

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, March 26, 2013 - 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, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

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AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

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CONSENT AGENDA

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Recommendation of the Land Use and Economic Development Committee

130110 [Street Artist Spaces - Market Street at Spear Street]

Resolution approving designation of five selling spaces on Market Street, north side, at Spear Street, for Saturday use by street artists certified by the Arts Commission; exempting said spaces from the regulations of Police Code, Section 2405(c), relating to street artist display size, distance from entrances, and distance between artists' displays. (Arts Commission)

Resolution No. 090-13

ADOPTED

Recommendations of the Rules Committee**130111 [Settlement of Lawsuit - Derek Kerr, M.D. - \$750,000]**

Ordinance authorizing settlement of the lawsuit filed by Derek Kerr, M.D., against the City and County of San Francisco for \$750,000; the lawsuit was filed on November 16, 2010, in United States District Court of California, Case No. C-10-5733 CW; entitled Derek Kerr, M.D. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 051-13

FINALLY PASSED

130112 [Settlement of Lawsuit - Rissa Kossen, et al. - \$27,500]

Ordinance authorizing settlement of the lawsuit filed by Rissa Kossen and Cameron Kossen against the City and County of San Francisco for \$27,500; the lawsuit was filed on December 1, 2011, in San Francisco County Superior Court, Case No. CGC-11-517538; entitled Rissa Kossen and Cameron Kossen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement is full payment of San Francisco General Hospital's lien. (City Attorney)

Ordinance No. 052-13

FINALLY PASSED

130113 [Settlement of Lawsuit - Ana Guevara - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Ana Guevara against the City and County of San Francisco for \$75,000; the lawsuit was filed on October 13, 2011, in San Francisco Superior Court, Case No. CGC-11-515089; entitled Ana Guevara v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 053-13

FINALLY PASSED

130135 [Settlement of Lawsuit - Shawn and Sarah Myers - \$200,000]

Ordinance authorizing settlement of the lawsuit filed by Shawn and Sarah Myers against the City and County of San Francisco for \$200,000; the lawsuit was filed on February 27, 2008, in United States District Court, Case No. 08-cv-1163; entitled Shawn Myers, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 054-13

FINALLY PASSED

130136 [Settlement of Lawsuit - Veronica Hinkley Reck - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Veronica Hinkley Reck against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 27, 2011, in Alameda Superior Court, Case No. RG-11-587571; entitled Veronica Hinkley Reck, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 055-13

FINALLY PASSED

130164 [Settlement of Lawsuit - Mary Allen, et al. - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Mary Allen against the City and County of San Francisco for \$40,000; the lawsuit was filed on October 22, 2010, in San Francisco Superior Court, Case No. CGC-10-504814; entitled Mary Allen, et al. v. City and County of San Francisco, et al.; other material terms of said settlement are dismissal with prejudice and a waiver of any and all monetary sanctions. (City Attorney)

Ordinance No. 057-13

FINALLY PASSED

130165 [Settlement of Lawsuits - Greenwich Associates LLC and Octavia Associates LLC - \$360,632.36]

Ordinance authorizing settlement of the lawsuits filed by Greenwich Associates LLC and Octavia Associates LLC against the City and County of San Francisco for \$360,632.36; the lawsuits were filed on September 26, 2012, in San Francisco County Superior Court, Case Nos. CGC-12-524729 and CGC-12-524730; entitled Greenwich Associates LLC v. City and County of San Francisco, et al. and Octavia Associates LLC v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 058-13

FINALLY PASSED

130166 [Settlement of Lawsuit - Regina Potascher - \$87,500]

Ordinance authorizing settlement of the lawsuit filed by Regina Potascher, by her conservator Kim Schwarcz against the City and County of San Francisco for \$87,500; the lawsuit was filed on November 14, 2011, in San Francisco Superior Court, Case No. CGC-11-515780; entitled Regina Potascher, by her conservator Kim Schwarcz, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 059-13

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Absent: 1 - Mar

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

130062 [Planning, Administrative Codes, Zoning Map - Miscellaneous Technical Amendments, Fee Changes, Clarifications, and Corrections]

Sponsor: Tang

Ordinance amending the Planning and Administrative Codes to correct errors; make language revisions and updates; revise graphics to be consistent with text; amend fees to be charged for certain kinds of applications and appeals; clarify the meaning of certain Planning Code sections; amend the Zoning Map to remove the incorrect Chinese Hospital Special Use District designation from Assessor's Block No. 0192, Lot No. 041; and adopt findings, including findings under the California Environmental Quality Act, and Planning Code, Section 302, and findings of consistency with the General Plan and Planning Code, Section 101.1.

Ordinance No. 056-13

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee

Absent: 1 - Mar

Supervisor Mar was noted present at 2:10 p.m.

130181 [Administrative Code - Exceptions to Seismic Safety Loan Program Requirements for a \$2,379,464 Loan to Hotel Isabel, 1091 Mission Street]

Sponsor: Kim

Ordinance approving exceptions to requirements of the Seismic Safety Loan Program (SSLP) under the Administrative Code and the SSLP Program Regulations, regarding a \$2,379,464 loan for an existing affordable housing project at the Hotel Isabel located at 1091 Mission Street.

Ordinance No. 060-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

120899 [Municipal Elections Code - Miscellaneous Amendments]

Sponsor: Kim

Ordinance amending the Municipal Elections Code, Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810, to: incorporate state law provisions governing Community College and Board of Education candidates; change deadlines for withdrawal of candidacy and candidate qualification statements; change the public inspection period for candidate materials; change requirements for petition circulator badges; delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; incorporate state law provisions governing signatures in lieu of filing fees; reinstate candidate filing fee provisions; and make other technical amendments.

Ordinance No. 050-13

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130115 [Appointment, Port Commission - Mel Murphy]

Motion confirming the Mayor's appointment of Mel Murphy, term ending May 1, 2016, to the Port Commission. (Mayor)

Motion No. M13-048

APPROVED by the following vote:

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Ayes: 7 - Breed, Cohen, Farrell, Kim, Tang, Wiener, Yee

Noes: 4 - Avalos, Campos, Chiu, Mar

NEW BUSINESS

Recommendations of the Land Use and Economic Development Committee

121104 [Planning Code - Landmark Designation - 320-326 Judah Street (the Doelger Building)]

Sponsor: Wiener

Ordinance designating 320-326 Judah Street (the Doelger Building), Assessor's Block No. 1763, Lot Nos. 020 and 021, as a Landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings.

PASSED, ON FIRST READING by the following vote:

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Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130042 [Planning Code - Medical Service Use - Sacramento Neighborhood Commercial District]**Sponsor: Farrell**

Ordinance amending the Planning Code, Section 724.1, and related portions of Table 724, to permit a change of use from a business or professional service use to medical service use on the first floor or below in the Sacramento Neighborhood Commercial District; and making environmental findings, Planning Code, Section 101.1, findings, and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

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Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

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Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, 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, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Pastor Schuyler Rhodes of Temple United Methodist Church in recognition of his accomplishments and continued community support. Supervisor Cohen shared in this commendation.

COMMITTEE REPORT

Recommendation of the Land Use and Economic Development Committee

121162 [Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]

Sponsor: Mayor

Ordinance amending the Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program (Program) by reducing certain on-site requirements under Charter, Section 16.110; providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on- or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; clarifying that the threshold application of the Program to projects of 10 units or more applies to the South of Market Youth and Family Special Use District and all other areas of the City; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.

Privilege of the floor was granted to Daniel Adams (Mayor's Office of Housing) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

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Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

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PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Ray Hartz; expressed concerns relating to minute summaries, open government, and local laws.

(See additional information submitted on Page 187).

Dale Seymour; spoke relating to tours in the Tenderloin.

Anne Brubaker; expressed concerns relating to undergrounding of utilities.

Douglas Yep; expressed various concerns.

Randy Tran; spoke relating to Pastor Schuyler Rhodes commendation.

Male Speaker; expressed various concerns.

Male Speaker; expressed various religious concerns.

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FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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130268 [Supporting the Bay Area Rapid Transit District's Pilot Program to Allow Full-Time Bicycle Access]

Sponsor: Avalos

Resolution supporting the Bay Area Rapid Transit District's Pilot Program to allow full-time bicycle access.

Resolution No. 091-13

ADOPTED

130269 [Urging the California State Legislature to Pass Assembly Bill 1194 - Safe Routes to School Program]

Sponsor: Mar

Resolution urging the California State Legislature to pass Assembly Bill 1194 to require that the existing Safe Routes to School Program be funded by an annual appropriation in the budget act of not less than \$46,000,000 and to transfer authority of the program to the California Transportation Commission.

Resolution No. 092-13

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

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

120883 [Planning Code - Establishing a Program to Monitor Student Housing Conversions] Sponsors: Kim; Wiener

Ordinance amending the Planning Code, by adding Section 102.36.1, to establish an annual monitoring requirement for student housing conversions; and making findings, including environmental findings, and findings of consistency with the priority policies of Planning Code, Section 101.1, and the General Plan.

09/04/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/4/2012.

09/17/12; REFERRED TO DEPARTMENT.

09/20/12; RESPONSE RECEIVED.

01/15/13; REMAIN ACTIVE.

03/05/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

03/11/13; REFERRED TO DEPARTMENT.

03/25/13; RESPONSE RECEIVED.

03/26/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**121065 [Planning Code, Zoning Map - Polk Street Alcohol and Tobacco Paraphernalia Restrictions; Establishing Lower Polk Street Alcohol Restricted Use District]
Sponsor: Chiu**

Ordinance amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California Street to the north, O'Farrell Street to the south, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street and Van Ness Avenue; amending Zoning Map, Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

10/30/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/30/2012.

11/07/12; REFERRED TO DEPARTMENT.

11/09/12; RESPONSE RECEIVED.

02/20/13; RESPONSE RECEIVED.

03/14/13; REFERRED TO DEPARTMENT.

03/18/13; RESPONSE RECEIVED.

03/19/13; NOTICED.

03/26/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130275 [Appropriation - Surplus Revenues, Expenditures, and General Fund Reserve of \$4,384,994 Supporting Shortfalls - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating \$3,749,644 in the Sheriff's Department, including \$3,458,970 from General Reserve and \$290,674 from State Disability Claim Reimbursement in the amount of \$1,197,779 for Worker's Compensation Expense, \$3,195,726 for overtime expenditures, and \$538,690 for reduction of revenues; including revenue de-appropriation of \$538,690 for reduction of State revenues and expenditure de-appropriation of \$1,182,551 for permanent salaries and materials and supplies in order to support the Sheriff's Department projected expenditures; as required per Ordinance No. 194-11, this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval for \$3,195,726 of this request.

(Fiscal Impact)

03/26/13; ASSIGNED to Budget and Finance Committee.

130283 [Appropriation - Surplus Revenues, Expenditures, City Reserve for State Revenue Loss, and General Fund Reserve of \$44,857,000 Supporting Shortfalls - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating \$38,689,454 in the Department of Public Health, including \$4,314,849 of General Fund Reserves, \$8,410,605 of the City Reserves for State Revenue Loss, and \$2,600,000 from Community Mental Health Services; surplus hospital revenues of \$6,504,000 in General Hospital, \$12,560,000 of Laguna Honda Hospital Revenues, and \$4,300,000 of Laguna Honda Hospital Reserve for Debt Service (Senate Bill 1128) revenues are recognized, as well as expenditure reductions of \$7,389,546 and additional expenditures of \$35,070,000 at San Francisco General Hospital, and \$11,009,000 at Laguna Honda Hospital.

03/26/13; ASSIGNED to Budget and Finance Committee.

130284 [Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2013]

Sponsor: Tang

Ordinance recognizing Small Business Month in May 2013; amending the Planning Code, Sections 302, 355(a), and 355(e); and amending Building Code, Tables 1A-A, and 1A-E, to waive fees for the month of May for certain façade improvements; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

03/26/13; ASSIGNED to Budget and Finance Sub-Committee.

130285 [Public Works Code - Waiver of Temporary Street Space Occupancy Fee for Small Business Week Sidewalk Sales]

Sponsors: Farrell; Chiu, Cohen, Wiener, Yee, Kim, Mar, Breed, Tang and Campos

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy within certain designated streets in the City and County of San Francisco on Saturday, May 11, 2013, and Saturday May 18, 2013, as part of Small Business Week Sidewalk Sales.

03/26/13; ASSIGNED to Budget and Finance Sub-Committee.

Resolutions

130265 [Issuance of Tax-Exempt Obligation - French American International School - Not to Exceed \$6,500,000]

Sponsor: Breed

Resolution approving, in accordance with Internal Revenue Code Section 147(f), the issuance of a tax-exempt revenue obligation by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$6,500,000 to finance various capital facilities owned by the French American International School.

03/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

03/26/13; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

130286 [Term Sheet Endorsement - Development of Seawall Lot 337 and Pier 48 and Finding of Fiscal Feasibility]**Sponsors: Mayor; Kim, Chiu and Wiener**

Resolution finding the proposed development of Seawall Lot 337 and Pier 48, bounded by China Basin Channel, Third Street, Mission Rock Street, and San Francisco Bay and adjacent to AT&T Park, fiscally feasible under Administrative Code, Chapter 29, and endorsing the Term Sheet between Seawall Lot 337 Associates, LLC and the Port Commission.
(Fiscal Impact)

03/26/13; ASSIGNED to Land Use and Economic Development Committee.

130287 [Issuance of Tax-Exempt Obligations - Progress Foundation - Not to Exceed \$9,000,000]**Sponsor: Farrell**

Resolution approving the issuance of tax-exempt obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$9,000,000 to finance and refinance various capital facilities owned by Progress Foundation.

03/26/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130288 [Supporting San Francisco Applicants for the Deferred Action for Childhood Arrivals Program]**Sponsors: Chiu; Campos, Yee, Wiener, Cohen, Mar, Kim and Avalos**

Resolution urging the San Francisco Unified School District to coordinate efforts with City Departments to support student participation in the Deferred Action for Childhood Arrivals Program and create a centralized system to facilitate transcript requests and enrollment history verification for undocumented students and transitional aged youth.

03/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130289 [Accept and Expend Grant - Beach Water Quality and Monitoring - \$25,000]**Sponsor: Tang**

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$25,000 from the State Water Resource Control Board to participate in a program entitled "Beach Water Quality and Monitoring" for the period of October 1, 2012, through September 30, 2013, waiving indirect costs.

03/26/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**130290 [Hearing - Local Hiring Policy for Construction 2012-2013 Annual Report]****Sponsor: Avalos**

Hearing on the Local Hiring Policy for Construction 2012-2013 Annual Report.

03/26/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130291 [Hearing - Recreation and Parks Department Labor Practices and Gardening Apprenticeship Program]**Sponsor: Avalos**

Hearing on Recreation and Park Department labor practices and the status of the Gardening Apprenticeship Program with Laborers Union Local 261.

03/26/13; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

130292 [Hearing - Strategies to Increase Public Safety for the Transgender Community]**Sponsor: Campos**

Hearing to discuss recent events of violence against the transgender community, to review responses to this violence, and to increase violence prevention strategies among the Police Department, the City, and community groups.

03/26/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130293 [Hearing - Department of Public Health Implementation of the Affordable Care Act]**Sponsor: Campos**

Hearing on how the Department of Public Health is planning to implement the Affordable Care Act, what implications there are for Healthy San Francisco and the Health Care Security Ordinance, and how the Affordable Care Act's implementation will affect various communities in San Francisco, including undocumented San Franciscans.

03/26/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

130294 [Hearing - Vacant Storefronts]**Sponsor: Mar**

Hearing on the strategies San Francisco has implemented for preventing and filling commercial vacancies.

03/26/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.7.1, 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.

PROPOSED ORDINANCES**130272 [Zoning Map - Rezoning of 909 Tennessee Street]**

Ordinance amending Zoning Map, Sheet No. ZN08, to rezone Assessor's Block No. 4108, Lot No. 036 (909 Tennessee Street) from Public to Urban Mixed Use; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Commission)

03/18/13; RECEIVED FROM DEPARTMENT.

03/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/25/2013.

130276 [Business and Tax Regulations Code - Former Transfer Tax Review Board]

Ordinance amending the Business and Tax Regulations Code to remove provisions that refer to the former Transfer Tax Review Board, and that expired by operation of law on January 1, 2013. (City Attorney)

03/13/13; RECEIVED FROM DEPARTMENT.

03/26/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

In Memoriam

Mark Barry Kertz - Supervisor Mar

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:23 p.m.

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

Approved by the Board of Supervisors on May 7, 2013.

ADDENDUM

The following information was provided by a speaker, pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors. Ray Hartz submitted the following additional information during Public Comment as follows: "Know your rights under the Sunshine Ordinance," is printed on the agenda for each meeting of this Board of Supervisors and its committees. Even if you know those rights, don't expect them to be either acknowledged or respected by the Clerk of the Board, Angela Calvillo. The Sunshine Ordinance Task Force has ruled repeatedly and clearly on this issue. Ms. Calvillo wants so desperately to retain her ability to censor public comment that she remains willfully ignorant of the law! Thomas Aquinas teaches that "Willful ignorance of what one ought to know is a mortal sin." Ms. Calvillo knows that her actions are unlawful under the Sunshine Ordinance as determined by the Task Force. Ms. Calvillo must also be aware that under SEC. 67.34 that her willful failure is considered official misconduct. Ms. Calvillo simply doesn't care about anyone's rights under the Sunshine Ordinance. She simply doesn't give a damn!