



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, June 12, 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.

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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>

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ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the May 1, 2012, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

Pursuant to Charter Section 3.100(7), the Mayor and Board President have rescheduled the Mayor's Appearance Before the Board to June 19, 2012.

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 12**Recommendations of the Budget and Finance Committee**

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

- 1. 120428 [Appropriating \$587,756,000 for Wastewater Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]**
Sponsor: Mayor
Ordinance appropriating \$587,756,000 of proceeds from revenue bonds, wastewater revenue, state grants, and bond interest income for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program, comprised of \$299,402,000 for FY2012-2013, and \$288,354,000 for FY2013-2014, and placing \$255,600,000 on Board Finance Committee reserve as well as placing all applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, accept and expend a Department of Water Resources administered grant in the amount of \$24,147,000 and allow reimbursement of prior expenditures, funded from Wastewater Revenue Bonds, to be funded by the grant retroactive to December 2011; notably if the State delays the disbursement of the \$24,147,000 in grant funding, Wastewater Revenue Bonds may be substituted as a source for the grant funds.

(Fiscal Impact)

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

- 2. 120429 [Appropriating \$171,001,000 for Water Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]**
Sponsor: Mayor
Ordinance appropriating \$171,001,000 of proceeds from revenue bonds, water revenues, and interest income for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program, comprised of \$60,084,000 for FY2012-2013, and \$110,917,000 for FY2013-2014, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness.

(Fiscal Impact)

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 120430 [Appropriating \$141,171,000 for Hetch Hetchy Water and Power Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]

Sponsor: Mayor

Ordinance appropriating \$141,171,000 of Hetch Hetchy revenue, California Energy Commission loan and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Enterprise's Capital Improvement Program consisting of \$51,383,000 for FY2012-2013, and \$89,788,000 for FY2013-2014, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and loan funds.

(Fiscal Impact)

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 120467 [Water Revenue Bond Issuance and Sale - Not to Exceed \$163,400,000]

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed \$163,400,000 to finance various capital water projects benefitting the Water Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)

(Fiscal Impact)

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 120468 [Power Revenue Bond Issuance and Sale - Not to Exceed \$12,300,000]

Ordinance approving the issuance and sale of power revenue bonds by the San Francisco Public Utilities Commission (SFPUC) in an aggregate principal amount not to exceed \$12,300,000 to finance various power capital projects benefitting the SFPUC Power Enterprise, pursuant to Section 9.107(8) of the City Charter; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)

(Fiscal Impact)

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 120469 **[Wastewater Revenue Bond Issuance and Sale - Not to Exceed \$522,810,000]**
Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed \$522,810,000 to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)

(Fiscal Impact)

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Farrell, Elsbernd, Chiu

7. 120378 **[Administrative Code - Establishing a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force]**
Sponsors: Wiener; Olague, Campos, Cohen and Avalos
Ordinance amending the San Francisco Administrative Code, Chapter 5, Article XII, by adding Sections 5.110 through 5.115, to establish a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force and establish its powers and duties.

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

8. 120435 **[Park Code - Marina Small Craft Harbor Fees and Licenses]**
Sponsor: Farrell
Ordinance amending the San Francisco Park Code Section 12.11 to: 1) reflect the fees for FY2011-2012 for berthing licenses in the San Francisco Marina Small Craft Harbor; 2) establish a flat daily rate for short-term dock fees; 3) delete fees for obsolete services; 4) add new transfer fee provisions; and 5) authorize annual renewals of berthing licenses pursuant to the Recreation and Park Commission's Marina Rules; and making environmental findings and findings of consistency with the General Plan.

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 120436 **[Appropriating \$1,039,600 of Fund Balance in the Marina Yacht Harbor Operating Fund to the Recreation and Park Department for the West Harbor Renovation Project in FY2011-2012]**

Sponsor: Farrell

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

(Fiscal Impact)

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 120388 **[Accept and Expend Grant - GreenFinanceSF - \$200,608]**

Sponsor: Mar

Resolution authorizing the Department of the Environment to accept and expend an American Recovery and Reinvestment Act of 2009 funded grant in the amount of \$200,608 from the California Energy Commission's State Energy Program through the Local Government Commission to support GreenFinanceSF.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Avalos, Olague, Mar

11. 120431 **[Administrative Code - Establishing a Wage Theft Task Force]**

Sponsors: Campos; Mar, Chiu, Kim, Avalos, Olague and Cohen

Ordinance amending the San Francisco Administrative Code by adding Sections 5.260 through 5.260-5 to: 1) establishing a Wage Theft Task Force to make recommendations to the Board of Supervisors, regarding how the City may best address wage theft in San Francisco; 2) provide for the Task Force's membership, organization, and duties; and 3) set a sunset date for the Task Force.

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

12. 120068 **[Settlement of Lawsuit - Kevin Woodson v. CCSF - \$45,000]**

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

06/05/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

13. 120047 **[Planning Code - Including Financial Services Within Definition of Formula Retail]**
Sponsors: Mar; Olague, Campos and Avalos
Ordinance amending the San Francisco Planning Code by: 1) amending Section 703.3(c) to include financial services within the uses subject to formula retail controls in Neighborhood Commercial Districts; 2) amending Section 806.3(c) including financial services within the uses subject to formula retail controls in Mixed Use Districts; 3) amending Section 303.3(i) making conforming amendments; and 4) making findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

06/05/2012; 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

14. 120561 **[Correcting the Appropriation of Sources in Supplemental Ordinance No. 77-12 in the Department of Public Health for FY2011-2012]**
Sponsors: Chu; Mayor
Ordinance correcting the appropriation of Sources in Supplemental Ordinance No. 77-12, an Ordinance recognizing revenue losses of \$31,477,332 at the Department of Public Health and appropriating \$67,629,934 of SB1128 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 120476 [Design Agreement Amendment - Laguna Honda Hospital Replacement Program - \$51,276,867]

Sponsor: Elsbernd

Resolution authorizing the Director of Public Works to execute an amendment to the design agreement for the Laguna Honda Hospital Replacement Program by increasing the contract amount from \$50,799,281 to \$51,276,867.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Avalos, Kim

16. 120526 [Appropriating \$265,185,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for FY2011-2012]

Sponsor: Mayor

Ordinance appropriating \$265,185,000 of General Obligation Bond, proceeds, approved by voters under Proposition A in the November 2008 election, authorizing the fourth issuance of General Obligation Bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for FY2011-2012.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 120532 [Sale of General Obligation Bonds - San Francisco General Hospital Improvement - Not to Exceed \$265,185,000]

Sponsor: Mayor

Resolution authorizing and directing the sale of not to exceed \$265,185,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2012D; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

18. 120527 [Appropriating \$40,410,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Public Utilities Commission in FY2011-2012]

Sponsors: Mayor; Chiu

Ordinance appropriating \$40,410,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond Proceeds to the Public Utilities Commission in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the Bonds.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 120533 [Sale of General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed \$40,410,000]

Sponsors: Mayor; Chiu

Resolution authorizing and directing the sale of not to exceed \$40,410,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2012E; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Chu, Avalos, Kim

20. 120270 [Approval of Public Trust Exchange; Agreement to Sell Portion of Seawall Lot 351 in Exchange for Portion of Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12; Approval of Lease and Maintenance Agreement]

Resolution approving and authorizing a Purchase and Sale Agreement with San Francisco Waterfront Partners II, LLC, for the sale by the San Francisco Port Commission of unimproved real property located on Seawall Lot No. 351 at the corner of The Embarcadero and Washington Street in exchange for a portion of real property located on Block No. 168-Lot No. 58, Block No. 171-Lot No. 69, and Block No. 201-Lot No. 12 having an address at 8 Washington; approving and authorizing a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from such portion of Seawall Lot No. 351 and impressing the public trust on such portion of real property located on Block No. 168-Lot No. 58, Block No. 171-Lot No. 69, and Block No. 201-Lot No. 12; approving and authorizing a 66-year lease with San Francisco Waterfront Partners II, LLC, for real property near The Embarcadero and former Pacific Street; approving and authorizing a Maintenance Agreement with San Francisco Waterfront Partners II, LLC, for the maintenance of open space bound by The Embarcadero, Washington Street, and Drumm Street; adopting environmental findings and findings of consistency with the General Plan and the eight Priority Policies of City Planning Code Section 101.1; and authorizing the Port's Executive Director and the City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Port)

(Supervisor Avalos dissented in Committee.)

Question: Shall this Resolution be ADOPTED?

21. 120278 [Amending Resolution of Intention to Form Waterfront Infrastructure Financing District (File No. 120128)]

Resolution amending Resolution of Intention to establish Infrastructure Financing District No. 2 (File No. 120128) for the City and County of San Francisco at the Port of San Francisco. (Port)

(Supervisor Avalos dissented in Committee.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Farrell, Elsbernd, Chiu

- 22. 120377 **[Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Small Business Net New Payroll - 2012 through 2015]**
Sponsors: Farrell; Campos, Chu, Cohen, Elsbernd, Mar and Wiener
 Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by adding Section 906.5 to permit a Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 23. 120529 **[Issuance of Tax Exempt Revenue Obligations - Live Oak School - Not to Exceed \$6,750,000]**
Sponsor: Cohen
 Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code, the issuance of tax-exempt revenue obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$6,750,000 to refinance various capital facilities owned by Live Oak School.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

- 24. 111338 **[Naming the Waller Street Stairway as Adah’s Stairway]**
Sponsors: Wiener; Olague
 Ordinance: 1) establishing the name of the stairway on the southern portion of Waller Street at Waller and Broderick Streets that connects to Buena Vista Park at Buena Vista East as “Adah’s Stairway,” in recognition of Adah Bakalinsky, author of the book Stairway Walks in San Francisco; 2) commemorating this location under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance; 3) accepting a plaque and its installation in honor of Ms. Bakalinsky as a gift to the City; 4) waiving permit and inspection fees for plaque installation; and 5) directing official acts in furtherance of this Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 25. 120191 **[Building Code - Definition of Efficiency Unit]**
Sponsor: Wiener
 Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 120572 [Real Property Acquisition, Ground Lease Agreement - Construction of Affordable Housing - MERCY HOUSING CALIFORNIA XLIV - 1180-4th Street]
Sponsor: Kim

Resolution: 1) authorizing the Mayor's Office of Housing as Successor Housing Agency to the Redevelopment Agency to exercise an Agency Purchase Option for Block No. 8711, Lot No. 14, also known as 1180-4th Street located within the Mission Bay South Redevelopment Project Area pursuant to that certain Mission Bay South Owner Participation Agreement and Memorandum of Option between the Redevelopment Agency and FOCIL-MB, LLC; 2) approving and authorizing a long term ground lease to MERCY HOUSING CALIFORNIA XLIV, a California limited partnership, for a term of 75 years with a 24 year extension option, under San Francisco Charter Section 9.118, for the development and operation of affordable housing; and 3) making findings that the acquisition and lease is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Mar, Cohen, Wiener

27. 120271 [Zoning Map Amendment - 8 Washington Street Project]

Ordinance: 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) making 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. (Planning Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 120272 [General Plan Amendment - 8 Washington Street Project]

Ordinance: 1) amending the San Francisco General Plan Map 2 (Height and Bulk Plan) of the Northeastern Waterfront Area Plan as part of the 8 Washington Street Project (Assessor's Block No. 0201, Lot No. 012); and 2) making environmental findings, Planning Code Section 340 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

(Pending approval of File No. 120629.)

Board of Supervisors Sitting as a Committee of the Whole

- 29. 120639 [Committee of the Whole - Warriors Arena Sole Source Negotiations]**
Hearing of persons interested in or objecting to a Resolution: 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29. (Clerk of the Board)

Question: Shall this Hearing be HEARD AND FILED?

Committee of the Whole Adjourn and Report

30. 120625 [Warriors Arena Project - Sole Source Negotiations]

Sponsors: Mayor; Chiu, Kim, Farrell, Chu, Wiener, Olague and Cohen

Resolution 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29.

Question: Shall this Resolution be ADOPTED?

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

SPECIAL ORDER 4:00 P.M.

(The President may entertain a motion to continue File Nos. 120549, 120550, 120551, and 120552 to July 17, 2012.)

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.

31. 120549 [Public Hearing - Appeal of a Final Environmental Impact Report - California Pacific Medical Center Long Range Development Plan Project]

Hearing of persons interested in or objecting to the Planning Commission's decision, dated April 26, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2005.0555E, through its Motion No. 18588, for the proposed California Pacific Medical Center Long Range Development Plan Project. (Appellant: Law Offices of Gloria D. Smith on behalf of the California Nurses Association/National Nurses United, Council of Community Housing Organizations, Cathedral Hill Neighbors Association, Bernal Heights Neighborhood Center, Jobs with Justice San Francisco, and San Franciscans for Healthcare, Housing, Jobs and Justice.) (Filed May 16, 2012) (Clerk of the Board)

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.)

32. 120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

- 33. 120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

- 34. 120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
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 California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

35. 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.

36. 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 37 through 43**37. 120629 [Committee of the Whole - Hearing on the Warriors Arena Sole Source Negotiations]****Sponsor: Chiu**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 12, 2012, at 3:00 p.m., to hold a public hearing on a Resolution: 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29.

06/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?**38. 120620 [Miguel Marquez Day - June 5, 2012]****Sponsors: Campos; Kim and Chiu**

Resolution declaring June 5, 2012, as Miguel Marquez Day in the City and County of San Francisco and congratulating former Deputy City Attorney Miguel Marquez for his appointment to the California Sixth District Court of Appeal.

06/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?**39. 120621 [Accept and Expend Grant - Sustainable Neighborhoods Technical Assistance and Planning - \$49,000]****Sponsor: Olague**

Resolution authorizing the Department of the Environment to accept and expend a grant of \$49,000 from the Urban Sustainability Directors Network to administrate technical assistance for planning for environmentally sustainable neighborhoods (EcoDistricts) and to develop a plan for a national technical assistance program for local governments.

06/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 40. 120622 [Accept and Expend Grant - Imagination Playgrounds - \$11,358]**
Sponsor: Olague
Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend an in-kind grant of two Imagination Playgrounds in a Cart, valued at \$11,358 from KaBOOM.

06/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 41. 120623 [Promoting the Responsible Acquisition of Dogs in the City and County of San Francisco]**
Sponsors: Wiener; Campos
Resolution supporting the responsible acquisition of dogs in the City and County of San Francisco.

06/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 42. 120624 [Approval of an 18-Month Extension for Planning Commission Review of the Ordinance Establishing the Transportation Sustainability Fee (File No. 120524)]**
Sponsors: Mayor; Wiener and Olague
Resolution extending by 18 months the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120524) amending the San Francisco Planning Code by: 1) adding new Sections 411A through 411A.11 to establish a new citywide Transportation Sustainability Fee; 2) amending Section 401 to add definitions reflecting these changes; and 3) making findings, including general findings, environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

06/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 43. 120541 [Committee of the Whole - Hearing on the Report of Assessment Costs for Sidewalk and Curb Repairs]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 19, 2012, at 3:00 p.m., to hold a public hearing on a Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

06/05/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

44. IMPERATIVE AGENDA

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

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

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

LEGISLATION INTRODUCED AT ROLL CALL

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

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

PROPOSED ORDINANCES

Proposed ordinances received from May 29, 2012, through June 4, 2012, for reference by President to appropriate committee on June 12, 2012.

120614 [Establishing an Infrastructure Financing District and Adopting an Infrastructure Financing Plan]

Ordinance establishing an Infrastructure Financing District and adopting an Infrastructure Financing Plan for the City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco). (Port)

06/04/2012; RECEIVED FROM DEPARTMENT.

06/12/2012; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

120615 [Settlement of Lawsuit - Waterfront Watch - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Waterfront Watch against the City and County of San Francisco for \$225,000; the lawsuit was filed on February 23, 2012, in San Francisco Superior Court, Case No. CPF-12-511968; entitled Waterfront Watch, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are establishing a process for review of Pier 29 rehabilitation work, Port technical assistance to reduce air emissions at Pier 27, agreement not to place a Jumbotron on the water in Aquatic Park Lagoon. (City Attorney)

06/01/2012; RECEIVED FROM DEPARTMENT.

06/12/2012; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 29, 2012, through June 4, 2012, for reference by President to appropriate committee on June 12, 2012.

120610 [Declaration of Emergency Contract - South Fork Adit - Not to Exceed \$319,000]

Resolution approving Declaration of Emergency Construction Contract of an amount not-to-exceed \$319,000 to address a rockslide near South Fork Adit. (Public Utilities Commission)

06/04/2012; RECEIVED FROM DEPARTMENT.

06/12/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120611 [Funding Agreement to Fund Acquisition of Nolan Ranch Conservation Easement and Endowment Agreement to Fund Compliance Monitoring of the Conservation Easement]

Resolution: 1) authorizing pursuant to Charter Section 9.118(b) (i) a Funding Agreement with The Nature Conservancy and Santa Clara County under which the City would contribute one third of the funds, up to \$900,000, for Santa Clara County to acquire the Nolan Ranch and create a conservation easement of which the City would be a third party beneficiary, and (ii) an Endowment Agreement under which the City would provide a permanent endowment of \$125,000 to fund The Nature Conservancy's monitoring of compliance with the conservation easement; and 2) authorizing the General Manager of the Public Utilities Commission to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission)

06/04/2012; RECEIVED FROM DEPARTMENT.

06/12/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120612 [Outreach Advertising and Neighborhood Outreach Advertising for FY2012-2013]

Resolution designating San Francisco Bay View and Small Business Exchange to be the outreach newspapers of the City and County for the African American community; Sing Tao Daily, World Journal, and Small Business Exchange to be the outreach newspapers of the City and County of San Francisco for the Chinese community; El Reportero and Small Business Exchange to be the outreach newspapers of the City and County for the Hispanic community; Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual and Transgender community; Central City Extra to be the neighborhood outreach newspaper of the City and County for the Central City neighborhood; Marina Times/Northside Publications to be the neighborhood outreach newspaper of the City and County for the Northern San Francisco neighborhood; Potrero View to be the neighborhood outreach newspaper of the City and County for the Potrero Hill, Bayview, Mission Bay and South of Market neighborhoods; West Portal Monthly to be the neighborhood outreach newspaper of the City and County for the West Portal neighborhood; and The Western Edition to be the neighborhood outreach newspaper for the City and County for the Western Addition neighborhood; to provide outreach advertising for FY2012-2013. (Office of Contract Administration)

06/04/2012; RECEIVED FROM DEPARTMENT.

06/12/2012; RECEIVED AND ASSIGNED to the Government Audit and Oversight Committee.

120613 [Adopting of Guidelines for Port Infrastructure Financing Districts]

Resolution adopting guidelines for the establishment and use of Infrastructure Finance Districts on Port property. (Port)

06/04/2012; RECEIVED FROM DEPARTMENT.

06/12/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120589 [Petitions and Communications]

Petitions and Communications received from May 29, 2012, through June 4, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 12, 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 Controller, regarding the Budget and Legislative Analyst proposed contract for FYs 2012-2013 and 2013-2014. Copy: Each Supervisor (1)

From concerned citizens, regarding Ross Mirkarimi. 6 letters (2)

From Allen Jones, regarding the 49ers Stadium Deal in Santa Clara. (3)

From Flora Colao, regarding the Beach Chalet Project. (4)

From Office of the Mayor, submitting Notice of Transfer of Function under Charter Section 4.132. Copy: Each Supervisor (5)

From Anne Morrison Epperly, regarding property located at 1111 California Street (California Masonic Memorial Temple). File No. 120179, Copy: Each Supervisor, City Attorney (6)

From Youth Commission, submitting support for the San Francisco Clean and Safe Neighborhood Parks General Obligation Bond. File No. 120525 (7)

From Rudyard Vance, regarding play areas in Golden Gate Park. (8)

From Kathleen Dunphy, regarding Candlestick Point. (9)

From Office of Citizen Complaints, submitting the results of follow-up of the 2007 Office of Citizen Complaints Audit. (10)

From Office of the Mayor, submitting the proposed Annual Salary Ordinance for FYs 2012-2013 and 2013-2014. (11)

From Office of the Mayor, submitting the proposed Budget and the Annual Appropriation Ordinance as of May 31, 2012. (12)

From Department of Public Health, submitting the FY2012-2014 annual list of membership organizations. (13)

From California Register of Historical Resources, submitting notice that the warehouse at 572-7th Street is being nominated to the California Register of Historical Resources. Copy: Each Supervisor (14)

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

ADJOURNMENT