for the renovation of the property.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**121047 [Real Property Lease Amendment - SRI Nine Market Square, LLC - 875 Stevenson Street - Renovation of the Property]****Sponsor: Mayor**

Resolution authorizing the Fourth Amendment to Lease of 875 Stevenson Street floors 1, 3 and 4, terminating said lease with SRI Nine Market Square, LLC for the renovation of the property.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**121048 [Real Property Lease - 1155 Market Street - 1155 SF Partners, LLC - Various City Departments]****Sponsor: Mayor**

Resolution authorizing the lease of approximately 103,501 sq. ft. of space at 1155 Market Street with 1155 SF Partners, LLC, for use by various City Departments for the term of approximately ten years commencing January 15, 2013, and terminating on January 14, 2023 for renovation of the property.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**121049 [Supporting the Passage of Senate Bill 637 and House of Representatives Bill 3125 - Earthquake Insurance Affordability Act]****Sponsor: Mar**

Resolution supporting the passage of Senate Bill 637 and House of Representatives Bill 3125, which would enact the Earthquake Insurance Affordability Act.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**121050 [Linda Avery-Herbert Day - October 30, 2012]****Sponsors: Olague; Campos, Chiu, Farrell, Wiener and Mar**

Resolution declaring October 30, 2012, as Linda Avery-Herbert Day in the City and County of San Francisco.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**121051 [Approval of a 45-Day Extension for Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]****Sponsor: Olague**

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code by: 1) adding Section 744.1 to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; 2) amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; 3) amending Sheets ZN02 and ZN07 of the Zoning Map to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and 4) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**121052 [Approval of a 45-Day Extension for Planning Commission Review of Establishing the Divisadero Street Neighborhood Commercial District (File No. 120796)]****Sponsor: Olague**

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120796) amending the San Francisco Planning Code by: 1) adding Section 743.1 to establish the Divisadero Neighborhood Commercial District; 2) repealing the Divisadero Street Alcohol Restricted Use District established in Section 783; 3) amending Section 151.1 and a portion of Table 151.1, Sections 263.20, 607.1(f), and 702.3, the specific provisions of the Section 711 Zoning Control Table, and Section 790.55 to make conforming and other technical changes; 4) amending Sheets ZN02 and ZN07 of the Zoning Map to include the Divisadero Neighborhood Commercial District; 5) amending Sheet SU02 of the Zoning Map to delete the Divisadero Street Alcohol Restricted Use Special Use District; and 6) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

10/23/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Motion****121057 [Board of Supervisors' Rules of Order Amendment]****Sponsor: Elsbernd**

Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee.

**Requests for Hearing****121053 [Hearing - Review of San Francisco Police Department Taser Policy]****Sponsor: Avalos**

Hearing request to review the San Francisco Police Department's policies and general orders related to tasers, including the Department's plan to equip officers in the Crisis Intervention Team with tasers.

10/23/12; RECEIVED AND ASSIGNED to Public Safety Committee.

**121054 [Hearing - Golden State Warriors Development Project Design - Piers 30-32 and Seawall Lot 330]****Sponsors: Kim; Chiu**

Hearing to consider the initial project design of the proposed Golden State Warriors development on Piers 30-32 and Seawall Lot 330 and update on the Waterfront Transportation Network Assessment.

10/23/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**121055 [Hearing - Muni Operations/Performance and Use of Regional Funding]****Sponsors: Farrell; Chu, Elsbernd and Wiener**

Hearing on Muni's operational budget and performance and on Muni's options for spending the Transit Performance Initiation funds from the Metropolitan Transportation Commission, allowing for a broad discussion on how we can ensure that Muni is meeting our City's transit needs and how the scarcity of flexible transit dollars are used to enhance Muni's overall system.

10/23/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**121056 [Hearing - Support and Preserve Independent Neighborhood Theaters]****Sponsor: Mar**

Hearing on strategies to support and preserve independent neighborhood theaters.

10/23/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**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****121004 [Planning Code - Market Street Masonry Historic District]****Sponsor: Kim**

Ordinance amending the San Francisco Planning Code by adding a new Appendix M to Article 10 (Preservation of Historical, Architectural and Aesthetic Landmarks) to: 1) create the Market Street Masonry Historic District, a discontinuous landmark historic district; and 2) make findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

10/10/12; RECEIVED FROM DEPARTMENT.

10/23/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

*Supervisor Kim requested to be added as sponsor.*

**121007 [Electric System and Solar Project Agreement - North Star Solar, LLC]**

Ordinance authorizing, pursuant to Charter Section 9.118(a), a System Impact Mitigation Agreement with North Star Solar, LLC, requiring North Star Solar, LLC, to pay the Public Utilities Commission the costs necessary to mitigate the impacts to the City's electric system caused by the interconnection of North Star Solar, LLC's solar project to the electric grid; and authorizing similar mitigation agreements with other projects in the future; and appropriating funds from these agreements to pay the costs of mitigation work. (City Attorney's Office)  
(Fiscal Impact)

10/12/12; RECEIVED FROM DEPARTMENT.

10/23/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

**121014 [Settlement of Lawsuit - Leslie Jones - \$197,500]**

Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for \$197,500; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee.

**121015 [Settlement of Lawsuit - Acquila Yeargin - \$27,500]**

Ordinance authorizing settlement of the lawsuit filed by Acquila Yeargin against the City and County of San Francisco for \$27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Acquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTIONS

### **121003 [Street Artist Spaces - Hallidie Plaza - East of 5th Street]**

Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces for one year from the regulations of Police Code Section 2405(c)(3), (4), and (11), relating to size of space and distance between street artists. (Arts Commission)

10/11/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### **121006 [Master Lease Extension - Department of Public Health - 2176-78 Mission Street - \$32,363.07 Per Month with Annual Increases]**

Resolution authorizing the extension of a Master Lease of Real Property at 2176-78 Mission Street for the Department of Public Health for ten years, \$32,363.07 per month for the period of December 5, 2012, to December 4, 2013, and subsequently subject to increases pursuant to the Consumer Price Index yearly. (Real Estate Department)  
(Fiscal Impact)

10/12/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **121009 [Master Lease Amendment - Treasure Island Fire Fighting Training Center]**

Resolution approving the Fourth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to Extend the Term. (Treasure Island Development Authority)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **121011 [Proposition J Contract/Certification of Specified Contracted-Out Services - Public Utilities Commission Security Services]**

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for night and weekend security services at San Francisco Public Utilities Commission's offices on 525 Golden Gate Avenue. (Public Utilities Commission)  
(Fiscal Impact)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

### **121012 [Adopting CEQA Findings - Geary Road Bridge Project]**

Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CUW26403, the Geary Road Bridge Project, in Alameda County and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 4:30 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 December 11, 2012.*

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Angela Calvillo, Clerk of the Board