

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 24, 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

Budget and Finance Committee Supervisors Chu, Avalos, Kim, Cohen, Wiener	Wednesday 11:00 AM
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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Farrell was noted absent. There was a quorum.

Supervisor Farrell Excused from Voting

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

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

Excused: 1 - Farrell

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Chu, moved to approve the Special Board Meeting Minutes of June 18, 2012, at the Budget and Finance Committee Meeting (File Nos. 111255, 120591, 120592, 120593, 120596, 120673, 120640, 120595, 120606), and the Board Meeting Minutes of June 19, 2012. The motion carried by the following vote:

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

Excused: 1 - Farrell

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of a referendum petition relating to the Zoning Map Amendment of 8 Washington Street Project, further indicating the petition was forwarded to John Arntz, Director of Elections, to begin the certification process.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

120597 [Police Code - Increase Permit and License Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Police Code Sections 2.26 and 2.27 to: 1) update the fees to reflect prior cost of living adjustments; 2) increase the permit application fee for commercial parking permits; and 3) increase license fees to include cost recovery for the Tax Collector's Office; and making environmental findings.

Ordinance No. 166-12

FINALLY PASSED

120604 [Health Code - Patient Rates]

Sponsor: Mayor

Ordinance amending the San Francisco Health Code Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2012.

Ordinance No. 167-12

FINALLY PASSED

120606 [Administrative Code - Plan Review and Site Inspection to Ensure Compliance with Federal Disability Laws Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code Section 2A.22.1 to revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and making environmental findings and findings of consistency with the General Plan.

Ordinance No. 168-12

FINALLY PASSED

120607 [Fire Code - Fire Department Service Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Fire Code Sections 113.10 and 113.21 to increase fees for certain Fire Department services; and making environmental findings.

Ordinance No. 169-12

FINALLY PASSED

120608 [Park Code - Consolidating Golf Course Provisions and Increasing Certain Golf Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code Article 12 to: 1) consolidate golf course provisions into a single series of new Sections 12.12 through 12.12.6; and 2) increase certain fees at San Francisco municipal golf courses; and making environmental findings.

Ordinance No. 170-12

FINALLY PASSED

120609 [Park Code - Professional Tennis Lesson Rates]**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.41 to: 1) increase rates for professional tennis lessons on park property; and 2) set two-tier pricing based on instructor certification level; and making environmental findings.

Ordinance No. 171-12

FINALLY PASSED

120638 [Business and Tax Regulations and Health Codes - Food Product and Marketing Establishment License Fees]**Sponsor: Mayor**

Ordinance amending: 1) the San Francisco Business and Tax Regulations Code Sections 248 and 249.1; and 2) the San Francisco Health Code Sections 440 and 451 relating to fees for food product and marketing establishment licenses issued by the Department of Public Health.

Ordinance No. 172-12

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee**120670 [Street Vacation Order - San Francisco Wholesale Produce Market - Portions of Jerrold and Kirkwood Avenues, Selby, Rankin, and Milton I. Ross Streets, and Lettuce Lane]****Sponsor: Cohen**

Ordinance: 1) ordering the vacation of Jerrold Avenue between Rankin Street and Toland Street, Milton I. Ross Street between Innes Avenue and Kirkwood Avenue, Kirkwood Avenue between Rankin Street and the proposed boundary of the San Francisco Wholesale Produce Market, Lettuce Lane between Jerrold Avenue and Kirkwood Avenue, portions of Selby Street between Innes Avenue and Kirkwood Avenue, and a portion of Rankin Street between Jerrold Avenue and Innes Avenue, collectively for purposes of the San Francisco Wholesale Produce Market Retention and Expansion, subject to certain conditions; 2) accepting Department of Public Works Order No. 180308; 3) approving an interdepartmental transfer of the area to be vacated from the Department of Public Works to the Real Estate Division at the time the vacation is final and effective; 4) making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.

Ordinance No. 163-12

FINALLY PASSED

Recommendation of the Public Safety Committee

120677 [Public Safety Realignment and Post-Release Community Supervision 2012 Implementation Plan]

Sponsors: Mar; Avalos and Olague

Resolution approving the City and County of San Francisco Public Safety Realignment and Post-Release Community Supervision 2012 Implementation Plan.

Resolution No. 286-12

ADOPTED

The foregoing items were acted upon by the following vote:

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

Excused: 1 - Farrell

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

120591 [Proposed Budget and Annual Appropriation Ordinance FYs 2012-2013 and 2013-2014]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2012, for the FYs ending June 30, 2013, and June 30, 2014.

(Fiscal Impact)

Ordinance No. 164-12

FINALLY PASSED by the following vote:

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

Excused: 1 - Farrell

120592 [Annual Salary Ordinance - FYs 2012-2013 and 2013-2014]**Sponsor: Mayor**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2013, and June 30, 2014, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

Ordinance No. 165-12

FINALLY PASSED by the following vote:

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

Excused: 1 - Farrell

Recommendation of the Land Use and Economic Development Committee**120191 [Building Code - Definition of Efficiency Unit]****Sponsor: Wiener**

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED ON FIRST READING to July 31, 2012. The motion carried by the following vote:

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

Excused: 1 - Farrell

From the Rules Committee Without Recommendation**120554 [Charter Amendment - San Francisco Housing Trust Fund and Housing Production Incentive Act]****Sponsors: Mayor; Wiener, Olague, Kim, Avalos, Mar, Cohen and Chiu**

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.110 to: 1) create a San Francisco Housing Trust Fund by setting aside general fund revenues beginning in FY2013-2014 and ending in FY2042-2043 to create, acquire and rehabilitate affordable housing and promote affordable home ownership programs in the City; and 2) lower and stabilize the impacts of affordable housing regulatory impositions on private residential projects; and to authorize the development of up to 30,000 affordable rental units in the City under Article 34 of the California Constitution.

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

ORDERED SUBMITTED by the following vote:

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

Noes: 2 - Chu, Elsbernd

Excused: 1 - Farrell

Recommendation of the Rules Committee

120732 [Reappointment, Planning Commission - Michael Antonini]

Motion approving/rejecting the Mayor's nomination of Michael Antonini to the Planning Commission term ending July 1, 2016. (Clerk of the Board)
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 2, 2012.)

Supervisor Cohen, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to July 31, 2012. The motion carried by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120487 [Appropriating \$155,000,000 of Certificate of Participation Proceeds for the Department of War Memorial in FY2012-2013]

Sponsors: Mayor; Olague and Chiu

Ordinance appropriating \$155,000,000 of Certificate of Participation for the Veterans Building Seismic Upgrade and Improvement Project of the Department of War Memorial for FY2012-2013. (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

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

120540 [Airport Concession Leases - Subway, Jalapeno Grill, Guava & Java, and Mission Bar & Grill]

Resolution approving Amendment No. 2, to Domestic Terminal Food and Beverage Lease No. 03-0185 with Baysubway Airport (Subway); No. 03-0187 with Luna Azul Corporation (Jalapeno Grill); No. 03-0191 with Guava & Java (SFO), Inc. (Guava & Java); and No. 03-0199 with Burger Joint, Inc. (Mission Bar & Grill), and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 282-12

ADOPTED by the following vote:

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

120583 [Real Property Lease Expansion - K LW, LLC - 3120 Mission Street]

Resolution authorizing the amendment of an existing lease at 3120 Mission Street with K LW, LLC, to expand the premises by approximately 5,000 square feet for the Human Services Agency. (Real Estate Department)

Resolution No. 283-12

ADOPTED by the following vote:

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

120755 [Establishing Monthly Contribution Amount - Health Service Trust Fund]

Sponsor: Chu

Resolution establishing monthly contribution amount to Health Service Trust Fund.

Resolution No. 285-12

ADOPTED by the following vote:

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

From the Budget and Finance Sub-Committee Without Recommendation**120754 [Administrative Code - Health Service System Plans and Contribution Rates for Calendar Year 2013]**

Sponsor: Chu

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, Part 1, Section 16.703 regarding Board approval of health service system plans and contribution rates. (Fiscal Impact)

PASSED ON FIRST READING by the following vote:

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

120681 [Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]**Sponsors: Mayor; Chiu**

Motion ordering submitted to the voters an: "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$13 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

(Economic Impact)

Privilege of the floor was granted to Ben Rosenfield, Controller, who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Chiu, moved that this Motion 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, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

Supervisor Avalos, seconded by Supervisor Chiu, moved that this Motion be CONTINUED AS AMENDED to July 31, 2012, at 2:30 p.m., with the Board sitting as a Committee of the Whole. The motion carried by the following vote:

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

Excused: 1 - Farrell

120682 [Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]**Sponsors: Avalos; Campos, Kim, Mar and Olague**

Motion ordering submitted to the voters an: "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$40 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

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

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Noes: 1 - Campos

Excused: 1 - Farrell

Recommendations of the Land Use and Economic Development Committee**120665 [Planning Code - Transit Center District Plan]****Sponsors: Mayor; Kim and Olague**

Ordinance: 1) amending the San Francisco Planning Code by amending and adding sections consistent with the Transit Center District Plan, including the establishment of the Transit Center District Plan open space and transportation fees and the expansion and renaming of the New Montgomery-Mission-Second Street Conservation District; and 2) making findings, including environmental findings and findings of consistency with the General Plan, as proposed for amendment, and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Farrell

120666 [Zoning Map - Transit Center District Plan]**Sponsors: Mayor; Kim and Olague**

Ordinance: 1) amending City and County of San Francisco Zoning Maps Sheets ZN01, HT01, SU01, and PD01 to revise use districts and height and bulk districts within the Transit Center District Plan Area, to place certain properties in the Transit Center C-3-O(SD) Commercial Special Use District, and to add properties into the New Montgomery-Mission-Second Street Conservation District; 2) making environmental findings and findings of consistency with the General Plan as proposed for amendment and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Farrell

120667 [Administrative Code - Transit Center District Plan Monitoring and Interagency Planning and Implementation Committee]**Sponsors: Mayor; Kim and Olague**

Ordinance: 1) amending the San Francisco Administrative Code Section 10E.1 and Sections 36.1 and 36.3 to address Plan monitoring and the Interagency Planning and Implementation Committee role in the Transit Center District Plan public improvements; and 2) making environmental findings.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Farrell

120685 [General Plan Amendment - Transit Center District Plan]

Ordinance: 1) amending the San Francisco General Plan by adding the Transit Center District Sub-Area Plan to the Downtown Plan and making various amendments to the Downtown Plan, Urban Design Element, Commerce and Industry Element, Recreation and Open Space Element, and Transportation Element as part of the establishment of the Transit Center District Plan; and 2) making environmental findings and findings of consistency with the General Plan as proposed for amendment and Planning Code Section 101.1. (Planning Department)

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Farrell

Recommendation of the Rules Committee**120683 [Declaration of Policy - Repealing Corporate Personhood]****Sponsors: Avalos; Campos, Olague and Mar**

Motion ordering submitted to the voters a policy declaration that supports limits on political campaign contributions and spending; and opposes artificial corporate rights, and giving corporations the same rights entitled to human beings, at an election to be held on November 6, 2012.

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

Motion No. M12-083**APPROVED by the following vote:**

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

Excused: 1 - Farrell

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

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Wiener, 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: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Steven Haines and Douglas Goldman of Stern Grove in recognition of Stern Grove Festival's 75th Anniversary, their accomplishments, and continued community support.

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to J.M. Jaffe, Esteban Rodriguez, Karlyn Lotney, Jackson Bowman, Tee Tagor, Kathryn Steueman, and Andre Le Blanc of the San Francisco HEALTH Council in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

120495 [Appeal of Determination of Exemption from Environmental Review - 601 Dolores Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 9, 2012, Case No. 2011.0584E, that a project located at 601 Dolores Street (Assessor Block No. 3598, Lot No. 060) is exempt from environmental review under Categorical Exemption, Class 32 [State CEQA Guidelines Section 15332]. The proposed project involves the conversion of an existing residential use in a former church structure into middle school class rooms and a multi-purpose assembly space and associated interior and exterior changes to the building. (District 8) (Appellant: Jeffrey Goldfarb and Elizabeth Erhardt of Rutan and Tucker, LLP, on behalf of J. Landon Gates and Anne Timmer Gates) (Filed May 9, 2012) (Clerk of the Board)

The President indicated receipt of a letter dated July 24, 2012, from the Appellant withdrawing their appeal. 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 closed.

HEARD AND FILED

120496 [Affirming the Exemption Determination - 601 Dolores Street]

Motion affirming the determination by the Planning Department that a project located at 601 Dolores Street is exempt from environmental review. (Clerk of the Board)

Motion No. M12-085

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

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

Excused: 1 - Farrell

120497 [Reversing the Exemption Determination - 601 Dolores Street]

Motion reversing the determination by the Planning Department that a project located at 601 Dolores Street is exempt from environmental review. (Clerk of the Board)

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

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

120498 [Preparation of Findings to Reverse the Exemption Determination - 601 Dolores Street]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 601 Dolores Street is exempt from environmental review. (Clerk of the Board)

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

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

SPECIAL ORDER 4:00 P.M.**120646 [Appeal of Conditional Use Authorization - 601 Dolores Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's April 26, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2011.0584CV, by its Motion No. 18604, pursuant to Planning Code Sections 209.3(g), 303, and 317, to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School," within a RH-3 (Residential House, Three-Family), on property located at 601 Dolores Street, Assessor's Block No. 3598, Lot No. 060. (District 8) (Appellants: Elizabeth Erhardt of Rutan and Tucker, LLP, on behalf of Lisa Nahmanson and Sandra Steele) (Filed May 29, 2012) (Clerk of the Board)

The President indicated receipt of an agreement dated July 24, 2012, from the Appellant and Project Sponsor regarding the appeal. 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 closed.

HEARD AND FILED

120647 [Affirming the Conditional Use Authorization - 601 Dolores Street]

Motion approving the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

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

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

120648 [Reversing the Conditional Use Authorization - 601 Dolores Street; Approving the Conditional Use as Modified by the Board of Supervisors]

Motion disapproving the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion 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, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Motion: 1) disapproving the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street; and 2) approving conditional use on property located at 601 Dolores Street subject to the conditions set forth in Planning Commission Motion No. 18604, as modified by the Board of Supervisors on July 24, 2012, and subject to additional conditions imposed by the Board on July 24, 2012. (Clerk of the Board)

Motion No. M12-086

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

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

Excused: 1 - Farrell

120649 [Preparation of Findings Related to the Conditional Use Authorization - 601 Dolores Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street. (Clerk of the Board)

Motion No. M12-087

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

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

Excused: 1 - Farrell

COMMITTEE REPORTS

Recommendations of the Rules Committee

120656 [Settlement of Lawsuit - John and Virginia Lai - \$275,000]

Ordinance authorizing settlement of the lawsuit by John and Virginia Lai against the City and County of San Francisco for \$275,000; the lawsuit was filed on December 27, 2010, in San Francisco Superior Court, Case No. CGC-10-506691; entitled John and Virginia Lai, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Farrell

120657 [Settlement of Lawsuit - Michael Horan - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for \$250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney)

This item was not sent as a Committee Report.

120659 [Settlement of Lawsuit - Gerardo Gonzales Delgado - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Gerardo Gonzales Delgado against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 2, 2010, in San Francisco Superior, Case No. CGC-10-502105; entitled Gerardo Gonzales Delgado v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING by the following vote:

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

120748 [Settlement of Lawsuit - Maura Moylan and Anne Raskin - \$762,000]

Ordinance authorizing the settlement of a lawsuit filed by Maura Moylan and Anne Raskin against the City County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives for \$762,000; the lawsuit was filed on October 14, 2010, in United States District Court for the Northern District of California, Case No. C10-04700, entitled Maura Moylan and Anne Raskin v. City and County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives. (City Attorney)

PASSED, ON FIRST READING by the following vote:

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

120749 [Settlement of Lawsuit - Candie Mattson - \$100,000]

Ordinance authorizing the settlement of a lawsuit filed by Candie Mattson against the City and County of San Francisco, Recreation and Park Department, and Dennis Kern for \$100,000 reinstatement of sick leave in the amount of 100 hours, and reinstatement of vacation in the amount of 100 hours; the lawsuit was filed on June 14, 2010, in San Francisco Superior Court, Case No. 10-50073, entitled Candie Mattson v. City and County of San Francisco, Recreation and Park Department, and Dennis Kern. (City Attorney)

PASSED, ON FIRST READING by the following vote:

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

120684 [Settlement of Claim - Kimberly Wilson - \$35,000]

Resolution approving a settlement of the unlitigated claim filed by Kimberly Wilson against the City and County of San Francisco for \$35,000; claim was filed on April 11, 2011. (City Attorney)

Resolution No. 284-12

ADOPTED by the following vote:

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

120744 [Appointment, Board of Appeals - Ann Lazarus]**Sponsor: Mayor**

Motion approving the Mayor's appointment of Ann Lazarus to the Board of Appeals for the term ending July 1, 2014.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 25, 2012)

Motion No. M12-084

APPROVED by the following vote:

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

Excused: 1 - Farrell

120746 [Appointment, Board of Appeals - Kevin Cheng]**Sponsor: Mayor**

Motion approving/rejecting the Mayor's appointment of Kevin Cheng to the Board of Appeals for the term ending July 1, 2016.

This item was not sent as a Committee Report.

Recommendations of the Land Use and Economic Development Committee**120241 [Planning Code - Establishing Four Outer Sunset Neighborhood Commercial Districts]****Sponsor: Chu**

Ordinance amending the San Francisco Planning Code by: 1) adding Section 739.1 to establish the Outer Sunset Commercial Cluster 1 Neighborhood Commercial District that includes currently zoned NC-2 Noriega Street from 19th through 27th and 30th through 33rd Avenues; 2) adding Section 740.1 to establish the Outer Sunset Commercial Cluster 2 Neighborhood Commercial District that includes currently zoned NC-1 Taraval Street from 40th through 41st Avenues and from 45th through 47th Avenues, Noriega Street from 38th through 39th and 44th through 47th Avenues, Judah Street from 27th through 29th, 38th through 40th, and 44th through 47th Avenues, and Irving Street from 40th through 41st and 45th through 46th Avenues; 3) adding Section 741.1 to establish the Outer Sunset Linear Streets Neighborhood Commercial District that includes currently zoned NC-2 Taraval Street from 19th through 36th Avenues, Judah Street from 29th through 33rd Avenues, and Irving Street from 19th through 27th Avenues; 4) amending Section 724.124 (trade shops) to allow catering, remove horsepower limitations, and allow wholesaling, manufacturing and processing as an accessory use for up to two-thirds of the gross floor area; 5) amending Zoning Map Sheet ZN05 to include the new Neighborhood Commercial Districts; and 6) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

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

Excused: 1 - Farrell

120471 [Planning Code - Bicycle Parking; Automotive Service Station Conversions]**Sponsors: Chiu; Mar and Olague**

Ordinance amending the San Francisco Planning Code Sections 102.9, 155.1, 155.4, and 228, et. seq. to: 1) expand the applicability of bicycle parking requirements; 2) exempt bicycle parking from Floor-Area ratio calculations; 3) permit the conversion of Automotive Service Stations located on Primary Transit Streets and Citywide Pedestrian Network Streets to another use without Conditional Use authorization; and 4) adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

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

PASSED, ON FIRST READING by the following vote:

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

120472 [Planning Code - Clerical Modifications and Repeal of Obsolete Sections]**Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code by: 1) repealing obsolete Sections 187, 249.15, 263.2, and 263.3; and 2) amending Sections 102.5, 121.3, 201, 204.2, 209.9, 249.49, 309.1, 799, and 899 to make various clerical modifications; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Chiu, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 24, Line 23, by changing '825(b) (7)(A)' to '825(b) (5)(A)'; on Page 39, Line 23, by adding 'and Greening', 'and Vehicle Use'; and on Page 39, Line 24, by deleting 'Section 143, Street Trees'. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

120715 [Planning Code - Limited Commercial Uses in Residential Districts]**Sponsors: Chiu; Olague, Campos and Mar**

Ordinance amending the San Francisco Planning Code: 1) Section 186 to allow for reactivation of limited commercial uses in RH, RM, RTO, and RED districts under a conditional use authorization; 2) Section 231 to allow for greater size and depth from the corner for limited corner commercial uses in RM-3 and RM-4 districts; and 3) making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

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

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 (See additional information submitted on Page 21.)

Male Speaker; expressed various concerns.

Male Speaker; expressed various concerns relating to Muni Route 89.

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

Eugene Gordon, Jr.; expressed various concerns.

Female Speaker; expressed various concerns.

Steven Worsley; expressed concerns relating to Coit Tower.

Female Speaker; expressed concerns relating to student housing.

Female Speaker; expressed concerns relating to operation costs and housing for transgender community.

Nancy Cross; expressed concerns relating to process.

Peter Warfield; expressed concerns relating to the SF Public Library and Bernal Heights Mural Project.

Female Speaker; expressed various concerns.

Larry Juicye Edmond; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120778 [Adoption of the Distributed Consortia-Based Option for the California Health Benefit Exchange Board Call Center]

Sponsor: Avalos

Resolution calling on the California Health Benefit Exchange Board (HBEX) to adopt the Distributed Consortia-Based Option (Option 4) for the HBEX Call Center.

Resolution No. 289-12

ADOPTED

120653 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

Motion directing the Board of Supervisors to hold a public hearing on July 31, 2012, at 3:00 p.m. with the Board sitting as a Committee of the Whole, to consider adopting a Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and Fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

Motion No. M12-088

APPROVED

120785 [Suspending Board Rule 4.29 - Scheduling Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. - September 4, 2012, Board Meeting]**Sponsors: Campos; Avalos, Chiu, Cohen, Mar and Olague**

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. instead of 4:00 p.m. at the September 4, 2012, Board Meeting. (Clerk of the Board)

Motion No. M12-089**APPROVED****The foregoing items were acted upon by the following vote:**

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

Excused: 1 - Farrell

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Campos requested that File No. 120775 be severed so that it may be considered separately.

120775 [Affirming Commitment to Ensuring the Long Term Viability and Operation of St. Luke's Hospital]**Sponsors: Campos; Cohen, Olague, Chiu, Mar and Avalos**

Resolution recognizing the importance of St. Luke's Hospital and emergency room for the Southeastern Neighborhoods of San Francisco and affirming the Board of Supervisors commitment to working with Mayor Lee, the Department of Public Health, and private hospital corporations that currently operate in San Francisco to ensure the long term viability and operation of this critical institution.

Resolution No. 287-12**ADOPTED by the following vote:**

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

Excused: 1 - Farrell

Supervisor Wiener requested that File No. 120777 be severed so that it may be considered separately.

120777 [Transgender Health Care Inclusion in Healthy San Francisco]**Sponsors: Wiener; Olague, Campos, Avalos, Chiu, Cohen, Mar and Kim**

Resolution calling on the San Francisco Department of Public Health to provide medically necessary transition-related care for transgender people and to remove exclusions under the San Francisco Health Care Security Ordinance.

Resolution No. 288-12**ADOPTED by the following vote:**

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

Excused: 1 - Farrell

IMPERATIVE AGENDA

[Purely Commendatory Finding]

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

Supervisor Mar, seconded by Supervisor Avalos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Mar, seconded by Supervisor Avalos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

120794 [Toy Boat Dessert Café Day - July 24, 2012]

Sponsor: Mar

Resolution commending Toy Boat Dessert Café on the occasion of its 30th Anniversary and declaring July 24, 2012, as Toy Boat Dessert Café Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 120794. Female Speaker; expressed various concerns. There were no other speakers. The President declared public comment closed.

Resolution No. 290-12

ADOPTED by the following vote:

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

[Purely Commendatory Finding]

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

Supervisor Avalos, seconded by Supervisor Cohen, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

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

Supervisor Avalos, seconded by Supervisor Cohen, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

120795 [Alpha Kappa Alpha Week - July 20-27, 2012]

Sponsors: Avalos; Cohen

Resolution declaring July 20- 27, 2012, Alpha Kappa Alpha Sorority Week in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 120795. Male Speaker; Female Speaker; Larry Edmund Juicy; spoke in support of the proposed Resolution. There were no other speakers. The President declared public comment closed.

Resolution No. 291-12

ADOPTED by the following vote:

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

Excused: 1 - Farrell

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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.

Ordinances

120631 [Business and Tax Regulations, Police, and Planning Codes - Parking Tax Simplification for Residential Properties]

Sponsor: Wiener

Ordinance: 1) amending the San Francisco Business and Tax Regulations Code by adding Section 609 to establish Parking Tax Simplification for Residential Properties to relieve residential property owners and managers renting five or fewer parking spaces in Parking Stations physically attached to or otherwise associated with the building from the requirement to: (a) obtain a certificate of authority, (b) make monthly tax prepayments, (c) obtain a parking tax bond, and (d) providing amnesty from parking taxes, interest, penalties and fees owed for tax periods more than 24 months prior to the effective date of the Ordinance; 2) amending the Business and Tax Regulations Code Section 2219.7 to exempt property owners and managers registered pursuant to Section 609 from the requirement to pay the Revenue Control Equipment compliance fee; 3) amending the Planning Code Section 204.5 to allow as an accessory use up to five dwelling unit parking spaces to be leased to persons living off-site anywhere in the City; 4) amending the Police Code Section 1215 to eliminate the requirement to hold a commercial parking permit for property owners and managers registered pursuant to Section 609 of the Business and Tax Regulations Code; and 5) making environmental findings and findings of consistency with the general plan.

(Fiscal Impact)

06/05/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/5/2012.

06/12/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

06/18/12; REFERRED TO DEPARTMENT.

06/21/12; RESPONSE RECEIVED.

07/24/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120796 [Planning Code - Establishing the Divisadero Street Neighborhood Commercial District]**Sponsor: Olague**

Ordinance amending the San Francisco Planning Code: by 1) adding Section 743.1 to establish the Divisadero Neighborhood Commercial District; 2) repealing the Divisadero Street Alcohol Restricted Use District established in Section 783; 3) amending Section 151.1 and a portion of Table 151.1, Sections 263.20, 607.1(f), and 702.3, the specific provisions of the Section 711 Zoning Control Table, and Section 790.55 to make conforming and other technical changes; 4) amending Sheets ZN02 and ZN07 of the Zoning Map to include the Divisadero Neighborhood Commercial District; 5) amending Sheet SU02 of the Zoning Map to delete the Divisadero Street Alcohol Restricted Use Special Use District; and 6) 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.

07/24/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Resolutions**120797 [Community Gardening Weekend - August 9-12, 2012]****Sponsor: Chiu**

Resolution welcoming the members of the American Community Gardening Association to San Francisco for their 33rd National Conference and proclaiming August 9-12, 2012, as Community Gardening Weekend in the City and County of San Francisco.

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120798 [Consolidation of Elections Scheduled for November 6, 2012]**Sponsor: Chiu**

Resolution consolidating the State General Election to be held in the City and County of San Francisco on November 6, 2012, with the City and County of San Francisco Municipal Election, San Francisco Unified School District Board of Education Election, City College of San Francisco Governing Board Election, City and County of San Francisco Special Bond Election, Bay Area Rapid Transit (BART) District Election, and San Francisco Community College District Special Tax Election, all to be held in the City and County of San Francisco on the same date, and providing that the election precincts, voting places, and officers for these elections shall be the same as for the State General Election.

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120799 [Designation - Treasurer-Tax Collector Cisneros and Supervisor Farrell, League of California Cities Voting Delegate and Alternate]**Sponsor: Farrell**

Resolution designating Treasurer-Tax Collector Jose Cisneros as League of California Cities Voting Delegate and Supervisor Mark Farrell as League of California Cities Alternate Voting Delegate.

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120800 [Accept Gift - Computers for the Police Department - \$59,400]**Sponsor: Chu**

Resolution authorizing the San Francisco Police Department to retroactively accept a gift of 60 laptop computers valued at \$59,400 from Hewlett Packard, Inc., for use by police officers in the field.

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120801 [Urging Support of City College of San Francisco]**Sponsors: Mar; Avalos, Chiu, Campos and Cohen**

Resolution urging San Francisco elected officials to support City College of San Francisco in maintaining its mission as a Community College and to support City College by finding new revenue sources.

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120802 [Urging Port Commission to Form Citizen's Advisory Committee - Piers 30-32 and Seawall Lot 330 Project]**Sponsor: Kim**

Resolution urging: 1) the Port Commission to form a project-specific Citizen's Advisory Committee to review and provide input on a multi-purpose facility on Piers 30-32, and related development on Seawall Lot 330, that would be used for the Warriors' home games, conventions and other purposes; 2) the Port Executive Director to appoint representatives from neighborhoods surrounding Piers 30-32, as well as others with specified policy expertise; and 3) the Citizen's Advisory Committee to meet and report back regularly to the Port Commission and the Board of Supervisors.

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120803 [Urging Relocation and Broadcasting of the Housing Authority Meetings]**Sponsors: Olague; Campos, Chiu, Kim and Mar**

Resolution urging the Commission of the Housing Authority of the City and County of San Francisco to hold its meetings at City Hall and broadcast them for greater public access.

07/24/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120804 [Multifamily Housing Revenue Bonds - 2175 Market Street - Not to Exceed \$31,000,000]**Sponsor: Wiener**

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$31,000,000 for FC 2175 Market Street, LLC; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$31,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120805 [Supporting Reunification of Immigrant Families Divided By Deportation - Senate Bill 1064 and House Bill 6128]**Sponsors: Campos; Olague, Avalos, Chiu, Cohen and Mar**

Resolution supporting the California Senate Bill 1064 (Reuniting Immigrant Families Act) and Federal House Bill 6128 (Help Separated Families Act) of 2012 that work to keep families united, to reduce the amount of children placed in foster care as a result of immigration enforcement action, and urging State and Federal legislators to support these bills.

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**120808 [Establishing Process for Official Misconduct Hearing]**

Motion establishing a process, in accordance with Charter Section 15.105, for official misconduct hearings at the Board of Supervisors. (Clerk of the Board)

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120809 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 6, 2012, Consolidated General Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 6, 2012, Consolidated General Municipal Election. (Clerk of the Board)

07/24/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**120806 [Hearing - Civil Grand Jury Report, "Surcharges and Healthy San Francisco" - Amendments to the Health Care Security Ordinance]****Sponsor: Campos**

Hearing on the Civil Grand Jury Report; specifically, to what extent does Ordinance Number 232-11, authored by Supervisors Chiu and Cohen and signed into law by Mayor Lee on November 22, 2011, that made amendments to the Health Care Security Ordinance, fail to address the concerns raised by the Civil Grand Jury's Report? In addressing this question, I would also like to review Office of Labor Standards Enforcement's Report on the 2011 Employer Reporting Forms.

07/24/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120807 [Hearing - Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]

Hearing to consider amendments to the Initiative Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax at an election to be held on November 6, 2012. (Clerk of the Board)

07/24/12; RECEIVED AND ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of a Department

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

PROPOSED ORDINANCE**120753 [General Plan Amendment - Chinese Hospital Special Use District]****Sponsors: Chiu; Mar**

Ordinance amending the San Francisco General Plan Policy 1.2 and Map 1 of the Chinatown Area Plan to facilitate development of the Chinese Hospital Replacement Project at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041); and creating findings, including environmental findings and findings of consistency with the General Plan and Planning Code sections 101.1 and 340. (Planning Commission)

07/13/12; RECEIVED FROM DEPARTMENT.

07/19/12; NOTICED.

07/24/12; ASSIGNED to Land Use and Economic Development Committee.

In Memoriam

Patrick Ryan - Supervisor Sean Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:12 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 September 4, 2012.

Angela Calvillo, Clerk of the Board

ADDENDUM

The following information are provided by speaker(s), 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: What the BOS members have received is an article from the Westside Observer by Patrick Monette-Shaw titled "Who Killed Sunshine." The primary "culprit" is shown, but, you all share in the disgrace! "Know Your Rights Under the Sunshine Ordinance" is printed on every agenda for City boards and commissions. One of those rights is to submit a 150-word summary which is supposed to be included "in the minutes." I have 4 Orders of Determination: #10054 (Library Commission), #11054 (City Librarian), #11088 (Ethics Commission), and #11071 (City Attorney), all saying the law means what it says. So, with all of these cases, with all of these referrals, with all of the time passed, what do I have? What all citizens of San Francisco have: a BOS which has shown absolutely no respect for the Constitution, particularly the First Amendment or the Fifth Amendment! Read your oath of office! Shame on you!