

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 3, 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, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Avalos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 28, 2012. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

120046 [Administrative Code - Establish Policy Regarding Participation in Federal Counterterrorism Activities]

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

Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in Federal counterterrorism activities; and 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities.

NOTE: This action requires a two-thirds vote pursuant to Charter Section 2.106. The Board may not amend the ordinance and may only veto in favor or in opposition to veto override. The Mayor's veto was received on April 10, 2012. Therefore, the Board of Supervisors will lose the ability to override unless it votes on the veto override on or before May 10, 2012.

FINALLY PASSED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Olague
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

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)

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

Privilege of the floor was granted to Brad Benson (Port) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

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

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.

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

PASSED, ON FIRST READING by the following vote:

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

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.

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

PASSED, ON FIRST READING by the following vote:

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

120178 [2012 Annual Joint Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2012 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Resolution No. 112-12

ADOPTED by the following vote:

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

120201 [Equipment Lease - 2012 Finance Corporation Equipment Program - Revenue Bonds - Not to Exceed \$10,500,000]**Sponsor: Mayor**

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 18 (Series 2012A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$10,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact)

Resolution No. 113-12

ADOPTED by the following vote:

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

120225 [Accept and Expend Grant - Institute for Local Government - \$40,615]**Sponsor: Cohen**

Resolution authorizing the Adult Probation Department on behalf of the Reentry Council of San Francisco to retroactively accept and expend a grant in the amount of \$40,615 from the Institute for Local Government, as a sub-recipient of a grant award made by the Rosenberg Foundation, for activities related to the implementation of the California Reentry Council Network.

Resolution No. 114-12**ADOPTED by the following vote:**

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

120226 [Accept and Expend Grant - Egg Quality Control Program - \$3,883.76]**Sponsor: Cohen**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a State grant in the amount of \$3,883.76 from the California Department of Food and Agriculture, to participate in a program entitled Egg Quality Control Program for the period of July 1, 2011, through June 30, 2012, and waiving indirect costs.

Resolution No. 115-12**ADOPTED by the following vote:**

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

120228 [Accept and Expend Grant - Boeddeker Park - \$493,000]**Sponsors: Mayor; Kim**

Resolution authorizing the Recreation and Parks Department to accept and expend an Urban Greening Grant in the amount of \$493,000 for Boeddeker Park funded by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

Resolution No. 116-12**ADOPTED by the following vote:**

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

120229 [Taxable and/or Tax-Exempt Certificates of Participation for Various Capital Improvements - Official Statement]**Sponsor: Mayor**

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation for Various Capital Improvements and authorizing the preparation, execution and delivery of a final official statement; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.
(Fiscal Impact)

Resolution No. 117-12**ADOPTED by the following vote:**

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

Recommendation of the Government Audit and Oversight Committee

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.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

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.

PASSED, ON FIRST READING by the following vote:

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

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.

PASSED, ON FIRST READING by the following vote:

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

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****120312 [Hearing - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements]**

Hearing of persons interested in or objecting to proposed Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed Ordinance approving certain improvements to Port Property for the 34th America's Cup Project and authorizing waiver of certain bidding and contracting requirements as referenced in File No. 120282. Brad Benson (Port) provided an overview and responded to questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED**Committee of the Whole Adjourn and Report**

Supervisor Kim was noted absent at 3:39 p.m. and noted present at 3:55 p.m.

Supervisor Campos was noted absent at 3:39 p.m. and noted present at 3:51 p.m.

Supervisor Olague was noted absent at 4:02 p.m. and noted present at 4:22 p.m.

From the Budget and Finance Sub-Committee Without Recommendation

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)

Supervisor Chu, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, by accepting the Budget and Legislative Analyst recommendations. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

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

Privilege of the Floor

Supervisor Olague, seconded by Supervisor Mar, 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, Olague, Wiener

Supervisor Olague introduced, welcomed, and presented a Proclamation to Susan Strolis of the Haight Ashbury Improvement Association and the Friends of Sharon Art Studio in recognition of her community engagement, advocacy, activism and deep commitment to the Haight-Ashbury neighborhood.

Supervisor Mar introduced, welcomed, and presented a Proclamation to the Richmond District YMCA in recognition of the organization's 90th Anniversary, their accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.**120183 [Public Hearing - Conditional Use Appeal - 1111 California Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's January 19, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2011.0471C, by its Motion No. 18520, pursuant to Planning Code Sections 185(e) and 303, to continue the existing non-conforming assembly and entertainment uses of the "Nob Hill Masonic Center", and to continue the existing food and beverage service uses within the center, on a property within the RM-4 (Residential Mixed, Medium Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, located at 1111 California Street, Assessor's Block No. 0253, Lot No. 020. (District 3) (Appellants: Stephen Gomez on behalf of the Nob Hill Coalition, James Wall on behalf of the Nob Hill Association, William Terrell, Elizabeth Pomada, Donna Muse, and Aldo Caccamo) (Filed February 21, 2012).

The President indicated receipt of a settlement agreement by certain parties and inquired as to whether any member of the public wished to address the Board. Stanley Landfair (Appellant) provided an overview of the settlement agreement and responded to questions raised throughout the discussion. Steve Vettel (Project Sponsor) provided an overview of the settlement agreement. Bob Varni and Jim Miller (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. David Harman; Hiroshi Goodall; Greg Scott; Don Humphreys; Linda Chapman; Annette Brubaker; spoke in support of the appeal. AnMarie Rodgers and Kevin Guy (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Steve Vettel (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Stanley Landfair; spoke in support of the project and in opposition to the appeal. Bob Varni (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120184 [Approving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street]

Motion approving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:

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

120185 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 1111 California Street; Approving Conditional Use as Modified by the Board of Supervisors]

Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion 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, Olague, Wiener

Motion disapproving decision of the Planning Commission by its Motion No. 18520, approving Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street, and authorizing conditional use on property located at 1111 California Street as modified by the Board of Supervisors on April 3, 2012. (Clerk of the Board)

Motion No. M12-042

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

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

120186 [Preparation of Findings Related to the Conditional Use Authorization - 1111 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0471C on property located at 1111 California Street. (Clerk of the Board)

Motion No. M12-043

Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

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

COMMITTEE REPORTS

From the Rules Committee Without Recommendation

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.

Supervisor Elsbernd moved to divide the question relating to "Section 1.144(d)(4)" located on Page 15, Lines 10-13. The question PASSED AS DIVIDED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, 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.
Ray Hartz; expressed concerns relating to government.
Francisco Da Costa, expressed various concerns.
Eugene Gordon Jr.; expressed concerns relating to the pledge of allegiance.
Barbara Tengeri, expressed various concerns relating to the Sheriff Mirkarimi proceedings.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Brad Newshum; expressed various concerns relating to the taxi cab industry.
Douglas Yepp; expressed various concerns.
Emil Lawrence; expressed various concerns.
Mary Walker; expressed various concerns relating to the Sheriff Mirkarimi proceedings.
Mattie Scott; expressed various concerns relating to the Sheriff Mirkarimi proceedings.
Christopher Fulkerson; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various religious concerns.
Benjamin Dallas; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various concerns relating to the taxi cab industry.
Tara Housman; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various concerns relating to the taxi cab industry.
Male Speaker; expressed various concerns relating to the taxi cab industry.
Han Su Kim; expressed various concerns relating to the taxi cab industry.
Scott Kiper; expressed various concerns relating to development.
Mark Gruber; expressed various concerns relating to the taxi cab industry.
Lisa Pardenas; expressed various concerns relating to the taxi cab industry.
Female Speaker; expressed various concerns relating to the taxi cab industry.
Bikhayrat Muhammadiev; expressed various concerns relating to the taxi cab industry.
Gary Carlgui; expressed various concerns relating to the taxi cab industry.
Jason Aames; expressed various concerns relating to the taxi cab industry.
Eden Kimball; expressed various concerns relating to the taxi cab industry.
Peter Warfield; expressed concerns relating to the SF Public Library.
Ko Lee; expressed various concerns relating to the taxi cab industry.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120306 [Apply For - Housing Related Parks Grants]

Sponsors: Mayor; Cohen and Kim

Resolution authorizing the Recreation and Parks Department to apply for grants from the California Department of Housing and Community Development.

Resolution No. 118-12

ADOPTED

120307 [Accept and Expend Grant - Books to Action - Economic Empowerment Book Club - \$2,398]**Sponsors: Olague; Chu**

Resolution authorizing the Public Library to accept and expend a Federal/State pass-through grant in the amount of \$2,398 from the California State Library as part of the Federal Library Services and Technology Act to utilize highly skilled volunteers to assist young adults with their financial management needs.

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

Resolution No. 119-12**ADOPTED****The foregoing items were acted upon by the following vote:**

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No.120311 be severed so that it may be considered separately.

120311 [Committee of the Whole - Contracts Approval - Certain Improvements to Port Property for 34th America's Cup Event; Authorizing Wavier of Certain Bidding and Contracting Requirements - April 3, 2012]**Sponsor: Chiu**

Motion scheduling the Board to sit as a Committee of the Whole on April 3, 2012, at 3 p.m., to hold a public hearing and consider an Ordinance authorizing the waiver of certain bidding, and contracting requirements of the Administrative Code, and authorizing the Director of the Port to execute contracts for certain improvements to Port property for the 34th America's Cup Event.

Motion No. M12-041**APPROVED by the following vote:**

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

Absent: 1 - Olague

Supervisor Olague requested that File No.120292 be severed so that it may be considered separately.

120292 [Supporting Assembly Bill 1831 - Regarding Expansion of California's "Ban the Box" Policy]**Sponsors: Olague; Campos and Avalos**

Resolution supporting Assembly Bill 1831, which expands California's "Ban the Box" policy for state and public employees to city and county workers statewide.

Resolution No. 107-12**ADOPTED by the following vote:**

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

IMPERATIVE AGENDA

There were no items.

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.

Introduced by a Supervisor or the Mayor

Ordinances

120300 [Planning Code - Article 10 - Landmarks Preservation]

Sponsors: Wiener; Olague

Ordinance amending the San Francisco Planning Code Article 10 in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

03/27/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/26/2012.

04/03/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120317 [Transportation Code - Fare Evasion and Clipper Card Regulations]

Sponsor: Chiu

Ordinance amending the San Francisco Transportation Code, Division I, Article 7 (Transit Violations) Sections 7.2.101 and 7.2.104 to eliminate restrictions on rear exit boarding of Municipal Railway transit vehicles in revenue service and clarify that failure to tag a Clipper card transponder or card reader is a violation of Section 7.2.104; and making environmental findings and technical corrections.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/3/2012.

120318 [Police Code - Additional Penalties for Foreclosed Properties]

Sponsor: Cohen

Ordinance amending the San Francisco Police Code Article 1 and adding Sections 96 to 96.6 to permit the City and County of San Francisco to: 1) declare that public nuisances occurring at foreclosed properties be considered aggravating factors in imposing civil penalties and injunctive relief; 2) hold individuals and entities who own significant numbers of foreclosed properties to increased civil penalties for failing to maintain the properties; and 3) make environmental findings.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/3/2012.

120319 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2011-2012]**Sponsor: Mayor**

Ordinance recognizing revenue losses of \$31,477,332 in the Department of Public Health and appropriating \$67,629,934 of Senate Bill 1128 Reimbursement Revenues, \$25,620,000 of surplus General Hospital Revenues, and \$6,555,007 of General Fund Reserves for State Revenue losses to support additional expenditures in the Department of Public Health including \$28,160,000 at San Francisco General Hospital, \$13,090,000 at Laguna Honda Hospital, and \$27,077,609 for a debt service reserve in FY2011-2012.

(Fiscal Impact)

04/03/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120320 [Appropriating \$2,694,000 for Nurses Salaries in FY2011-2012]**Sponsor: Mayor**

Ordinance appropriating \$2,694,000 for Nurses Salaries to the Department of Public Health in FY2011-2012.

04/03/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120321 [Accept and Expend Grant - FY2011 Urban Areas Security Initiative Grant and Amendment to Annual Salary Ordinance - \$35,546,960]**Sponsors: Mayor; Chiu**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative Approval Authority (UASI), to retroactively accept and expend a UASI grant in the amount of \$35,546,960 from the United States Department of Homeland Security, through the California Emergency Management Agency; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012) to reflect the addition of one grant-funded position in the Police Department, as follows: one position (.33 FTE) in Class 1824 Principal Administrative Analyst.

04/03/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120322 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee - Small Business Week Sidewalk Sales]**Sponsor: Olague**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Sunday, May 13, 2012, and Saturday May 19, 2012, as part of Small Business Week Sidewalk Sales.

04/03/12; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

Resolutions**120323 [Accept and Expend Grant - FY2010 Buffer Zone Protection Program Grant - \$585,000]****Sponsor: Chiu**

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2010 Buffer Zone Protection Program grant in the amount of \$585,000 from the U.S. Department of Homeland Security through the California Emergency Management Agency to fund critical infrastructure protection needs.

04/03/12; RECEIVED AND ASSIGNED to Public Safety Committee.

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.

04/03/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120326 [Urging the San Francisco Municipal Transportation Agency to Permit Strollers on Muni Vehicles]**Sponsors: Chiu; Elsbernd and Mar**

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.

04/03/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120327 [Urging Opposition to Governor Brown's Proposal to Raise the Cal Grant Threshold]**Sponsors: Kim; Mar**

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.

04/03/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

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.

04/03/12; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests for Hearing

120328 [Hearing - Creation of an Office of Early Childhood Education]

Sponsors: Avalos; Farrell, Wiener, Chu and Chiu

Hearing on the creation of an Office of Early Childhood Education (ECE), consolidating ECE functions of various City departments such as the Department of Children, Youth, and Families, Department of Public Health, First Five Commission, and Human Services Agency.

04/03/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120329 [Hearing - Recreation Areas for Youth at Juvenile Justice Center]

Sponsors: Chiu; Avalos and Olague

Hearing on the accessibility of recreation areas for youth at the Juvenile Probation Department's Juvenile Justice Center and the Department's physical education program, including a discussion of the Department's capital priorities and its physical education program's compliance with state law.

04/03/12; RECEIVED AND ASSIGNED to Public Safety Committee.

Introduced by the President at the Request of a Department

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

PROPOSED ORDINANCES**120271 [Zoning Map Amendment - 8 Washington Street Project]**

Ordinance: 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

03/26/12; RECEIVED FROM DEPARTMENT.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/3/2012.

120272 [General Plan Amendment - 8 Washington Street Project]

Ordinance: 1) amending the San Francisco General Plan Map 2 (Height and Bulk Plan) of the Northeastern Waterfront Area Plan as part of the 8 Washington Street Project (Assessor's Block No. 0201, Lot No. 012); and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

03/26/12; RECEIVED FROM DEPARTMENT.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/3/2012.

120274 [Park Code - Amending Golden Gate Park Concourse Underground Parking Facility and Other Certain Fees; and Changing Controller Reporting Requirements]

Ordinance amending the San Francisco Park Code, Article 12, by: 1) amending Section 12.35 to increase certain parking rates and eliminate the Early Bird Rate at the Golden Gate Park Concourse Underground Parking Facility; 2) amending Section 12.20 to clarify the requirements for annual fee adjustments; and 3) adding a new Section 12.49 to ratify prior fees and fee adjustments; and making environmental findings and findings of consistency with general plan. (Recreation and Park Department)

03/26/12; RECEIVED FROM DEPARTMENT.

04/03/12; ASSIGNED to Budget and Finance Sub-Committee.

04/03/12; REFERRED TO DEPARTMENT.

04/03/12; RESPONSE RECEIVED.

PROPOSED RESOLUTIONS

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

Resolution approving and authorizing a Purchase and Sale Agreement with San Francisco Waterfront Partners II, LLC for the sale by the San Francisco Port Commission of unimproved real property located on Seawall Lot 351 at the corner of The Embarcadero and Washington Street in exchange for a portion of real property located on Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12 having an address at 8 Washington; approving and authorizing a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from such portion of Seawall Lot 351 and impressing the public trust on such portion of real property located on Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12; approving and authorizing a 66-year Lease with San Francisco Waterfront Partners II, LLC for real property near The Embarcadero and former Pacific Street; approving and authorizing a Maintenance Agreement with San Francisco Waterfront Partners II, LLC for the maintenance of open space bound by The Embarcadero, Washington Street and Drumm Street; adopting environmental findings and findings of consistency with the General Plan and the eight Priority Policies of City Planning Code Section 101.1; and authorizing the Port's Executive Director and the City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Port)

03/26/12; RECEIVED FROM DEPARTMENT.

04/03/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/3/2012.

120273 [Re-Appointment - Local Homeless Coordinating Board - Christine Ma, M.D.]

Resolution re-appointing Christine Ma, M.D., for a term expiring October 21, 2015, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)

03/27/12; RECEIVED FROM DEPARTMENT.

04/03/12; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriams

*Robert Stanfill - Supervisors Elsbernd and Farrell
Lawrence Richardson - Supervisor Olague*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:03 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 8, 2012.

Angela Calvillo, Clerk of the Board