

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, November 15, 2011 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee
Supervisors Chu, Mirkarimi, Kim

Wednesday
10:00 AM

City and School District Select Committee
Supervisors Commissioners Fewer, Maufas, Norton, Cohen, Avalos, Chu

2nd and 4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Avalos, Mar

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Chiu, Campos

2nd and 4th Thursday
10:00 AM

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

Monday
1:00 PM

Public Safety Committee
Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Elsbernd

1st and 3rd Thursday
1:30 PM

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

Volume 106 Number 41

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

Supervisor Kim was noted present at 2:12 p.m.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

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

111199 [Formal Policy Discussions - November 15, 2011]

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's 1, 3, 5, and 9. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Recently, the Board of Supervisors held a hearing looking into the creation of a municipal bank at the urging of Supervisor Avalos and OccupySF leaders. San Francisco currently divides its nearly 200 bank accounts between three massive financial firms: Wells Fargo, Union Bank of California, and Bank of America. Many residents are saying that rather than sending our savings elsewhere, and depending entirely on the private sector, with its boom/bust cycles, the City needs to look to its own assets and strengths, and develop a strategy to reinvest locally. It is not a new idea, it was a demand of the 1975 SF Community Congress, and the Board of Supervisors commissioned a Legislative Analyst Report at the request of Supervisor Matt Gonzalez on this issue in 2001. A municipal bank could eventually invest millions in low-interest loans for alternative forms of development in San Francisco, prioritizing nontraditional business models. At a time when millions of individuals are taking their money out of large banks and putting them into local institutions, it seems necessary for the City to seriously consider this option as well. In addition, throughout most of the City, including all of San Francisco's Neighborhood Commercial Districts, formula retail stores and restaurants are considered conditional uses. This means they must be approved by the Planning Commission on a case-by-case basis. This gives residents more control over the development of their communities. However, the Planning Department is interpreting the Formula Retail law narrowly to exclude banks and other entities that aren't specifically listed in the formula retail law, despite the fact that formula retail is defined with reference to a catch-all category (Sales & Service, Retail), so all of these businesses, including banks, should be covered. Do you support subjecting formula retail banks to the same Conditional Use restrictions as other formula retail uses? And, do you support the creation of a municipal bank for our City? (Supervisor Mar, District 1)

2. This fall, I requested that the Budget and Legislative Analyst perform a review of the frequency and cost to the City of contract change orders for large construction and professional services contracts. The report found that half of the contracts had modifications, totaling almost \$300 million, almost the size of the City's budget shortfall last year. The report also found that there is less public scrutiny of contracts in San Francisco than in other jurisdictions, and contract information is not kept in a uniform manner by Departments. What is your reaction to the findings in the Budget and Legislative Analyst report? Do you agree that we need to reform the way that we approve, monitor, and report contracts? (Supervisor Chiu, District 3)

3. One of the promises you made during your mayoral campaign was to focus on job training and job creation. According to information provided by the Mayor's Office of Economic and Workforce Development, San Francisco's Human Services Agency (HSA) had \$25 million in federal stimulus funds available from May 2009 to September 2010 to use towards the Jobs Now job training and job placement programs. With these funds, HSA was able to provide job services to over 4,100 low-skilled and/or unemployed San Franciscans in less than a year and a half. City data also indicates that since federal stimulus funding ran out just over a year ago, HSA has been able to serve approximately only 550 San Franciscans in these programs annually -- a significant decrease. What level of funding for these programs do you propose in the upcoming budget to fulfill your campaign pledge of job training and creation? (Supervisor Mirkarimi, District 5)

4. The San Francisco Municipal Transportation Agency (SFMTA) work orders \$60 million to other City departments for services, including services that may not have a direct connection to public transit such as the motorcycle fleet of the San Francisco Police Department. Would you commit today to reducing the amount of work orders by at least 20 percent by Fiscal Year 2012-2013 in order to increase Muni service for all riders? (Supervisor Campos, District 9)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

111031 [Appropriating \$304,120,801 of Water System Improvement Program Project Funds - Finance Committee Reserve of \$215,338,107 - Public Utilities Commission - FY2011-2012]

Sponsor: Chu

Ordinance de-appropriating \$304,120,801 in existing Water System Improvement Program (WSIP) project budgets and re-appropriating the funds to the revised WSIP program budgets adopted by the San Francisco Public Utilities Commission, and placing \$215,338,107, as well as future project savings, on Finance Committee reserve.

(Fiscal Impact)

Ordinance No. 230-11

FINALLY PASSED

111103 [De-Appropriating \$17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds from Various Voter-Approved Projects and Re-Appropriating to Other Voter-Approved Projects]

Sponsor: Mayor

Ordinance de-appropriating \$17,080,000 of 2008 Clean and Safe Neighborhood Parks Bond proceeds, Series 2008A, which were appropriated upon sale of the second issuance to specific voter-approved projects and re-appropriating \$17,080,000 to other, voter-approved projects.

Ordinance No. 229-11

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee**111167 [Agreement - Eastern Neighborhoods Rental Incentive Option - 720 and 740 Illinois Street and 2121 Third Street]****Sponsor: Cohen**

Resolution approving an agreement and authorizing the Director of Planning to execute the agreement on behalf of the City and County of San Francisco in order to implement the Eastern Neighborhoods Rental Incentive option under San Francisco Planning Code Section 419.5(b) for the residential development proposed at 720 and 740 Illinois Street and 2121 Third Street (Lot Nos. 002 & 006 in Assessor's Block No. 4045).

Resolution No. 480-11**ADOPTED****Recommendations of the Rules Committee****111098 [Appointments, Veteran Affairs Commission - Dorothy Guy, and Jordan Towers]**

Motion appointing Dorothy Guy, term ending January 31, 2013, and Jordan Towers, term ending January 31, 2014, to the Veteran Affairs Commission. (Clerk of the Board)

Jordan Towers, seat 10, succeeding James Guglielmoni, resigned, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2014.

Dorothy Guy, seat 12, new appointment, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2013.

Motion No. M11-166**APPROVED****111180 [Appointment, Bicycle Advisory Committee - Marc Brandt]**

Motion appointing Marc Brandt, term ending November 19, 2012, to the Bicycle Advisory Committee. (Clerk of the Board)

Marc Brandt, seat 3, succeeding himself, term expired, must be a nominee of District 3 Supervisor. The member shall serve a two-year term ending November 19, 2012 or for the tenure of the supervisor who nominated the member, whichever is shorter in duration.

Motion No. M11-167**APPROVED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

110999 [Administrative Code - Financial Policy Regarding Selected Nonrecurring Revenues]

Sponsors: Mayor; Chiu, Farrell and Chu

Ordinance amending the San Francisco Administrative Code Section 10.60, and adding Section 10.61, to adopt a binding financial policy under Charter Section 9.120 providing that Selected Nonrecurring Revenues may only be spent on Nonrecurring Expenditures. (Controller) (Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the Budget and Finance Committee Without Recommendation

111162 [Appropriating \$3,448,827 of State Revenue Loss Reserves and Federal Revenues for Adult Day Health Centers at the Human Services Agency - FY2011-2012]

Sponsors: Mayor; Kim, Chiu, Mirkarimi and Mar

Ordinance appropriating \$3,370,001 of State revenue loss reserves and \$78,826 of Adult Protective Services federal match revenues to provide one-time bridge funding to Adult Day Health Centers, through the Human Services Agency, in order to mitigate state cuts in FY2011-2012. (Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

Ordinance No. 231-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Public Safety Committee

110993 [Police Code - Commercial Parking Permits]

Ordinance amending the San Francisco Police Code Section 1215.2 to modify the requirements for the Chief of Police to refer applications for Commercial Parking Permits to the Municipal Transportation Agency for review of traffic impacts. (Municipal Transportation Agency)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111053 [Memorandum of Understanding - Regional Agreement - Federal Homeland Security Grant Funds]

Sponsors: Mayor; Chiu, Farrell and Mirkarimi

Resolution approving a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San Mateo, Santa Clara, and Sonoma that: 1) provides governance structures and procedures for application, allocation, and distribution of federal Urban Areas Security Initiative (UASI) grant funds to the Bay Area Urban Area, as well as for other federal grant funds to the Bay Area Urban Area as permitted under the MOU; and 2) continues San Francisco as the primary grantee and fiscal agent for UASI grant funds to the Bay Area Urban Area, as well as for other federal grant funds to the Bay Area Urban Area as permitted under the MOU.

Resolution No. 478-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

110904 [Administrative Code - References to the Bureaus of Architecture, Engineering, and Construction Management]

Ordinance amending the San Francisco Administrative Code Section 2A.190 to deem each reference to the "Bureau of Architecture," "Bureau of Engineering," and "Bureau of Construction Management" in the San Francisco Municipal Code to be a reference to the "Department of Public Works." (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

111200 [Public Hearing - Administrative Code - Health Care Security Ordinance]

Hearing of persons interested in or objecting to proposed amendment of the whole entitled, "Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Sections 14.1.5 and 14.1.6 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to health reimbursement account remain available to the employee for two years, rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date." (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole. Regina Dick-Endrizzi, Director, Small Business Commission, provided an overview and urged support for the proposed legislation. Jim Larson; Scott Howdy; Margarita; Adam Levine; Rob Black; Joel Goldmark; Steve Falk; Greg Yoo; spoke in support of the proposed legislation. Joel Weddington; Jennifer Pielotti; Male Speaker; Aiyoko; Walter Paulson; Julie Fisher; Connie Ford; Todd Leo; Kimbo Roy; Jose; Shacon; Tim Paulson; Elizabeth Alexander; spoke objecting to the proposed legislation. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

From the Board**111030 [Administrative Code - Health Care Security Ordinance]****Sponsors: Chiu; Cohen**

Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Sections 14.1.5 and 14.1.6 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to a health reimbursement account remain available to the employee for two years; rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

Supervisor Cohen, seconded by Supervisor Chiu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Ordinance amending the San Francisco Administrative Code Sections 14.1, 14.3, 14.4, and adding Section 14.1.5 to: 1) clarify that only expenditures reasonably calculated to benefit the employee shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 2) require that contributions to a health reimbursement account remain available to the employee for two years; rather than one year; 3) condition use of a health reimbursement account in 2012 upon carry-over of any balance in the account at the end of 2011; 4) provide, in the alternative if triggered by court action, that only amounts actually paid to provide employee health care services shall satisfy the employer expenditure requirements of the Health Care Security Ordinance; 5) require employers imposing surcharges on customers to use the full amount collected under the surcharge for employee health care expenditures; 6) add an employee notification requirement; 7) modify penalty provisions; and 8) set an operative date.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Noes: 5 - Avalos, Campos, Kim, Mar, Mirkarimi

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

111131 [Public Hearing - Ground Lease - Redevelopment Agency Land - 474 Natoma Street]

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 474 Natoma, Assessor's Block No. 3725, Lot No. 101, to 474 Natoma, LLC, a California limited liability company, an affiliate of BRIDGE Housing Corporation, a California nonprofit public benefit corporation, for 75 years, with an option to extend for 24 years, for the purpose of providing housing for very low-income households.

The President inquired as to whether any member of the public wished to address the Committee of the Whole. Sally Oerth (Redevelopment Agency) provided an overview of the project. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

111132 [Ground Lease - Redevelopment Agency Land - 474 Natoma Street]

Sponsor: Kim

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 474 Natoma, Assessor's Block No. 3725, Lot No. 101, to 474 Natoma, LLC, a California limited liability company, an affiliate of BRIDGE Housing Corporation, a California nonprofit public benefit corporation, for 75 years, with an option to extend for 24 years, for the purpose of providing housing for very low-income households.

Supervisor Kim, seconded by Supervisor Farrell, AMENDED on Page 2, Line 9, by adding 'WHEREAS, the Agency Commission approved the Ground Lease on April 9, 2011, and the Developer and the Agency executed the Ground Lease, prior to the June 28, 2011, date that AB x1 26 (the "Redevelopment Dissolution Act") became effective, and therefore the Agency is obligated to implement the Ground Lease as an "Enforceable Obligation" under California Health and Safety Code Section 34167(d)(5); and'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution No. 479-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:00 P.M.

111227 [Public Hearing - Federal Securities Law Disclosure Responsibilities]

Sponsor: Chiu

Hearing on the disclosure responsibilities of public officials under federal securities law.

Mark Blake (City Attorney's Office) and John McNally and Sean Tierney (consulting attorneys from Hawkins, Delafield and Wood) provided an overview of the responsibilities under federal securities law. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing heard and closed.

HEARD AT PUBLIC HEARING

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

Privilege of the Floor

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

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Chef Mourad Lahlou of Aziza Restaurant in recognition of his accomplishments and continued community support.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Tim Hornbecker of The Arc of San Francisco in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

111125 [Public Hearing - Conditional Use Appeal - 3901 Mission Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's September 15, 2011, Conditional Use Authorization identified as Planning Case No. Case No. 2011.0664C, by its Motion No. 18442, under Planning Code Sections 711.83 and 303, to install a wireless telecommunications facility consisting of eight panel antennas and related equipment on an existing one-story commercial building as part of the AT&T wireless telecommunications network within a NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, on property located at 3901 Mission Street, Assessor's Block No. 5802, Lot No. 044. (District 9) (Appellant: Tom Cantrell, on behalf of the College Hill Neighborhood Association) (Filed October 17, 2011; Companion Measure to File Nos. 111126, 111127, 111128.)

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

Supervisor Campos, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to December 13, 2011, at 3:00 p.m.

111126 [Approving Planning Commission Decision Related to Conditional Use Authorization - 3901 Mission Street]

Motion approving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111127 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 3901 Mission Street, Approving Conditional Use With Additional Conditions]

Motion disapproving decision of the Planning Commission by its Motion No. 18442, approving Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

111128 [Preparation of Findings Related to the Conditional Use Authorization - 3901 Mission Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0664C on property located at 3901 Mission Street. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 13, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Michael Boldman; spoke expressing support for OccupySF.
Female Speaker; expressed concerns relating to sales and service retail permits.
Phillip Hackett; expressed support for a public project for poets.
David Cary; expressed various concerns relating to ranked choice voting.
Male Speaker; expressed various religious concerns.
Amy Weiss; spoke expressing support for OccupySF.
Ace Washington; expressed various concerns.
Nicholas; spoke regarding electoral debates.
Male Speaker; expressed various concerns.
Sean Simmons; spoke expressing support for OccupySF.
Scott Howdy; spoke regarding anniversary of health program.
Male Speaker; spoke regarding various forms of government.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

111219 [Accept and Expend Gift - GearUp Fund - \$50,000]

Sponsor: Chiu

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at \$50,000 from the San Francisco Parks Trust to support the GearUp Fund.

Resolution No. 481-11

ADOPTED

111220 [Accept and Expend Grant - Oil Spill Response Planning - \$10,000]

Sponsor: Cohen

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of \$10,000 from the California Department of Fish and Game for oil spill response planning for the of period July 1, 2011, through June 30, 2012.

Resolution No. 482-11

ADOPTED

111221 [Multi-Family Housing Revenue Bonds, Series 2008B-Geary Senior Housing]

Sponsor: Mar

Resolution approving the execution and delivery of a First Supplemental Indenture of Trust in connection with the financing of Geary Senior Housing, authorizing consent to extension of maturity date of related loan, and granting general authority to City officials to take actions necessary to implement this resolution, and related matters.

Resolution No. 483-11

ADOPTED

111223 [Accept and Expend Gift - Recycling/Trash Containers for Golden Gate Park - \$30,000]**Sponsor: Mar**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a gift in-place, valued at \$30,000 from the San Francisco Parks Trust for 15 state-of-the-art recycling/trash containers for Golden Gate Park.

Resolution No. 484-11**ADOPTED****111224 [Aziza Day - November 19, 2011]****Sponsor: Mar**

Resolution honoring Chef Mourad Lahlou and proclaiming November 19, 2011, as "Aziza Day" in the City and County of San Francisco.

Resolution No. 486-11**ADOPTED****111225 [Accept and Expend Grant - Lighting at Mission Playground Soccer Field - \$25,000]****Sponsor: Wiener**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in-place, valued at \$25,000 from the United States Soccer Foundation to support the purchase of new lighting fixtures for Mission Playground Soccer Field.

Resolution No. 485-11**ADOPTED****111206 [Final Map 5165: Mission Bay]**

Motion approving Final Map No. 5165, Mission Bay, a five lot subdivision of Assessor's Block No. 8727, Lot No. 5; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1; and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

Motion No. M11-169**APPROVED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisors Elsbernd and Chu requested that File No. 111222 be severed so that it may be considered separately.

111222 [Opposing the Federal “Super Committee” Farm Bill Process]

Sponsor: Mar

Resolution urging our elected United States Senators and Representatives to oppose the inclusion of the Farm Bill in the “Super Committee” process and to support a full legislative process for the 2012 Farm Bill.

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED to November 22, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor****Ordinances****111246 [Administrative Code - Health Service System Contracting Authority; Employee Benefit Cafeteria Plan]**

Sponsor: Chu

Ordinance amending the San Francisco Administrative Code Sections 16.900 through 16.905 and 21.02 to update provisions regarding: 1) the San Francisco Health Service System's contracting authority; and 2) the City's employee benefit Cafeteria Plan.

11/15/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

111247 [Planning Code - Permitting a Five Feet Ground Floor Height Increase in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District Along Geary Boulevard]

Sponsor: Mar

Ordinance amending the San Francisco Planning Code Section 263.20 to permit a five feet ground floor height increase in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District along Geary Boulevard, from Scott Street to 28th Avenue; and making findings, including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

11/15/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/15/2011.

111248 [Regulations for Jane Warner and Harvey Milk Plazas]**Sponsor: Wiener**

Ordinance: 1) approving regulations for Jane Warner Plaza at the intersection of Castro and 17th Streets and Harvey Milk Plaza adjacent to the intersection of Castro and Market Streets; and 2) authorizing official acts in connection with the regulations.

11/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111105 [Interdepartmental Jurisdictional Transfer of Property - 341 Corbett Avenue]**Sponsor: Wiener**

Ordinance transferring jurisdiction of certain unimproved real property located at 341 Corbett Avenue (Assessor's Block No. 2659, Lot No. 059) between 19th Street and Danvers Street from the Mayor's Office of Housing to the Department of Public Works.

10/18/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/26/11; REFERRED TO DEPARTMENT.

11/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions**111249 [Employer Pickup - Pre-Tax Payroll Deduction Plan for Service Credit Purchases (Contribution Code 14)]****Sponsor: Elsbernd**

Resolution authorizing the City and County of San Francisco to implement pre-tax payroll deduction plan for all employees in CalPERS, pursuant to the Internal Revenue Code §414(h)(2).

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111250 [Sale of City Property - Northeast Corner of Fulton and Gough Streets - Boys and Girls Clubs - \$2,500,000]**Sponsors: Mirkarimi; Cohen, Chiu, Avalos, Mar and Kim**

Resolution authorizing: 1) the sale of City property at the northeast corner of Fulton Street and Gough Street to the Boys and Girls Clubs of San Francisco for \$2,500,000 subject to a declaration of economic covenants and a project use restriction; 2) adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.

(Fiscal Impact)

11/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111251 [Opposing the Sale of Certain Rat and Mouse Poisons]**Sponsor: Cohen**

Resolution urging San Francisco residents to avoid purchasing or selling certain rat and mouse poison products that have been determined by the United States Environmental Protection Agency to pose unacceptable risks to children, pets, and wildlife.

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111252 [Supporting Expansion of Boundaries - Gulf of the Farallones and Cordell Bank National Marine Sanctuaries]**Sponsor: Mirkarimi**

Resolution supporting House Resolution 192 and Senate Bill 179, which will expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary.

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111253 [Accept and Expend Grant - San Francisco Arts Commission's WritersCorps Program - \$70,000]**Sponsor: Mayor**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$70,000 from the National Endowment for the Arts Learning in the Arts for Children and Youth Program for general operating support for WritersCorps, with a grant cycle of July 1, 2011, through June 30, 2012.

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

111258 [California Clerk of the Board of Supervisors Association Week - November 28 to December 2, 2011]**Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener**

Resolution honoring the California Clerk of the Board of Supervisors Association and recognizing the vital services performed by the Clerks of the Boards of Supervisors and their staff and proclaiming the week of November 28 to December 2, 2011 as California Clerk of the Board of Supervisors Association Week in the City and County of San Francisco. (Clerk of the Board)

11/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**111254 [Hearing - Recreation and Park Department Permit Parameters]****Sponsor: Avalos**

Hearing requesting the Recreation and Park Department to provide information on whether the permits issued to "Off the Grid" and/or other similarly permitted events restrict the ability for individuals to engage in petitioning and leafleting on public park property during those events.

11/15/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

111255 [Hearing - Budget Update for FY2012-2013]**Sponsor: Chu**

Hearing to include financial update and information on budget instructions and process for FY2012-2013.

11/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111256 [Hearing - Growth of Formula Stores in San Francisco]**Sponsor: Mar**

Hearing on the growth of formula stores in the City and County of San Francisco and their impacts on our small businesses, neighborhoods, workers, and economy.

11/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

111257 [Hearing - Cultural Program During the America's Cup]**Sponsors: Mar; Chiu**

Hearing on what the City's plans are for a cultural program during the America's Cup.

11/15/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCES****111208 [Administrative Code - Public Guardian/Public Administrator Gift Fund]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-190 to create a Public Guardian/Public Administrator Gift Fund to support the operations of the Public Guardian's Office, including needs assessment and conservatorship services for vulnerable persons who are unable to manage their basic personal or financial needs. (Human Services Department)

(Fiscal Impact)

11/04/11; RECEIVED FROM DEPARTMENT.

11/15/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/15/2011.

111209 [Mission Bay South - Storm Water Pump Station No. 4 Public Infrastructure Improvements]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay Storm Water Pump Station No. 4 including acquisition facilities located on and under portions of State Trust Parcel Nos. 2 and 6; accepting said facilities for City maintenance and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan eight priority policy findings of Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

11/04/11; RECEIVED FROM DEPARTMENT.

11/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

111174 [Settlement of Unlitigated Claim - Janet O'Hara - \$100,000]

Resolution approving the settlement of the unlitigated claim filed by Janet O'Hara against the City and County of San Francisco for \$100,000; claim was filed on March 11, 2011. (City Attorney)

11/03/11; RECEIVED FROM DEPARTMENT.

11/15/11; RECEIVED AND ASSIGNED to Rules Committee.

111182 [Prevailing Wages for Various Workers Under Contract at City Owned Facilities]

Resolution fixing prevailing wage rates for: 1) workers performing work under City contracts for public work and improvement; 2) workers performing work under City contracts for janitorial services; 3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; 4) workers engaged in theatrical or technical services for shows on property owned by the City; 5) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and 6) workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

(Fiscal Impact)

11/04/11; RECEIVED FROM DEPARTMENT.

11/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

111201 [Agreement Amendment - Recology - Refuse Collection - Not to Exceed \$27,621,479]

Resolution approving the Second Amendment to the Refuse Collection Agreement between the City and County of San Francisco and Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger, increasing the total not to exceed amount of the agreement from \$23,537,527 to \$29,337,527 under Charter Section 9.118(b). (Office of Contract Administration)

11/04/11; RECEIVED FROM DEPARTMENT.

11/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

Residential and Commercial Buildings

735 Fell

616 Fell, on west side

160 Pierce

701 Haight

1101 Oak

208 Scott

701 Fell, on west side

Northeast corner of Buchanan and Ivy

Approximately 619 Ivy

666 Ivy

Approximately 701 Grove

Northeast corner of Fillmore and Page

859 Fulton, on east side

950 Fillmore

Northwest corner of Geary and Fillmore

735 Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

Southeast corner of Page and Laguna

Northwest corner of Buchanan and Haight

In front of 220 Fillmore

Approximately 480 Page

Approximately 595 Oak

Approximately 502 Hickory

Approximately 596 Hickory

701 Fell

735 Fell

Approximately 503 Webster

Northeast corner of Webster and Fell

658 Fell

550 Fell

Southwest corner of Webster and Hayes

776 Hayes

680 Hayes

656 Hayes

652 Hayes

Southwest corner of Laguna and Ivy

Approximately 520 Ivy

Northeast corner of Buchanan and Ivy

640 Ivy

681 Ivy

672 Ivy

Opposite 771 Grove
769 Grove
Southwest corner of Grove and Laguna
899 Fulton
Approximately 1197 McAllister
1050 McAllister
Approximately 1020 McAllister
Approximately 930 McAllister
Approximately 911 Laguna
Approximately 1140 Golden Gate
1276 Turk
Approximately 1206 Turk
847 Fillmore
Approximately 825 Fillmore
Approximately 755 Fillmore
627 Fillmore
445 Fillmore
Approximately 403 Fillmore

Wood Poles
772 Fell
650 Fell
530 Fell
722 Hayes
Near 487 Waller

Concrete Poles
Approximately 841 Fillmore
639 Fulton
Opposite 755 Grove
1949 Post
733 Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Northeast corner of Linden and Buchanan (both boxes)
Northwest corner of Webster and Hayes
Northwest corner of Webster and Grove
Northeast corner of Buchanan and Fulton
940 Fillmore
Southwest corner of McAllister and Fillmore

Bus Shelters
Northwest corner of Haight and Laguna
All four bus shelters at Haight and Fillmore
Southeast corner of Hayes and Buchanan

Emergency Box
Northwest corner of Buchanan and Turk

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:*

*San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
Northwest corner of Hayes and Fillmore
Northwest corner of Geary and Fillmore
1825 Post
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic*

*San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Northwest corner of Geary and Fillmore
1825 Post*

*SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
1825 Post*

*Advertiser
Northwest corner of Geary and Fillmore*

*Jobs & Careers
1825 Post
Northwest corner of Geary and Fillmore*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:*

*Garbage Cans
Southwest corner of Webster and Hayes
700 Hayes
1050 McAllister
Northwest corner of Grove and Fillmore
Northwest and Southeast corners of Haight and Fillmore
Mailboxes
Northwest corner of Buchanan and Eddy
Northwest corner of McAllister and Fillmore
Northwest corner of Page and Laguna*

*Fire Hydrants
Southwest corner of Buchanan and Fulton
Southeast corner of Fillmore and Page*

In Memoriams

*Sau Yu Ho - Supervisor Kim, Board President Chiu
Jesse Morris - Supervisor Avalos*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:15 p.m.

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

Approved by the Board of Supervisors on January 10, 2012.

Angela Calvillo, Clerk of the Board