

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, May 22, 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**

##### **Budget and Finance Committee**

Supervisors Chu, Avalos, Kim, Cohen, Wiener

##### **Budget and Finance Sub-Committee**

Supervisors Chu, Avalos, Kim

##### **City and School District Select Committee**

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

##### **City Operations and Neighborhood Services Committee**

Supervisors Elsbernd, Chu, Olague

##### **Government Audit and Oversight Committee**

Supervisors Farrell, Elsbernd, Chiu

##### **Land Use and Economic Development Committee**

Supervisors Mar, Cohen, Wiener

##### **Public Safety Committee**

Supervisors Avalos, Olague, Mar

##### **Rules Committee**

Supervisors Kim, Farrell, Campos

#### **Meeting Days**

Wednesday

1:00 PM

Wednesday

10:00 AM

4th Thursday

3:30 PM

2nd and 4th Monday

10:00 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Thursday

10:30 AM

1st and 3rd Thursday

1:30 PM

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

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**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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:04 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Chu, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of April 17, 2012, and the Special Meeting Minutes at the Budget and Finance Committee Meeting of April 18, 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

### Recommendation of the Budget and Finance Sub-Committee

#### **120192 [Administrative Code - Board Approval of Grants and Grant Increases Over \$100,000]**

**Sponsors:** Wiener; Chu

Ordinance amending the San Francisco Administrative Code Section 10.170-1 to set a threshold of \$100,000 or more for Board of Supervisors approval of the acceptance and expenditure of grants or increases in grants.

**Ordinance No.** 097-12

**FINALLY PASSED**

**Recommendations of the City Operations and Neighborhood Services Committee****120180 [Liquor License - 350 California Street]**

Resolution determining that the issuance of a Type 21 off-sale general license to Farid Tawil for S.F. Gift and News, located at 350 California Street (District 3), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

**Resolution No. 192-12**

**ADOPTED**

**120195 [Changing the Street Name of Edinburg Street to Edinburgh Street]**

**Sponsor: Avalos**

Resolution authorizing a street name change of Edinburg Street to Edinburgh Street, to correct a spelling discrepancy and eliminate confusion in the delivery of public services.

**Resolution No. 193-12**

**ADOPTED**

**120441 [Accept and Expend Grant - Electric Vehicle Infrastructure - \$173,000]**

**Sponsor: Mar**

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant sub-award of \$173,000 from the Association of Bay Area Governments to contribute to the cost of installing publicly available electric vehicle chargers.

**Resolution No. 194-12**

**ADOPTED**

**120442 [Accept Gift - 22 Electric Vehicle Chargers Equipment - \$114,000]**

**Sponsor: Mar**

Resolution authorizing the San Francisco Department of the Environment to accept 22 electric vehicle chargers and service through December 31, 2013, from Coulomb Technologies, Inc., as a sub-award under Grant DE-EE0003391 using American Reinvestment and Recovery Act Funds from the U.S. Department of Energy to Coulomb Technologies, Inc., for these purposes.

**Resolution No. 195-12**

**ADOPTED**

**Recommendation of the 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.

**Ordinance No. 096-12****FINALLY PASSED**

The foregoing items were acted upon by the following vote:

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

**REGULAR AGENDA****UNFINISHED BUSINESS****NEW BUSINESS****Recommendations of the Budget and Finance Sub-Committee****120406 [Administrative Code - Film Rebate Program Extension and Funding]****Sponsor: Farrell**

Ordinance amending the San Francisco Administrative Code Section 57.8 to: 1) extend the Film Rebate Program for two additional years, through June 30, 2014; and 2) increase the total amount of available funds up to \$2,000,000 for film rebates during that period.  
(Fiscal Impact)

**PASSED, ON FIRST READING** by the following vote:

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

**120433 [Accept and Expend Grant - Replacement of Refrigeration Equipment in Small Businesses - \$403,000]****Sponsor: Chu**

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$403,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to study the impact that the replacement of old refrigeration equipment in San Francisco businesses would have on energy usage and peak power demand in the City, and amending Ordinance No. 146-11 Annual Salary Ordinance, FY2011-2012 and FY 2012-2013) to reflect the addition of one (1) Class 5640 Environmental Specialist grant funded position (.25 FTE) at the Department of the Environment.

**PASSED, ON FIRST READING by the following vote:**

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

**Supervisor Avalos Excused from Voting**

Supervisor Mar, seconded by Supervisor Campos, moved that Supervisor Avalos be excused from voting on File No. 120069. The motion carried by the following vote:

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

Excused: 1 - Avalos

**120069 [Lease of Real Property - T-Mobile West Corporation - 720 Moscow Street]**

Resolution authorizing the lease by T-Mobile West Corporation of approximately 160 rentable square feet of ground space located at 720 Moscow Street for the San Francisco Fire Department.  
(Real Estate Department)  
(Fiscal Impact)

**Resolution No. 187-12****ADOPTED by the following vote:**

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

Excused: 1 - Avalos

**120408 [Contract Amendment - Addiction, Research, and Treatment, Inc., dba BAART - \$26,043,065]****Sponsor: Mayor**

Resolution approving an amendment to the contract with Addiction, Research, and Treatment, Inc., dba BAART, for methadone maintenance services to \$26,043,065.

**Resolution No. 188-12****ADOPTED by the following vote:**

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

**120409 [Contract Amendment - Apollo Health Street, Inc. - \$3,675,000]****Sponsor: Mayor**

Resolution approving an amendment to the contract with Apollo Health Street, Inc., for retroactive claiming of aged accounts services to \$3,675,000 for an additional four years.

**Resolution No. 189-12****ADOPTED by the following vote:**

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

**120410 [Contract Amendment - Asian American Recovery Services - \$113,859,922]****Sponsor: Mayor**

Resolution approving an amendment to the contract with Asian American Recovery Services for fiscal intermediary services to \$113,859,922 for an additional four years.

**Resolution No. 190-12****ADOPTED by the following vote:**

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

**120411 [Contract Amendment - Triage Consulting Group - \$1,823,761]****Sponsor: Mayor**

Resolution approving an amendment to the contract with Triage Consulting Group for retroactive claiming of aged accounts services to \$1,823,761 for eight years.

**Resolution No. 191-12****ADOPTED by the following vote:**

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

**120439 [Accept and Expend Grant - Boeddeker Park and Clubhouse Project - \$4,000,000]****Sponsors: Mayor; Kim**

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant administered by the California State Parks and Recreation Department in the amount of \$4,000,000 for the Boeddeker Park and Clubhouse Project.

**Resolution No. 196-12****ADOPTED by the following vote:**

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

**120479 [Accept and Expend Grant - Transportation Development Act, Article 3 - \$907,824]****Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of state Transportation Development Act Article 3 funds for various pedestrian and bicycle projects in San Francisco in FY2012-2013, totaling \$907,824 including \$453,912 for the Department of Public Works and \$453,912 for the San Francisco Municipal Transportation Agency.

**Resolution No. 197-12****ADOPTED by the following vote:**

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

**Recommendations of the City Operations and Neighborhood Services Committee****120080 [Liquor License Transfer - 43-6th Street]**

Resolution determining that the premise to premise transfer of a Type 48 on-sale general public premises liquor license from 181 Eddy Street to 43-6th Street (District 6) to Mark E. Rennie for Club OMG!, LLC, dba Club OMG!, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

**Resolution No. 198-12**

**ADOPTED by the following vote:**

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

**120447 [Urging the Secretary of the Navy to Christen a Ship as the "U.S.S. Harvey Milk"]**

**Sponsor: Wiener**

Resolution urging the Secretary of the Navy to christen a ship as the "U.S.S. Harvey Milk."

**Resolution No. 202-12**

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Noes: 2 - Kim, Olague

**Recommendations of the Land Use and Economic Development Committee****110716 [Transportation Code - Tour Bus Parking and Loading]**

**Sponsors: Chiu; Farrell**

Ordinance amending the San Francisco Transportation Code, Division I, Article 7 by: 1) amending Section 7.2.27 to remove the restriction on the use of white zones by commercial vehicles and clarify that this Section does not apply to Stands established under Division II of the Code and designated for the use of Tour Buses; 2) amending Section 7.2.38 to establish violations for vehicles other than authorized Tour Buses parking or stopping in restricted Tour Bus Stands and for Tour Buses that exceed posted time limits in such Stands; 3) amending Section 7.2.80 to exclude Tour Bus Stands from otherwise applicable parking restrictions imposed in specified use districts on vehicles required to register with the California Public Utilities Commission; and 4) making environmental findings.

**PASSED, ON FIRST READING by the following vote:**

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

**120405 [Police Code - Regulating the Use of Amplified Sound on Unenclosed Tour Buses and Establishing Fee]****Sponsor: Chiu**

Ordinance amending San Francisco Police Code Sections 46, 2901, 2916, and 2922, and adding Section 2913, to: 1) clarify that the definition of "Sound Truck" in Section 46 does not include unenclosed tour buses; 2) clarify that the noise restrictions imposed by Article 29 do not apply to the City and County of San Francisco; 3) prohibit the use of amplified sound systems on unenclosed tour buses unless such systems have been certified by the San Francisco Department of Public Health as not being audible from a distance of 50 or more feet from the vehicle or contain volume limiting electronics to meet that requirement; 4) adding a reporting requirement for the Department of Public Health; 5) adding fees for the Department of Public Health approval and issuance of a Certificate of Authorization to Operate Electronically Amplified Sound on Unenclosed Tour Bus; 6) authorize the Department of Public Health and the Police Department to enforce the requirements of Section 2913; 7) clarify that Article 29 should not be construed to conflict with Federal or State laws; and 8) adopt findings, including environmental findings.

**PASSED, ON FIRST READING by the following vote:**

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

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

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

**Resolution No. 199-12****ADOPTED 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

#### **120456 [Public Hearing - Report of Assessment Costs for Blighted Properties]**

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Board. Timothy Hines (Department of Public Works) provided an overview of the assessments. Walter Paulson; shared in song various concerns relating to the assessments. Male Speaker; Female Speaker; Male Speaker (790-22nd Avenue); Male Speaker; spoke objecting to the proposed assessments. Timothy Hines (Department of Public Works) responded to questions raised throughout the discussion and indicated that recent receipt of payment and/or resolution was provided to various properties as referenced in File No. 120457. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.*

**HEARD AND FILED**

### Committee of the Whole Adjourn and Report

*Supervisor Elsbernd was noted absent at 4:20 p.m. and noted present at 4:26 p.m.*

#### **120457 [Report of Assessment Costs for Blighted Properties]**

Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Administrative Code Chapter 80, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

*Timothy Hines (Department of Public Works) indicated that the following addresses should be removed from the accompanying report due to recent receipt of payment and/or resolution: 709-22nd Avenue; 3246-22nd Street; 355 Bay Shore Boulevard; 4346 Bush Street; 2664 California Street; 250 Industrial Street; 1801 Larkin Street; 1758 Larkin Street; 4377 Mission Street; 438 O'Farrell Street; 2195 Quesada Avenue; 345 Sloat Boulevard; 1743 Union Street. The amendments to the accompanying report, as provided by the Department of Public Works, included in File No. 120457, were received without objection.*

#### **Resolution No. 200-12**

**ADOPTED, after accepting the amendments to the accompanying report, by the following vote:**

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

Absent: 1 - Elsbernd

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

### Privilege of the Floor

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

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

*Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Jose Julio Sarria in recognition of his lifelong work as a civil rights activist, his accomplishments, and continued community support. Supervisors Wiener and Olague, and Former Supervisor Harry Britt shared in this commendation.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the Members of the Redistricting Task Force in recognition of their accomplishments and continued community support. Supervisors Chiu, Avalos, Mar, Olague, and Campos shared in this commendation.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Department of Public Works in recognition of National Public Works Week, their accomplishments, and continued community support.*

*Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Basil "Bill" Katoulous of the Chick-N-Coop Restaurant in recognition of 17 years of service to the community, his accomplishments, and continued community support.*

*Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Assimina Mavromatis of the Richmond District in recognition of her dedication of keeping the neighborhood and District 1 clean and continued community support.*

## SPECIAL ORDER 4:00 P.M.

### **120262 [Appeal of Determination of Exemption from Environmental Review - 1100 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 3, 2012, that a project located at 1100 Lombard Street (Building Permit Application No. 2012.02.03.3472) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposal would create a new firewall on the 1100 Lombard Street property (Assessor's Block No. 0069, Lot No. 081). (District 2) (Appellant: Christa Shaw on behalf of the John Sperling 1994 Irrevocable Trust, owner of 2323 Hyde Street) (Filed March 20, 2012).

*The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Walter Paulson; Edmond Juicye, expressed various concerns. There were no other speakers.*

**Supervisor Farrell, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to July 17, 2012. The motion carried by the following vote:**

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

Absent: 1 - Elsbernd

*President CONTINUED the Hearing open to July 17, 2012.*

**120263 [Affirming the Exemption Determination - 1100 Lombard Street]**

Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

**Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:**

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

Absent: 1 - Elsbernd

**120264 [Reversing the Exemption Determination - 1100 Lombard Street]**

Motion reversing the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review.

**Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:**

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

Absent: 1 - Elsbernd

**120265 [Preparation of Findings Related to the Exemption Determination - 1100 Lombard Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

**Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:**

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

Absent: 1 - Elsbernd

## **COMMITTEE REPORTS**

### **Recommendations of the Rules Committee**

**120486 [Appointments, Sunshine Ordinance Task Force - Kitt Grant, David Pilpel, David Sims, Chris Hyland, and Louise Fischer]**

Motion appointing Kitt Grant, David Pilpel, David Sims, Chris Hyland, and Louise Fischer, terms ending April 27, 2014, to the Sunshine Ordinance Task Force. (Clerk of the Board)

**Motion No. M12-064**

**APPROVED by the following vote:**

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

Noes: 1 - Olague

**120553 [Appointment, Sunshine Ordinance Task Force - Todd David]**

Motion appointing Bruce Wolfe, term ending April 27, 2014, to the Sunshine Ordinance Task Force.  
(Clerk of the Board)

**Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be AMENDED to replace 'Bruce Wolfe' with 'Todd David' for Seat No. 8. The motion carried by the following vote:**

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

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

Motion appointing Todd David, term ending April 27, 2014, to the Sunshine Ordinance Task Force.  
(Clerk of the Board)

**Motion No. M12-065**

**APPROVED AS AMENDED by the following vote:**

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

Noes: 1 - Olague

## **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.*

*Paul Courier; expressed various concerns relating to the Housing Authority and SFGovTV.*

*Ray William Joseph Hartz, Jr.; expressed various concerns relating to the City Attorney, SF Public Library, and open government.*

*Peter Warfield; expressed concerns relating to the SF Public Library.*

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

*Tom Gilberty; expressed various concerns.*

*Pastor Gavin; expressed various concerns relating to the Sunshine Ordinance Task Force and open government.*

*Male Speaker; expressed various concerns.*

*Douglas Yep; expressed various concerns.*

*Richard Knee; expressed various concerns relating to the Sunshine Ordinance Task Force.*

*Male Speaker; expressed various religious concerns.*

*Robin Cropp; expressed concerns relating to lyme disease.*

*Ace Washington; expressed various concerns relating to African-American migration.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****120534 [2012 Homeland Security Grants]****Sponsor: Mayor**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining state and federal financial assistance under various grant programs, including: the FY2012 Urban Areas Security Initiative (UASI) grant, the FY2012 State Homeland Security Grant Program, the FY2012 Emergency Management Performance Grant, and the 2012 California Volunteers Grant Program.

**Resolution No. 201-12****ADOPTED****120535 [Approval of Tolling Agreement for America's Cup Litigation]****Sponsor: Mayor**

Resolution approving a tolling agreement to toll the statute of limitations to file a lawsuit challenging the approval of the 34th America's Cup Project.

**Resolution No. 186-12****ADOPTED****120536 [Opposing Assembly Bill 1158 - "Deferred Deposit Transactions" and Any Expansion of Payday Lending in California]****Sponsors: Campos; Cohen, Olague, Avalos, Chiu, Mar and Kim**

Resolution opposing Assembly Bill 1158, regarding deferred deposit transactions and any expansion of payday lending in California.

*Supervisor Kim requested to be added as a co-sponsor.*

**Resolution No. 203-12****ADOPTED****120537 [Golden Gate Bridge Anniversary Day - May 27, 2012]****Sponsors: Farrell; Elsbernd, Chu, Mar and Campos**

Resolution celebrating the 75th anniversary of the Golden Gate Bridge and proclaiming May 27, 2012, to be "Golden Gate Bridge Day" in the City and County of San Francisco.

**Resolution No. 204-12****ADOPTED****120538 [Waiver Permitting City Employees to Assist the Department of Elections with the June 5, 2012, Consolidated Primary Election]****Sponsor: Chiu**

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the June 5, 2012, Consolidated Primary Election.

**Motion No. M12-066****APPROVED**

The foregoing items were acted upon 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

### Introduced by a Supervisor or the Mayor

#### Charter Amendment

##### **120554 [Charter Amendment - San Francisco Housing Trust Fund and Housing Production Incentive Act]**

**Sponsors: Mayor; Wiener, Olague, Kim and Avalos**

Draft Charter Amendment (First 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 FY2043-2044 for the purpose of creating, acquiring, and rehabilitating affordable housing and homeownership programs for households earning up to 120% of the Area Median Income; and 2) incentivizing greater housing production by lowering and stabilizing affordable housing cost impacts on residential projects.

(Economic Impact)

05/22/12; ASSIGNED to Rules Committee.

#### Ordinances

##### **120555 [Memorandum of Agreement (Redevelopment Agency of City and County of San Francisco) - Second Amendment - International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Engineers and Architects Unit)]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment #2 to the 2009-2011 Memorandum of Agreement between the Redevelopment Agency of the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Engineers and Architects Unit), by extending the term of the Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY2011-2012; the Amendment is entered between the City and County of San Francisco, as successor to the Redevelopment Agency of the City and County of San Francisco pursuant to Board of Supervisors Resolution No. 11-12, and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Engineers and Architects Unit).

05/22/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120556 [Memorandum of Agreement (Redevelopment Agency of City and County of San Francisco) - Second Amendment - Service Employees International Union, Local 1021]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment #2 to the 2009-2011 Memorandum of Agreement between the Redevelopment Agency of the City and County of San Francisco and the Service Employees International Union, Local 1021, by extending the term of the Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY2011-2012; the Amendment is entered between the City and County of San Francisco, as successor to the Redevelopment Agency of the City and County of San Francisco pursuant to Board of Supervisors Resolution No. 11-12, and the Service Employees International Union, Local 1021.

05/22/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120557 [Memorandum of Agreement (Redevelopment Agency of City and County of San Francisco) - Second Amendment - International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Professional/Technical Unit)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment #2 to the 2009-2011 Memorandum of Agreement between the Redevelopment Agency of the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Professional/Technical Unit), by extending the term of the Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY2011-2012; the Amendment is entered between the City and County of San Francisco, as successor to the Redevelopment Agency of the City and County of San Francisco pursuant to Board of Supervisors Resolution No. 11-12, and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Professional/Technical Unit).

05/22/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120558 [Memorandum of Agreement (Redevelopment Agency of City and County of San Francisco) - Second Amendment - International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Management/Supervisory Unit)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment #2 to the 2009-2011 Memorandum of Agreement between the Redevelopment Agency of the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Management/Supervisory Unit), by extending the term of the Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY2011-2012; the Amendment is entered between the City and County of San Francisco, as successor to the Redevelopment Agency of the City and County of San Francisco pursuant to Board of Supervisors Resolution No. 11-12, and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO (Management/Supervisory Unit).

05/22/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120559 [Police Code - Prohibiting Obstructing Sidewalks Adjacent to White Zones]****Sponsors: Campos; Avalos and Mar**

Ordinance amending the San Francisco Police Code by adding Section 65 to prohibit obstructing sidewalks adjacent to white colored curb zones and establish exceptions to the prohibition; and adopting environmental findings.

05/22/12; ASSIGNED to Public Safety Committee.

**120560 [Administrative Code - Port of San Francisco Pier Repair and Replacement Work]****Sponsors: Avalos; Chu**

Ordinance amending the San Francisco Administrative Code, Article IV, Chapter 6, by adding Section 6.71 to allow the Port of San Francisco to use Port of San Francisco employees to perform demolition, repair, and replacement work on piers under the jurisdiction of the San Francisco Port Commission.

05/22/12; ASSIGNED to Budget and Finance Committee.

**120561 [Correcting the Appropriation of Sources in Supplemental Ordinance No. 77-12 in the Department of Public Health for FY2011-2012]****Sponsors: Chu; Mayor**

Ordinance correcting the appropriation of Sources in Supplemental Ordinance No. 77-12, an Ordinance recognizing revenue losses of \$31,477,332 at the Department of Public Health and appropriating \$67,629,934 of SB1128 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.

05/22/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Resolutions****120562 [José Julio Sarria Day - May 22, 2012]****Sponsors: Campos; Olague, Wiener and Kim**

Resolution honoring José Julio Sarria for his tremendous contributions to San Francisco's political and cultural life, including being the first openly gay candidate for a political elected office in the United States when he ran for the San Francisco Board of Supervisors in 1961, and declaring May 22, 2012, as José Julio Sarria Day in the City and County of San Francisco.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120563 [Accept and Expend Grant - California Arts Council State Local Partnership Program - \$14,400]****Sponsors: Chu; Mayor**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$14,400 from the California Arts Council State Local Partnership Program to help support the Arts Commission's Arts Education Program.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120564 [Accept and Expend Grant - Keith Haring Foundation Grant - \$15,000]****Sponsor: Chu**

Resolution to accept and expend a \$15,000 grant from the Keith Haring Foundation to the San Francisco Arts Commission's ArtCare Program to restore and conserve Keith Haring's "Dancing Figures" sculpture, located at Third and Howard Streets.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



**120565 [Accept and Expend Grant - Keith Haring Foundation Grant - \$50,000]****Sponsor: Chu**

Resolution to accept and expend a \$50,000 grant from the Keith Haring Foundation to the San Francisco Arts Commission's ArtCare Program to restore and conserve Keith Haring's "Dancing Figures" sculpture, located at Third and Howard Streets.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120566 [Accept and Expend Grant - Koret Foundation Grant - \$25,000]****Sponsor: Chu**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$25,000 from the Koret Foundation for the ArtCare Program.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120567 [Lyme Disease Awareness Month - May 2012]****Sponsors: Kim; Campos**

Resolution proclaiming May 2012 as Lyme Disease Awareness Month in the City and County of San Francisco.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120568 [Accept and Expend Grant - FY2011 Regional Catastrophic Preparedness Grant Program Grant - \$1,281,976]****Sponsor: Mayor**

Resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the RCPGP Bay Area Site, and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a FY2011 Regional Catastrophic Preparedness Grant Program grant in the amount of \$1,281,976 from the U.S. Department of Homeland Security through the California Emergency Management Agency to enhance emergency planning within the Bay Area region.

05/22/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120569 [Accept and Expend Grant - California Arts Council's Artist in Schools Grant - \$9,600]****Sponsor: Chu**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$9,600 from the California Arts Council for the WritersCorps Program at Mission High School.

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120570 [Accept and Expend Grant - Walter and Elise Haas Fund's Creative Work Fund - \$40,000]****Sponsor: Chu**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$40,000 from the Walter and Elise Haas Fund's Creative Work Fund for the WritersCorps Project with Leticia Hernández, "Dar A Luz."

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120571 [Accept and Expend Grant - National Endowment for the Arts Access - \$15,000]****Sponsor: Chu**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$15,000 from the National Endowment for the Arts Access to Artistic Excellence Grant Program for the fall 2011 Exhibition, "Shift."

05/22/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**120572 [Real Property Acquisition, Ground Lease Agreement - Construction of Affordable Housing - MERCY HOUSING CALIFORNIA XLIV - 1180-4th Street]****Sponsor: Kim**

Resolution: 1) authorizing the Mayor's Office of Housing as Successor Housing Agency to the Redevelopment Agency to exercise an Agency Purchase Option for Block No. 8711, Lot No. 14, also known as 1180-4th Street located within the Mission Bay South Redevelopment Project Area pursuant to that certain Mission Bay South Owner Participation Agreement and Memorandum of Option between the Redevelopment Agency and FOCIL-MB, LLC; 2) approving and authorizing a long term ground lease to MERCY HOUSING CALIFORNIA XLIV, a California limited partnership, for a term of 75 years with a 24 year extension option, under San Francisco Charter Section 9.118, for the development and operation of affordable housing; and 3) making findings that the acquisition and lease is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1.

05/22/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Request for Hearing****120573 [Hearing - SFUSD Revenue and Additional Support]****Sponsor: Mar**

Hearing to allocate a portion of the City's recent unexpected revenue to support the San Francisco Unified School District (SFUSD) and to explore other ways the City can support SFUSD schools.

05/22/12; RECEIVED AND ASSIGNED to City and School District Select Committee.

**Introduced by the President at the Request of a Department****PROPOSED RESOLUTIONS****120539 [Official Advertising, FY2012-2013]**

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising for FY2012-2013. (Office of Contract Administration)

05/09/12; RECEIVED FROM DEPARTMENT.

05/22/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**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)  
(Fiscal Impact)

05/11/12; RECEIVED FROM DEPARTMENT.

05/22/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**120543 [Report of Assessment Costs for Sidewalk and Curb Repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

05/14/12; RECEIVED FROM DEPARTMENT.

05/22/12; ASSIGNED to Board of Supervisors.

**In Memoriam**

*Sylvia Corpuz - Supervisor Cohen*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 5:01 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 June 26, 2012.*

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Angela Calvillo, Clerk of the Board