

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 17, 2012 - 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, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee

Supervisors Chu, Avalos, Kim, Cohen, Wiener

Wednesday

1:00 PM

Budget and Finance Sub-Committee

Supervisors Chu, Avalos, Kim

Wednesday

10:00 AM

City and School District Select Committee

Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday

10:00 AM

Government Audit and Oversight Committee

Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday

1:00 PM

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

Public Safety Committee

Supervisors Avalos, Olague, Mar

1st and 3rd Thursday

10:30 AM

Rules Committee

Supervisors Kim, Farrell, Campos

1st and 3rd Thursday

1:30 PM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisor Olague was noted absent. There was a quorum.

Supervisor Olague Excused from Voting

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

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

Excused: 1 - Olague

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of March 13, 2012. The motion carried by the following vote:

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

Excused: 1 - Olague

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

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)

Ordinance No. 057-12

FINALLY PASSED

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.

Ordinance No. 058-12

FINALLY PASSED

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.

Ordinance No. 059-12

FINALLY PASSED

120188 [Planning, Building Codes - Fee Waiver Program - Small Business Month - May 2012]**Sponsors: Chu; Mar and Kim**

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.

Supervisors Mar and Kim requested to be added as co-sponsors.

Ordinance No. 063-12**FINALLY PASSED****Recommendation of the Land Use and Economic Development Committee****120126 [Accept and Expend Grant - Existing Commercial Buildings Energy Performance Policy Implementation - \$180,000]****Sponsor: Chiu**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$180,000 from the Kresge Foundation to implement the Existing Commercial Buildings Energy Performance Ordinance (San Francisco Environment Code Chapter 20).

Resolution No. 132-12**ADOPTED****Recommendations of the Rules Committee****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)

Ordinance No. 065-12**FINALLY PASSED****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)

Ordinance No. 066-12**FINALLY PASSED**

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)

Ordinance No. 067-12

FINALLY PASSED

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)

Ordinance No. 068-12

FINALLY PASSED

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)

Ordinance No. 069-12

FINALLY PASSED

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)

Ordinance No. 070-12

FINALLY PASSED

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)

Ordinance No. 071-12

FINALLY PASSED

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)

Ordinance No. 072-12

FINALLY PASSED

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)

Ordinance No. 073-12

FINALLY PASSED

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)

Ordinance No. 074-12

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Olague

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

120084 [Planning Code - Eating and Drinking Establishment Definitions and Controls]

Sponsors: Wiener; Olague, Chu, Mar, Kim and Cohen

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.

Ordinance No. 075-12

FINALLY PASSED by the following vote:

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

Excused: 1 - Olague

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120082 [Administrative Code - Benefit Corporation Discount]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by adding Chapter 14C, Sections 14C.1 through 14C.3 to provide for a downward adjustment in price or upward adjustment in rating of a proposal or bid from a California Benefit Corporation for a competitively-solicited City contract.

PASSED ON FIRST READING by the following vote:

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

Excused: 1 - Olague

120237 [Airport Professional Services Agreement - New South Parking - California - Not to Exceed \$95,969,983]

Resolution approving the Professional Services Agreement for the management and operation of the Airport's Public and Employee Parking between New South Parking - California and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) (Fiscal Impact)

Resolution No. 133-12

ADOPTED by the following vote:

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

**120245 [Contract Amendment - Netsmart New York, Inc. - Not to Exceed \$31,786,819]
Sponsor: Mayor**

Resolution authorizing the Department of Public Health to execute a contract amendment with Netsmart New York, Inc., to acquire product enhancements and extend the initial term of the agreement for an amended term of August 1, 2008, through June 30, 2018.

Resolution No. 134-12

ADOPTED by the following vote:

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

120305 [San Francisco Summer Jobs+ Campaign]

Sponsors: Olague; Campos, Avalos, Kim, Chu and Mar

Resolution urging the Mayor to launch a San Francisco Summer Jobs+ Campaign by identifying private and public sector funds, securing private sector job opportunities, and developing infrastructure to manage internships so as to increase the summer employment opportunities for San Francisco's disconnected young people.

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

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to April 24, 2012. The motion carried by the following vote:

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

Recommendation of the Rules Committee

120298 [Appointment, Health Commission - Bell Taylor-McGhee]

Motion approving the Mayor's appointment of Belle Taylor-McGhee, term ending January 15, 2016, to the Health Commission. (Clerk of the Board)

(Charter Section 3.100-18 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - March 19, 2012.)

Motion No. M12-050

APPROVED by the following vote:

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

Excused: 1 - Olague

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

There were none.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

Ray Hartz; expressed concerns relating to open government and enforcement issues. (See additional information submitted on Page 255.)

Francisco Da Costa, expressed various concerns relating to public comment.

Mark Trout; expressed various religious concerns.

Walter Paulson; shared in song certain concerns with the Board.

Colin Gallagher; spoke in opposition to the Armenian Genocide Commemoration Day legislation.

Barbara Tengeri, expressed various concerns relating to the Sheriff Mirkarimi proceedings.

Tom Gilberty; expressed various concerns relating to noise pollution.

Peter Warfield; expressed concerns relating to enforcement issues and Bernal Branch Library Mural Project.

Male Speaker; expressed various concerns.

Female Speaker; spoke in favor of the Armenian Genocide Commemoration Day legislation.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**120324 [Supporting Assembly Bill 1081 - The TRUST Act]****Sponsors: Campos; Avalos, Chiu, Kim, Mar, Olague and Wiener**

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.

Resolution No. 135-12**ADOPTED****120370 [Armenian Genocide Commemoration Day - April 24, 2012]****Sponsor: Elsbernd**

Resolution declaring April 24, 2012, as Armenian Genocide Commemoration Day in the City and County of San Francisco.

Resolution No. 136-12**ADOPTED****120371 [Urging the Director of HOPE to Convene a Shelter Reform Working Group]****Sponsors: Kim; Campos**

Resolution urging the Director of HOPE to convene a working group to develop a series of recommendations on how the city can improve access to shelter for all, improve programming within the shelter, and explore opportunities to better assess the health needs of shelter clients.

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

Resolution No. 137-12**ADOPTED****The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Olague

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chu requested that File No. 120369 be severed so that it may be considered separately.

120369 [Department of Children, Youth, and Their Families Children's Services Allocation Plan]**Sponsor: Chu**

Resolution approving the Community Needs Assessment developed by the Department of Children, Youth and Their Families in accordance with Section 16.108 of the San Francisco Charter.

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

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

Excused: 1 - Olague

Resolution approving the Children's Services Allocation Plan developed by the Department of Children, Youth, and Their Families in accordance with Section 16.108 of the San Francisco Charter.

Supervisor Chu, seconded by Supervisor Mar, moved that this Resolution be CONTINUED AS AMENDED to April 24, 2012. The motion carried by the following vote:

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

Excused: 1 - Olague

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor****Ordinances****120377 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Small Business Net New Payroll - 2012 through 2015]**

Sponsors: Farrell; Campos, Chu, Cohen, Elsbernd, Mar and Wiener

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by adding Section 906.5 to permit a Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015.

(Fiscal Impact, Economic Impact)

04/17/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/17/2012.

120378 [Administrative Code - Establishing a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force]**Sponsors: Wiener; Olague, Campos and Cohen**

Ordinance amending the San Francisco Administrative Code, Chapter 5, Article XII, by adding Sections 5.110 through 5.115, to establish a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force and establish its powers and duties.

04/17/12; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 5/17/2012.

120379 [Appropriating \$58,700,580 Consisting of \$45,000,000 of Certificate of Participation Proceeds, \$4,539,337 of Fund Balance and Re-Appropriating \$9,161,243 to the Port Commission in FY2011-2012]**Sponsors: Mayor; Chiu and Chu**

Ordinance appropriating \$58,700,580 consisting of \$45,000,000 of Certificate of Participation 2012 Series A and B proceeds, \$4,539,337 of fund balance and re-appropriating \$9,161,243 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Cruise Terminal Project at Pier 27 and infrastructure and mitigation requirements related to the 34th America's Cup event and the Cruise Terminal Project; and placing \$45,000,000 on Controller's Reserve pending sale of the Certificates of Participation.

(Fiscal Impact)

04/17/12; ASSIGNED to Budget and Finance Sub-Committee.

Resolutions**120380 [Certificates of Participation for Various Port Projects - Not to Exceed \$45,000,000]****Sponsors: Mayor; Chiu and Chu**

Resolution authorizing the execution and delivery of certificates of participation evidencing an aggregate principal amount of not to exceed \$45,000,000 to finance the design, acquisition, construction, reconstruction, expansion, improvement, equipping, renewal, restoration and/or replacement of certain capital improvements to properties of the Port Commission of the City and County of San Francisco; authorizing the selection of a trustee by the Director of Public Finance and approving the form of a trust agreement for the certificates of participation between the City and County of San Francisco and such trustee (including certain indemnities contained therein); approving the forms of a property lease and a project lease between the City and the trustee relating to all or a portion of the real property and improvements located at 375 Laguna Honda Boulevard and all or a portion of the James R. Herman Cruise Terminal at Pier 27; approving a form of memorandum of understanding with the Port Commission of the City and County of San Francisco relating to repayment of the Certificates and other matters; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; authorizing the selection of underwriters by the Director of Public Finance and approving the form of a purchase contract between the City and the underwriters relating to the certificates of participation, if sold by negotiated sale; approving the forms of a preliminary and final official statement with respect to the certificates of participation; approving the form of a continuing disclosure certificate; approving the issuance and sale of tax-exempt certificates of participation in an aggregate principal amount not to exceed \$45,000,000 following a public hearing; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the certificates of participation; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

04/17/12; ASSIGNED to Budget and Finance Sub-Committee.

120381 [Apply for, Accept, and Expend Grant - Housing Opportunities for Persons with AIDS Program - \$12,180,724]**Sponsor: Mayor**

Resolution approving the FY2012-2013 Housing Opportunities for Persons with AIDS (HOPWA) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 HOPWA Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$9,731,577 and to expend Program Income and Reprogrammed Funds in the amount of \$2,449,147.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120382 [Apply for, Accept, and Expend Grant - HOME Program - \$3,985,888]**Sponsor: Mayor**

Resolution approving the FY2012-2013 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$3,955,888, and to expend Program Income in the amount of \$30,000.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120383 [Apply for, Accept, and Expend Grant - Emergency Shelter Grants Program - \$2,151,775]**Sponsor: Mayor**

Resolution approving the FY2012-2013 Emergency Shelter Grants Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 Emergency Shelter Grants Program entitlement in the amount of \$1,609,318 and accept and expend the second allocation of the City's FY2011-12 Emergency Shelter Grants Program entitlement in the amount of \$507,457 from the U.S. Department of Housing and Urban Development and to expend Reprogrammed Funds in the amount of \$35,000.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120384 [Apply for, Accept, and Expend Grant - Community Development Block Grant Program - \$17,734,214]**Sponsor: Mayor**

Resolution approving the FY2012-2013 Community Development Block Grant Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2012-2013 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$16,204,214 and to expend Program Income in the amount of \$1,530,000.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120385 [Real Property Lease Amendment - Sixth Street Baldwin House, LLC - 72-6th Street]**Sponsors: Mayor; Kim**

Resolution authorizing the lease amendment with Sixth Street Baldwin House, LLC, of approximately 1,932 rentable square feet of ground space located at 72-6th Street for the San Francisco Police Department.

(Fiscal Impact)

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120386 [Accept and Expend Grant - Zellerbach Family Foundation - \$37,000]**Sponsor: Mayor**

Resolution authorizing the Adult Probation Department to retroactively accept and expend a grant of consulting services from the Zellerbach Family Foundation through an award to Community Works West in the amount of \$37,000 for developing a gender-responsive approach to serving women involved in San Francisco's criminal justice system.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120387 [Wastewater Enterprise Agreement - Central Bayside System Improvements Project - Not to Exceed \$30,000,000]**Sponsor: Cohen**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to negotiate and execute Wastewater Enterprise Sewer System Improvement Program funded Agreement No. CS-169, Central Bayside Improvements to provide planning and engineering services for an amount not to exceed \$30,000,000 with a duration of 108 months.
(Fiscal Impact)

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120388 [Accept and Expend Grant - GreenFinanceSF - \$200,608]**Sponsor: Mar**

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

04/17/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120389 [Poems Under the Dome Day - April 27, 2012]**Sponsors: Avalos; Campos**

Resolution proclaiming April 27, 2012, as Poems Under the Dome Day in the City and County of San Francisco.

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120390 [Supporting Assembly Bill 1990 - "Solar for All"]**Sponsors: Campos; Avalos, Mar and Kim**

Resolution in support of Assembly Bill 1990, referred to as "Solar for All," a bill that seeks to build local clean renewable energy in low-income communities of color that are most impacted by nearby power plants and dirty oil refineries and create thousands of green jobs.

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120391 [Supporting The Bay Lights Fine Art Installation and Public Works Project]**Sponsors: Kim; Mar**

Resolution supporting The Bay Lights art installation on the Bay Bridge west span, beginning with its Grand Lighting in 2012 and continuing with illumination throughout 2014.

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120392 [Accept and Expend Grant - Plug-In Electric Vehicle Infrastructure Readiness Planning - \$49,957]**Sponsor: Mar**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of \$49,957 from the Bay Area Air Quality Management District to assist the District in preparing a Regional Plug-In Electric Vehicle Infrastructure Readiness Planning Study.

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**120331 [Committees of the Whole - Public Hearings to Acquire Temporary Construction Licenses at Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension - May 1, 2012]**

Motion that the Board of Supervisors hold public hearings on May 1, 2012, at 3:00 p.m., with the Board of Supervisors sitting as Committees of the Whole, to consider acquisition of temporary construction licenses at various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension. (Clerk of the Board)

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120396 [Outside Counsel - Official Misconduct Proceedings]

Motion to approve the retention of outside legal counsel to advise and represent the Board of Supervisors, in place of the City Attorney's Office, with respect to legal issues relating to the official misconduct proceedings involving Sheriff Ross Mirkarimi. (Clerk of the Board)

04/17/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**120393 [Hearing - Student Drop-Out Rates]****Sponsor: Cohen**

Hearing on student drop-out rates at Thurgood Marshall High School and Burton Academic High School.

04/17/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

120394 [Hearing - Mayor's OEWD and the Controller's Office of Economic Strategy Update: Phase 1 Findings]**Sponsor: Mar**

Hearing to better understand the Mayor's Office of Economic and Workforce Development and the Controller's Office of Economic Strategy Update: Phase 1 Findings.

04/17/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120395 [Hearing - California's Public Safety Realignment Policy]**Sponsor: Mar**

Hearing to better understand the impact of California's Public Safety Realignment Policy to the City and County of San Francisco.

04/17/12; RECEIVED AND ASSIGNED to Public Safety Committee.

Introduced by the President at the Request of a Department**PROPOSED RESOLUTIONS****120014 [Airport Lease - Alclear, LLC]**

Resolution approving the Expedited Traveler Service Lease between Alclear, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) (Fiscal Impact)

04/03/12; RECEIVED FROM DEPARTMENT.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120015 [Airport Lease and Operating Agreement - Smarte Carte, Inc. - Not to Exceed \$9,406,000]

Resolution approving the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

04/03/12; RECEIVED FROM DEPARTMENT.

04/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120016 [Street Encroachment - Outdoor Child Play Area - Redwood Street]

Resolution: 1) granting revocable permission to the Public Utilities Commission to occupy a portion of the public right-of-way on Redwood Street, approximately 150 feet west of Polk Street to construct and maintain an outdoor play area accessible to a child care facility within the new building at 525 Golden Gate Avenue (Assessor's Block No. 0766, Lot No. 001); and 2) making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

04/06/12; RECEIVED FROM DEPARTMENT.

04/17/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Request Granted

From: Supervisor Avalos

To: Janet Martinsen; SFMTA, Frank Lee; SFDPW

Requesting/Inquiring: Supervisor Avalos requests that the SFMTA and SFDPW to please provide a breakdown of the feasibility, requirements, and costs of installing a new crosswalk and bus stop at approximately 4083 Mission Street across the street from the Mission YMCA located 4080 Mission Street. Please also include the steps community members would need to take for a successful approval of such a project, including a potential time line of the process and the different factors that could affect the approval and/or project length.

In Memoriam

Dolores M Baugh – Supervisors Avalos and Cohen

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:17 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 May 22, 2012.

Angela Calvillo, Clerk of the Board

Addendum

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: 'Most people in San Francisco pay little or no attention to how the City operates. When the Ethics Commission heard the case of Jewelle Gomez, President of the Library Commission, these were the headlines: "Ethics panel reprimands lesbian library commissioner" (Bay Area Reporter); "S.F. mayor asked to remove Library Commission Head" (SFGate.com); "Ethics to Mayor: Pls Fire Library Prez Jewelle Gomez" (CityReport); and Ethics Commission Must Beg Mayor to Enforce Sunshine Ordinance" (SFWeekly). It's pretty clear where Mayor Ed Lee stands on enforcement issues: if it's a matter of a person under his direct control, let them stay; if it's a person lawfully elected by the citizens of San Francisco, out that person goes. The question now is how this Board of Supervisors chooses to handle this matter? Will it accept and enforce a politically motivated action, cynically placed by the Mayor before the Ethics Commission, should it recommend removal?'