



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, April 10, 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

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BOARD COMMITTEES

Committee Membership

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

Budget and Finance Sub-Committee
Supervisors Chu, Avalos, Kim

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Public Safety Committee
Supervisors Avalos, Olague, Mar

Rules Committee
Supervisors Kim, Farrell, Campos

Meeting Days

Wednesday
1:00 PM

Wednesday
10:00 AM

4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

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

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

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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>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 6, 2012, Board Meeting Minutes, and the March 7, 2012, Special Meeting Minutes at the Budget & Finance Committee Meeting (File Nos. 120061 and 120107).

COMMUNICATIONS

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

(This item will be read at the Board Meeting on the second regularly scheduled meeting each month. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Regular Agenda as an action item.

By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.)

1. 120313 [Formal Policy Discussions - April 10, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District 4, 6, 8, 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. SPUR's Ocean Beach Master Plan is the result of a two year public process involving local, state, and federal agencies, as well as environmental groups, residents, and other key stakeholders. The plans goals include improving access, protecting and restoring ecological resources, while also protecting critical infrastructure as sea level rise and erosion concerns deepen. Having been briefed by the inter-agency steering committee on this work, what is your commitment to continuing this collaborative effort and in evaluating the feasibility of its near and long-term recommendations? (Supervisor Chu, District 4)

2. This past Thursday, I held a hearing at the Rules Committee regarding our shelter system and many of our senior constituents and constituents with disabilities shared their experience with the shelter system including their challenges in accessing shelter due to long lines waiting at reservation centers for long term beds and the futile chase around the city to multiple sites, their concerns around their safety while waiting in line and challenges of routinely getting one night beds. We understand that shelter is housing of last resort for over 1000 San Franciscan and our goal is to provide those people with permanent affordable housing. What specific initiatives could the Mayor's Office explore in conjunction with HSA, DPH, HOPE and Mayor's Office of Disability to make shelter reservations more accessible and also make capital improvements and on-site services in our shelters to accommodate our seniors and individuals with disabilities? (Supervisor Kim, District 6)

3. On January 24, 2012, I called for a hearing focusing on streetlight issues in the City. I have invited PG&E and various other City agencies to provide an update on efforts to address the frequent lack of responsiveness to community requests for maintenance of street lights and augmentation of sidewalk lighting for pedestrian safety. San Franciscans are frustrated. What do you think are the problems with street and sidewalk lighting, and will you work with me to find solutions? (Supervisor Wiener, District 8)

4. In District 10 we continue to have a number of public safety challenges. My office, the Police Department and members of the community have worked diligently to build strong relationships with one another and work together to address some of these challenges. However, the staffing levels at the Bayview and Ingleside Police stations continue to be lower than what is needed to service the district. Additionally, we are seeing more and more officers getting ready to retire in the near future. Are you supportive of increasing the number of police academy classes in this coming fiscal year? What are your strategies for ensuring that district stations have the resources they need to continue collaborative community policing strategies? (Supervisor Cohen, District 10)

Discussion: The Mayor shall discuss the eligible questions with the Board of Supervisors.

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 2 through 24

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Chu, Avalos and Kim

2. **120124 [Agreement - BAE Systems - Shoreside Power at Drydock #2 - Pier 70 - Not to Exceed \$5,700,000]**
Sponsors: Mayor; Cohen and Chu
Ordinance authorizing the Director of the Port to execute an agreement with BAE Systems San Francisco Ship Repair to install shoreside power equipment at Drydock #2 at Pier 70 for an amount not to exceed \$5,700,000 and exempting the agreement from the contracting requirements of the Administrative Code and Environment Code.

(Fiscal Impact)

04/03/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **120222 [North Beach Branch Library - Environmental Findings and Bond Proceeds]**
Sponsors: Mayor; Chiu and Chu
Ordinance adopting environmental findings with respect to the North Beach Branch Library and approving the expenditure on the North Beach Branch Library of bond proceeds of lease revenue bonds previously authorized and issued to finance various projects under the Branch Library Improvement Program, as further described herein; granting general authority to City officials to take certain actions in connection with the expenditure of bond proceeds; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

04/03/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 120223 [Appropriating \$6,259,742 of Fund Balance and General Obligation Bond Proceed Interest Earnings to the Public Library in FY2011-2012]

Sponsors: Mayor; Chiu and Chu

Ordinance appropriating \$6,259,742 consisting of \$5,778,742 in Library Preservation Fund unappropriated fund balance and \$481,000 in interest earnings from the Branch Library Improvement Program (BLIP) General Obligation Bond proceeds to the Public Library in FY2011-2012 for the completion of remaining projects in the BLIP.

(Fiscal Impact)

04/03/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Farrell, Elsbernd, Chiu

5. 120189 [Memorandum of Understanding, Amendment 2 - Service Employees International Union, Local 1021]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2011-2012.

04/03/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Cohen, Wiener, Olague

6. **110853** **[Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]**
 Sponsors: Mayor; Chiu
 Ordinance: 1) amending the San Francisco Planning Code Section 429 to provide that developers currently required to spend one percent (1%) of construction costs for public artwork on any new development project or addition to an existing building over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that fee to a City fund dedicated to support public art, and to extend the fee to all non-residential projects that involve construction of a new building or addition of floor area in excess of 25,000 square feet and that have submitted their first complete Development Application on or after January 1, 2013, on the following parcels: (a) all parcels in RH-DTR, TB-DTR, SB-DTR, SLI, SLR, SSO, C-M, and UMU Districts; (b) properties that are zoned MUG, MOU, or MUR and that are north of Division/Duboce/13th Streets; and (c) all parcels zoned C-2 except for those on Blocks 4991 (Executive Park) and 7295 (Stonestown Galleria Mall); 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district and within a half mile of the boundary of the C-3 district or, if the project is in another zoning district, within a half mile of the project boundary, to be administered and expended by the Arts Commission; and 3) 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.

04/03/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. **111337** **[Planning Code - Extension of Time for Legitimization of Existing Eastern Neighborhoods Uses]**
 Sponsor: Cohen
 Ordinance amending the San Francisco Planning Code Section 179.1(b) to: 1) extend through November 12, 2012, the period of time in which existing uses in the Eastern Neighborhoods area that have operated without permits may file an application for determination of eligibility for legitimization; 2) establish a deadline within which the applicant must proceed with the legitimization process; and 3) make 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.

04/03/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mar, Cohen, Wiener

8. **120288** **[Acceptance of Gift of Nursery for Golden Gate Park Botanical Garden]**
 Sponsors: Mar; Olague and Chu
 Resolution accepting a gift-in-place to the City and County of San Francisco of the San Francisco Botanical Garden Nursery: Center for Sustainable Gardening valued at approximately \$14,000,000; and making findings, including environmental findings.
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Wiener

9. **120134** **[Settlement of Lawsuit - Timothy Hoyt - \$80,000]**
 Ordinance authorizing settlement of the lawsuit filed by Timothy Hoyt against the City and County of San Francisco for \$80,000; the lawsuit was filed on April 26, 2010, in U.S. District Court, Case No. CV 10-01778 RS; entitled Timothy Hoyt v. the City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
10. **120163** **[Settlement of Lawsuit - Patricia Banks - \$50,000]**
 Ordinance authorizing settlement of the lawsuit filed by Patricia Banks against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 5, 2009, in San Francisco Superior Court, Case No. CGC-09-491089; entitled Patricia Banks, et al. v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. **120164** **[Settlement of Lawsuit - Pacific States Environmental Contractors, Inc. - \$425,000]**
 Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental Contractors, Inc., against the City and County of San Francisco for \$425,000; the lawsuit was filed on November 20, 2009, in San Mateo County Superior Court and subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-501403, entitled Pacific States Environmental Contractors, Inc. v. City and County of San Francisco, et al.; other material terms of the settlement are: 1) mutual releases except for latent defects, 2) dismissal of the complaint with prejudice, and 3) each side to bear its own attorneys fees and costs. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. **120181** **[Settlement of Lawsuit - Christine Peterson - \$34,000]**
 Ordinance authorizing settlement of the lawsuit filed by Christine Peterson against the City and County of San Francisco for \$34,000; the lawsuit was filed on November 25, 2009, in San Francisco Superior Court, Case No. CGC-09-494798 (Consolidated with Case No. CGC-10-500217); entitled Christine Peterson, et al. v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 13. 120182 [Settlement of Lawsuit - Wilma Espinosa - \$275,000]**
Ordinance authorizing settlement of the lawsuit filed by Wilma Espinosa against the City and County of San Francisco for \$275,000; the lawsuit was filed on March 9, 2011, in San Francisco Superior Court, Case No. CGC-11-508999; entitled Wilma Espinosa, et al. v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 14. 120187 [Settlement of Lawsuit - Airis v. CCSF, et al. - \$7,500,000]**
Ordinance authorizing settlement of the lawsuit filed by Airis SFO, LLC, Airis Holdings, LLC, and Duane Morris LLP ("Airis") against the City and County of San Francisco (the "City") for \$7,500,000; the lawsuit was filed on July 15, 2005, in San Mateo Superior Court, Case No. 448274, entitled Airis SFO, LLC, et al. v. City and County of San Francisco, et al.; other material terms include a full and final release by Airis of all claims for attorneys' fees, costs, and post judgment interest. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 15. 120238 [Settlement of Lawsuit - Fonseca v. Fong, et al. - \$73,000]**
Ordinance authorizing settlement of the lawsuit filed by Charles Fonseca against the City and County of San Francisco for \$73,000 in attorney's fees and costs; the lawsuit was filed on May 4, 2007, in San Francisco Superior Court, Case No. CPF-07-507227; entitled Fonseca v. Heather Fong, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 16. 120239 [Settlement of Lawsuit - Preston, et al. v. CCSF, et al. - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Bonnie Preston against the City and County of San Francisco for \$100,000; the lawsuit was filed on June 16, 2010, in San Francisco Superior Court, Case No. CGC-10-499015; entitled Bonnie Preston, et al. v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 17. 120258 [Settlement of Lawsuit - Bigeleisen v. CCSF - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by David Bigeleisen against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507900; entitled David Bigeleisen, v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 18. 120259 [Settlement of Lawsuit - Donna Murray v. CCSF - \$245,000]**
Ordinance authorizing settlement of the lawsuit filed by Donna Murray against the City and County of San Francisco for \$245,000; the lawsuit was filed on September 22, 2010, in San Francisco Superior Court, Case No. CGC-10-503853; entitled Donna Murray v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 19. 120161 [Settlement of Claim - Sally Bowman - \$70,000]**
Resolution approving the settlement of the unlitigated claim filed by Sally Bowman against the City and County of San Francisco for \$70,000; claim was filed on May 24, 2011. (City Attorney)
Question: Shall this Resolution be ADOPTED?

- 20. 120162 [Settlement of Unlitigated Claim - James Murray - \$43,500]**
Resolution approving the settlement of the unlitigated claim filed by James Murray against the City and County of San Francisco for \$43,500; claim was filed on April 06, 2011. (City Attorney)
Question: Shall this Resolution be ADOPTED?

- 21. 120011 [Appointment, Children and Families First Commission - Anda Kuo]**
Motion appointing Anda Kuo, term ending April 29, 2014, to the Children and Families First Commission. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

- 22. 120172 [Appointments, Workforce Investment Community Advisory Committee - Doug Parrish, Liz Jackson-Simpson, Winnie Yu, and Sheryl Davis]**
Motion appointing Doug Parrish, term ending February 19, 2013, Liz Jackson-Simpson, Winnie Yu, and Sheryl Davis, terms ending February 19, 2014, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

- 23. 120215 [Appointments, In-Home Supportive Services Public Authority - Kenzi Robi, Gustavo Serina, and Luis Calderon]**
Motion appointing Kenzi Robi, Gustavo Serina, and Luis Calderon, terms ending March 1, 2015, to the In-Home Supportive Services Public Authority. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

- 24. 120218 [Appointments, Sweatfree Procurement Advisory Group - Jason Oringer, and Julienne Fisher]**
Motion appointing Jason Oringer and Julienne Fisher, terms ending December 17, 2013, to the Sweatfree Procurement Advisory Group. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Chu, Avalos, Kim

25. 120282 [Contract Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Waiver of Certain Bidding and Contracting Requirements]

Sponsor: Mayor

Ordinance 1) authorizing the Port to amend a contract between the Port and Turner Construction Company to perform certain improvements to Piers 27-29, Piers 19 and 23, and Piers 30-32, and to remove portions of Pier ½ and 64; 2) alternatively, authorizing the Port to execute an agreement between the Port and one of the next highest-ranked proposers, in order of rank, for the Pier 27 Cruise Ship Terminal and Northeast Wharf Plaza Project, to perform certain improvements to Piers 27-29, Piers 19 and 23, and Piers 30-32, and to remove portions of Pier ½ and 64; 3) authorizing the Port to contract with the America's Cup Event Authority for assignment to the Port of its contract with Power Engineering Construction Company for improvements to Piers 30-32 only; 4) authorizing the Port to enter into a contract with AECOM for construction-design engineering services for improvements to Piers 30-32 related to the 34th America's Cup Event; and 5) waiving competitive bidding and solicitation requirements of Administrative Code Sections 6.20, 6.21, 6.68(A)-(F), 6.40, and 6.41, and requirements of Administrative Code Sections 14B.19(C)(1)-(5).

(Fiscal Impact)

04/03/2012; AMENDED.

04/03/2012; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation

Present: Supervisors Kim, Farrell, Wiener

26. 111082 **[Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]**
Sponsors: Kim; Campos, Mar and Avalos
Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify funding of the City's public financing program, to increase expenditure ceilings for supervisorial candidates, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.
- 02/28/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
02/28/2012; RE-REFERRED AS AMENDED to the Rules Committee.
04/03/2012; PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Chu and Avalos

27. 120246 **[Master License Agreement - Photovoltaic Power Projects]**
Sponsor: Wiener
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into a long term Master License Agreement for the installation of photovoltaic power projects on San Francisco Unified School District buildings, pursuant to San Francisco Charter Section 9.118.
- Question: Shall this Resolution be ADOPTED?**
28. 120253 **[Airline/Airport 2011 Lease and Use Agreement - Various Airlines]**
Resolution approving four new 2011 Airline/Airport Lease and Use Agreements between the City and County of San Francisco and various airlines, effective upon full City approval, to conduct flight operations at the San Francisco International Airport. (Airport Commission)
- (Fiscal Impact)
- Question: Shall this Resolution be ADOPTED?**

29. 120260 [Real Property Lease - Aardvark Storage Unlimited, Inc. - 600 Amador Street, Seawall Lot 344]

Resolution approving Port Commission Lease No. L-14819 with Aardvark Storage Unlimited, Inc., for paved vacant land located at 600 Amador Street within Seawall Lot 344 in the Southern Waterfront with a sixty month term and a sixty month option. (Port)

Question: Shall this Resolution be ADOPTED?

30. 120289 [Apply for, Accept and Expend Grant - California Catalyst Community Grant Program - \$1,350,000]

Sponsor: Mayor

Resolution authorizing the Director of the Office of Economic and Workforce Development to apply for, accept and expend grant funds in the amount of \$1,350,000 from the California Department of Housing and Community Development's Catalyst Community Grant Program.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Avalos and Kim

31. 111341 [San Francisco Municipal Transportation Agency Revenue Bond Issuance - Not to Exceed \$80,000,000]

Sponsors: Chu; Wiener and Chiu

Resolution authorizing the issuance of not to exceed \$80,000,000 aggregate principal amount of San Francisco Municipal Transportation Agency Revenue Bonds for the purpose of financing certain capital improvements related to the Agency, including the refinancing of certain outstanding revenue bonds issued by various non-profit public benefit corporations and/or the Parking Authority of the City and County of San Francisco to finance certain improvements to garages owned by the Agency, the Authority or the City, and/or parking meters; approving the forms of documents relating thereto; approving the maximum interest thereon; finding that the authorization and issuance of revenue bonds by the Agency is not a project under California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administration Code Chapter 31; and related matters.

(Fiscal Impact)

Question: Shall this Resolution be ADOPTED?

32. 111354 [Administrative Code - San Francisco Municipal Transportation Agency Revenue Bond]

Sponsors: Chu; Wiener and Chiu

Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XIII, Sections 43.13.1 through 43.13.8, to authorize the issuance of revenue bonds by the San Francisco Municipal Transportation Agency.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 120242 [Appropriating \$46,935,000 of 2012 Series A Refunding Revenue Bonds, and De-Appropriating \$2,431,363 for the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating \$46,935,000 of the 2012 Series A Parking Garage Refunding, and de-appropriating \$2,431,363 in existing debt service reserve funds, for the Municipal Transportation Agency in FY2011-2012 for parking meter and parking garage refunding, 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?

34. 120243 [Appropriating \$28,300,000 of 2012 Series B Revenue Bonds for Transit Projects and Parking Garage Projects, for the Municipal Transportation Agency in FY2011-2012]

Sponsors: Mayor; Chu

Ordinance appropriating \$28,300,000 of the 2012 Series B Revenue Bonds for Transit Projects and for Parking Garage Projects proceeds to the Municipal Transportation Agency in FY2011-2012 for improvements to transit access, reliability, communication, and capital improvements to parking garages; placing these funds on Controller's Reserve pending the sale of the bonds; and placing \$1,600,000 for the Muni System Radio Replacement Project on Budget and Finance Committee Reserve.

(Fiscal Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 120188 [Planning, Building Codes - Fee Waiver Program - Small Business Month - May 2012]

Sponsor: Chu

Ordinance: 1) recognizing Small Business Month in May 2012; 2) amending the San Francisco Planning and Building Codes to waive fees for the month of May for certain façade improvements; 3) making findings including environmental findings, findings of consistency with the General Plan, and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

36. 120286 [Support for State and Federal Measures to Protect Homeowners and Suspension of Foreclosure Activities in San Francisco]

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

Resolution supporting the California Homeowner Bill of Rights; urging City and County officials and departments to protect homeowners from unlawful foreclosures; and urging City contractors and all mortgage and banking institutions to suspend foreclosure activities and related auctions and evictions until State and Federal measures to protect homeowners from unfair and unlawful practices and provisions for principal reductions are in place.

Question: Shall this Resolution be ADOPTED?

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

COMMITTEE REPORT

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

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, April 9, 2012, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, April 10, 2012.

**37. 120084 [Planning Code - Eating and Drinking Establishment Definitions and Controls]
Sponsors: Wiener; Olague and Chu**

Ordinance: 1) deleting and amending various sections of the San Francisco Planning Code to simplify and consolidate eating and drinking establishment definitions, and subject the newly-defined uses to Section 312 notification and Formula Retail controls; 2) adding Section 703.5 to establish operating conditions for Bars and Restaurants; and 3) 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.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 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.

39. 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.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

40. 120330 [Closed Session - Update on Labor Negotiations]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on April 10, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

Question: Shall this Motion be APPROVED?

[Elect To Disclose]

Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

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 41 through 44

41. 120304 [Final Map 6393: 307 Page Street, and 265 Laguna Street]

Motion approving Final Map 6393, a Six Unit Residential, One Unit Commercial Mixed-Use Condominium Project, located at 307 Page Street, and 265 Laguna Street; being a subdivision of Assessor's Block No. 0851, Lot No. 001; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

03/27/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- 42. 120324 [Supporting Assembly Bill 1081 - The TRUST Act]**
Sponsors: Campos; Avalos, Chiu, Kim, Mar and Olague
Resolution supporting Assembly Bill 1081 (Ammiano) the TRUST Act, a bill that establishes standards for local governments to ensure that an individual will only be detained pursuant to an Immigration and Customs Enforcement hold if that individual has been convicted of a serious or violent felony, and provides key safeguards against profiling and the wrongful detention of U.S. Citizens.

04/03/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 43. 120326 [Urging the San Francisco Municipal Transportation Agency to Permit Strollers on Muni Vehicles]**
Sponsors: Chiu; Elsbernd
Resolution urging the San Francisco Municipal Transportation Agency to permit strollers on Muni vehicles and to adopt stroller policies that give parents and caregivers better access to public transportation.

04/03/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 44. 120327 [Urging Opposition to Governor Brown's Proposal to Raise the Cal Grant Threshold]**
Sponsor: Kim
Resolution urging the California State Legislature to oppose California Governor Jerry Brown's proposal in the 2012-2013 budget that would raise the bar for Cal Grant financial aid.

04/03/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 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 ORDINANCE

Proposed Ordinances received from March 27, 2012, through April 2, 2012, for reference by President to appropriate Committee on April 10, 2012.

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

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

04/02/2012; RECEIVED FROM DEPARTMENT.

04/10/2012; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed Resolutions received from March 27, 2012, through April 2, 2012, for reference by President to appropriate Committee on April 10, 2012.

- 120276 [Local Support for Cesar Chavez Streetscape Project]**
Resolution re-directing a \$3,367,985 Congestion Management Agency Block Grant from the Second Street Streetscape project to the Cesar Chavez Streetscape project; affirming local support of the project; reiterating commitment of the necessary non-federal match of \$436,358; and stating assurance to complete the project.
- 04/02/2012; RECEIVED FROM DEPARTMENT.
- 04/10/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
- 120333 [Authorizing the Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 55 Stockton Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 55 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0327, Lots 001, 002, 003, and 020, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)
- 04/02/2012; RECEIVED FROM DEPARTMENT.
- 04/10/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.
- 120335 [Authorizing the Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 233 Geary Street]**
Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 233 Geary Street, San Francisco, California, Assessor's Parcel No. Block 0314, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)
- 04/02/2012; RECEIVED FROM DEPARTMENT.
- 04/10/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120337 [Authorizing the Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 77 O'Farrell Street]

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

04/02/2012; RECEIVED FROM DEPARTMENT.

04/10/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120339 [Authorizing the Acquisition of a Temporary Construction License By Eminent Domain for Central Subway/Third Street Light Rail Extension - 150 Stockton Street]

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

04/02/2012; RECEIVED FROM DEPARTMENT.

04/10/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120315 [Petitions and Communications]

Petitions and Communications received from March 27, 2012, through April 2, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 10, 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 Clerk of the Board, the following individuals have submitted a Form 700 Statement: (1)

- Supervisor Mark Farrell, BOS - Annual
- Supervisor Eric Mar, BOS, LAFCo - Annual
- Supervisor Malia Cohen, BOS - Annual
- Supervisor Jane Kim, BOS - Annual
- Supervisor Christina Olague, LAFCo - Assuming
- Sheila Chung-Hagen, Legislative Aide - Annual
- Adam Taylor, Legislative Aide - Annual
- Raquel Redondiez, Legislative Aide - Annual
- Judson True, Legislative Aide - Annual
- Myrna Iton, Legislative Aide - Leaving
- Olivia Scanlon, Legislative Aide - Annual
- Megan Hamilton, Legislative Aide - Annual
- Raymond McCoy, Legislative Aide - Assuming - Leaving
- Deborah Barone, COB - Leaving
- Dawn Duran, AAB - Annual
- Gregory Blaine, AAB - Annual
- Mark Watts, AAB - Annual
- Mervin Conlan, AAB - Annual
- Edward Campana, AAB - Annual
- Nancy Miller, LAFCo - Annual
- Jennifer Gore, LAFCo - Annual
- Christine Layton, LAFCo - Annual
- Matthew McOmber, LAFCo - Annual
- Madeline Miller, LAFCo - Annual
- Leah Pimental, LAFCo - Annual
- Hope Schmeltzer, LAFCo - Annual
- David Pilpel, Redistricting Task Force - Annual
- Eric McDonnell, Redistricting Task Force - Annual
- Mike Alonzo, Redistricting Task Force - Annual
- Marily Mondejar, Redistricting Task Force - Annual
- Jenny Lam, Redistricting Task Force - Annual
- Bruce Wolfe, SOTF - Annual
- John Costa Jr., SOTF - Annual
- Suzanne Manneh, SOTF - Annual
- David Snyder, SOTF - Annual
- Allyson Washburn, SOTF - Annual
- David Snyder, SOTF - Annual

From Cathy Jackson Lerman, P.A. regarding Leadsonline Sole Source Contracts with San Francisco Police Department. Copy: Each Supervisor (2)

From Katherine Howard, regarding Draft Environmental Impact Report for the Beach Chalet project. (3)

From James Chaffee, regarding comments made at a Library Commission meeting. Copy: Each Supervisor (4)

From concerned citizens, regarding Outdoor Corporation's contract for a billboard on 1650 Mission Street. File No. 120141. 22 Letters. (5)

From concerned citizens, regarding Ross Mirkarimi. 7 letters (6)

From Long Term Care Coordinating Council, regarding the proposed cost-free Muni Youth Pass. Copy: Each Supervisor. (7)

From Urban Forestry Council, submitting the following 2010-2011 fiscal year report. Copy: Each Supervisor. (8)

From the Office of Economic and Workforce Development, submitting the following 2011-2012 Annual Report. Copy: Each Supervisor. (9)

From the Budget and Legislative Analyst, regarding the authorization to waive the City's Competitive Procedure Requirements Related to Contracting Requirements for Certain Improvements to Port Property for the 34th America's Cup. File No. 120282. (10)

From San Francisco Fire Department, regarding 2011 Combined Charities final Report. Copy: Each Supervisor. (11)

From Office of the Mayor, submitting a letter asking a citywide effort to create summer jobs this year for the San Francisco youth. (12)

From James Chaffee, regarding a false arrest lawsuit. Copy: Each Supervisor. (13)

From the Police Commission, submitting letter about a Resolution regarding the approval to declare property located at 2300 Third Street as surplus to the Police Department's need. Copy: Each Supervisor. (14)

From M. R. Wolfe & Associates, P.C., regarding the relocation of the San Francisco Law Library. (15)

From concerned citizens, regarding the destruction of murals at the Bernal Heights Library. 6 letters (16)

From concerned citizens, regarding their support for the continued existing operation of the Masonic Center and Live Nation's professional management. File No. 120183. Copy: Each Supervisor. 19 letters. (17)

From Elliott Schwartz, regarding the CleanPowerSF program. (18)

From concerned citizens, regarding Cowboy Bob's Bum Report. 2 letters. (19)

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

ADJOURNMENT