

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, September 11, 2012 - 2:00 PM

Legislative Chamber, Room 250  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Regular Meeting

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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

<b>Budget and Finance Committee</b> Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
<b>City and School District Select Committee</b> Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
<b>City Operations and Neighborhood Services Committee</b> Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
<b>Land Use and Economic Development Committee</b> Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
<b>Public Safety Committee</b> Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
<b>Rules Committee</b> 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, 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 2:11 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of July 31, 2012. The motion carried by the following vote:

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

Absent: 1 - Mar

*Supervisor Mar was noted present at 2:16 p.m.*

## COMMUNICATIONS

*There were none.*

## SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

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**120895 [Formal Policy Discussions - September 11, 2012]**

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted by the Supervisor representing District 4. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. One of the areas you have emphasized is supporting economic growth directly in our neighborhoods. In March, we invited you to participate in a merchant walk on Taraval Street where you personally saw blocks with vacant storefronts and saw great opportunity for City investment in the public infrastructure. What specific physical improvements have your departments completed in the last six months on Taraval between 46th Avenue and the Great Highway? What specific actions has the Office of Small Business or the Office of Economic and Workforce Development taken in the last six months to reach out to property owners and prospective businesses on Taraval between 31st and 33rd Avenues to attract and encourage more vibrant merchant activity? (Supervisor Chu, District 4)

*Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. No further action was taken.*

**HEARD AND FILED**

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## **CONSENT AGENDA**

### **Recommendation of the Government Audit and Oversight Committee**

**120672 [Police Code - Allowing Dogs to be Fastened to Lamp Post, Hydrant, or Tree; Repealing Outdated Code Provisions]**

**Sponsor: Wiener**

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 875, 876, 924 through 929, 973, 1500, and 1501; and 2) amending Section 585 to exempt dogs on a leash from the prohibition against fastening an animal to a lamp post, hydrant, or growing tree.

**Ordinance No. 194-12**

**FINALLY PASSED**

### **Recommendations of the Land Use and Economic Development Committee**

**120475 [Planning Code and Zoning Map - Chinese Hospital Special Use District]****Sponsors: Chiu; Mar**

Ordinance amending the San Francisco Planning Code by adding Section 249.69 to create the Chinese Hospital Special Use District for the properties at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041) to facilitate development of the Chinese Hospital Replacement Project; amending Sectional Maps ZN01, HT01, and SU01 of the San Francisco Zoning Map to reflect the Chinese Hospital Special Use District; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

**Ordinance No. 192-12****FINALLY PASSED****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)

**Ordinance No. 193-12****FINALLY PASSED****120717 [Health, Business and Tax Regulations Codes - On-Site Water Reuse for Commercial, Multi-Family, and Mixed-Use Developments]****Sponsors: Chiu; Mar**

Ordinance amending the San Francisco Health Code by adding Article 12C and amending the San Francisco Business and Tax Regulations Code by adding Section 249.24 to: 1) establish permitting requirements for the use of alternate water sources for nonpotable applications; 2) setting permit and annual fees; and 3) making environmental findings.

**Ordinance No. 195-12****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****From the Government Audit and Oversight Committee Without Recommendation**

**120671 [Police Code - Secondhand Dealer and Antique Dealer Permit Requirements]****Sponsor: Wiener**

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279.2, 1280, 1280.1, and 1281 to eliminate certain requirements for Secondhand and Antique Dealers; and 2) amending Sections 1279, 1279.1, and 1282 to modify the Secondhand Dealer permit requirement; and 3) amending Section 2.26 to set the permit application fee for a Secondhand Dealer permit at \$200.

**Supervisor Chiu, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED on page 5, line 15, by adding 'but excluding jewelry and watches with a fair market value as a secondhand good of \$40,00 or less' after 'watches'. The motion carried by the following vote:**

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

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **120689 [Administrative Code - Aviation Support Services/Airport Leases]**

Ordinance amending the San Francisco Administrative Code Section 2A.173 to authorize the Airport Commission to enter into leases with entities providing aviation support services without competitive bidding for a term not to exceed 10 years. (Airport Commission)  
(Fiscal Impact)

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

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

#### **120770 [Waiver of Temporary Street Space Occupancy Fee for the Ocean Avenue Festival] Sponsor: Avalos**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy as part of the Ocean Avenue Arts and Culture Festival on September 15, 2012.

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

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

#### **120820 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2012-2013] Sponsor: Mayor**

Ordinance providing revenue and levying property taxes at a combined rate of \$1.1691 on each \$100.00 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing pass-through rate of \$0.0810 per \$100.00 of assessed value for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2013.  
(Fiscal Impact)

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

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

**120776 [Real Property Lease - 10 Lombard Street, Roundhouse Two]****Sponsor: Chiu**

Resolution approving Port Commission Lease No. L-15150 with Ammunition, LLC, a California Limited Liability Company, for office space located at 10 Lombard Street, Roundhouse Two, in the Northern Waterfront with a 52 month term.

**Resolution No. 322-12****ADOPTED by the following vote:**

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

**120790 [Real Property Lease - 124 Turk Street]**

Resolution authorizing the exercise of a ten year option to extend the Master Lease of the 14,700 square foot building at 124 Turk Street for the Department of Public Health for contract service providers to provide housing to homeless individuals, retroactively to August 1, 2012. (Real Estate Department)

**Resolution No. 323-12****ADOPTED by the following vote:**

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

**120863 [Contract Amendment - Increase Alliant Insurance Services - Not to Exceed \$15,100,000]**

Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to amend its contract for insurance brokerage services with Alliant Insurance Services to increase the contract value by \$5,600,000 for an amount not to exceed \$15,100,000, pursuant to San Francisco Charter Section 9.118. (City Administrator)

**Resolution No. 324-12****ADOPTED by the following vote:**

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

**From the Budget and Finance Committee Without Recommendation**

**120735 [Master Lease Amendment - United States Navy - Treasure Island South Waterfront]**

Resolution approving the Twenty Eighth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

*Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.*

*ADOPTED by the following vote:*

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

*Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Resolution No. 325-12**

**ADOPTED by the following vote:**

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

**120736 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]**

Resolution approving the Thirty Seventh Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

*Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.*

*ADOPTED by the following vote:*

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

*Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Resolution No. 326-12**

**ADOPTED by the following vote:**

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



**120737 [Master Lease Amendment - United States Navy - Treasure Island Marina]**

Resolution approving the Sixteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

*Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.*

*ADOPTED by the following vote:*

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

*Absent: 1 - Cohen*

*Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Resolution No. 327-12**

**ADOPTED by the following vote:**

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

**120738 [Master Lease Amendment - United States Navy - Treasure Island Childcare]**

Resolution approving the Eighth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy extending the term to November 30, 2013. (Treasure Island Development Authority)

*Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.*

*ADOPTED by the following vote:*

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

*Absent: 1 - Cohen*

*Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Resolution No. 328-12**

**ADOPTED by the following vote:**

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

**120739 [Master Lease Amendment - United States Navy - Treasure Island Event Venues]**

Resolution approving the Twenty Fourth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

*Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.*

*ADOPTED by the following vote:*

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

*Absent: 1 - Cohen*

*Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Resolution No. 329-12**

**ADOPTED by the following vote:**

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

**120740 [Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]**

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2012, to September 30, 2013. (Treasure Island Development Authority)  
(Fiscal Impact)

*Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.*

*ADOPTED by the following vote:*

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

*Absent: 1 - Cohen*

*Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Resolution No. 330-12**

**ADOPTED by the following vote:**

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

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

### **Privilege of the Floor**

**Supervisor Avalos, 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 Avalos introduced, welcomed, and presented a Certificate of Honor to Emil Deguzman on the occasion of his retirement from city service.*

*Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Lily Haskell for her work as outgoing Executive Director of the Arab Resource and Organizing Center.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Ben Aymes, Human Services Agency employee for National Emergency Preparedness Month, and his work being a first-responder at the numerous fires, bomb threats and evacuations in District 6.*

## COMMITTEE REPORT

### Recommendation of the Rules Committee

#### **120871 [Reappointment, Board of Appeals - Arcelia Hurtado]**

Motion approving/rejecting the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2016. (Clerk of the Board)

(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 - August 29, 2012)

*APPROVED by the following vote:*

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

*Absent: 1 - Cohen*

*Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:*

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

**Motion No. M12-104**

**APPROVED by the following vote:**

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

## ROLL CALL FOR INTRODUCTIONS

*Supervisor Campos was noted absent at 3:33 p.m. and noted present at 3:37 p.m.*

*See Legislation Introduced below.*

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## PUBLIC COMMENT

*Supervisor Farrell was noted absent at 4:15 p.m. and noted present at 4:20 p.m.  
Supervisor Elsbernd was noted absent at 4:29 p.m. and noted present at 4:33 p.m.*

*Abdallah Megahed; expressed various concerns.  
James Chaffee; expressed concerns relating to the SF Public Library.  
Female Speaker; expressed concerns relating to crimes in San Francisco.  
Male Speaker; expressed various concerns.  
Ray Hartz; expressed concerns relating to the SF Public Library. (See additional information submitted on Page 644.)  
Vivian Imperiale; expressed support for Sheriff Ross Mirkarimi.  
Pedro Fernandez; expressed support for Sheriff Ross Mirkarimi.  
Eugene Gordon, Jr.; expressed various concerns.  
Male Speaker; expressed various concerns.  
Nancy Keiler; expressed support for Sheriff Ross Mirkarimi.  
Walter Paulson; shared in song certain concerns with the Board.  
Female Speaker; expressed support for Sheriff Ross Mirkarimi.  
Douglas Yep; expressed various concerns.  
Male Speaker; expressed support for Sheriff Ross Mirkarimi.  
Tami Bryant; expressed support for Sheriff Ross Mirkarimi.  
Male Speaker; expressed concerns regarding OccupySF.  
Rosorio Cervantes; expressed support for Sheriff Ross Mirkarimi.  
Peter Warfield; expressed various concerns.  
Ace Washington; expressed various concerns.*

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## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **120887 [Gay and Lesbian Medical Association's 30th Annual Conference]**

**Sponsor: Campos**

Resolution welcoming the Gay and Lesbian Medical Association's 30th Annual Conference participants.

**Resolution No. 334-12**

**ADOPTED**

**120888 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]****Sponsor: Cohen**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) make environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

**Resolution No. 331-12****ADOPTED****120889 [Multifamily Housing Revenue Bonds - 1415 Mission Street]****Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to authorize the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$42,000,000 for a 121 unit residential rental housing development to be located at 1415 Mission Street; authorizing and directing the Director to request 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 \$42,000,000; 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).

**Resolution No. 332-12****ADOPTED**

**120890 [Multifamily Housing Revenue Bonds - 440 Valencia Street, Plaza Del Sol]****Sponsor: Wiener**

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing 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 \$9,000,000 for 440 Valencia Street, Plaza del Sol; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$45,000 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 \$9,000,000; 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).

**Resolution No. 333-12****ADOPTED****120891 [Mission Playground Day - September 15, 2012]****Sponsor: Wiener**

Resolution declaring September 15, 2012, as Mission Playground Day in the City and County of San Francisco to recognize the grand reopening of Mission Playground and commend the project team of the San Francisco Recreation and Park Department, Department of Public Works, and the City Fields Foundation for their hard work and commitment to the City and County of San Francisco and its residents.

**Resolution No. 335-12****ADOPTED****The foregoing items were acted upon by the following vote:**

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

**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**

**120898 [Successor Agency to the Former Redevelopment Agency]****Sponsors: Mayor; Kim, Cohen and Olague**

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

09/11/12; ASSIGNED to Board of Supervisors.

**120899 [Municipal Elections Code - Miscellaneous Amendments]****Sponsor: Kim**

Ordinance amending the San Francisco Municipal Elections Code by amending Sections 100, 110, 200, 205, 220, 230, 260, 335, 500, and 590, and adding Section 810 to: 1) incorporate state law provisions governing Community College and Board of Education candidates; 2) change deadlines for withdrawal of candidacy and candidate qualification statements; 3) change the public inspection period for candidate materials; 4) change requirements for petition circulator badges; 5) delete the requirement that a disclaimer appear before Board of Supervisors' arguments in the Voter Information Pamphlet; 6) incorporate state law provisions governing signatures in lieu of filing fees; 7) reinstate candidate filing fee provisions; and 8) make other technical amendments.

09/11/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

**120900 [Planning Code - Car Share Parking Spaces]****Sponsors: Wiener; Chiu**

Ordinance amending the San Francisco Planning Code Section 166 to: 1) authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; 2) allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/11/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.



**120901 [Planning Code - Upper Market Zoning]**

**Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by amending Sections 721.1 and 733.1 to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit 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.

**120902 [Planning Code, Zoning Map - Upper Market Zoning Map Amendment]**

**Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code Sectional Map Sheets ZN07 and HT07 to change the use classification of specified lots on Block No. 2623 and Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District, and to change the height and bulk classification of Block No. 3563, Lot No. 034 from 50-X to 65-B; and adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

## **Resolutions**

### **120903 [Approving Updated Security Provisions for America's Cup Lease Disposition Agreement]**

**Sponsor: Chu**

Resolution approving revisions to the America's Cup Lease Disposition Agreement with respect to the security for certain obligations of the City; authorizing and directing the procurement of insurance coverage for the City's satisfaction of certain of such obligations; reaffirming the direction for ongoing staff progress reports as to the implementation of the America's Cup events; and authorizing related actions.

(Fiscal Impact)

### **120904 [Real Property Lease - 2650 Bayshore Boulevard - Towed Car Operations and Other Transit Related Uses]**

**Sponsor: Elsbernd**

Resolution authorizing the lease of an approximate 12.72 acre property with 255,420 rentable square feet of warehouse, office and parking lot space at 2650 Bayshore Boulevard, Daly City, California, from Prologis, L.P. for a 20-year term, plus two five-year extension options, at an initial annual base rent of \$2,449,642 with annual increases, for the San Francisco Municipal Transportation Agency's towed car operations and other transit related uses.

### **120905 [Accept and Expend Grant - Twin Peaks Trail System Improvements - \$131,041]**

**Sponsor: Elsbernd**

Resolution authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant in the amount of \$131,041 from the California Department of Parks and Recreation for the Twin Peaks Trail System Improvements.

### **120906 [Approval of Amendment to the Construction Management Services Agreement for the Laguna Honda Hospital Replacement Program - \$16,805,733]**

**Sponsor: Elsbernd**

Resolution authorizing the Director of Public Works to execute an amendment to the construction management services agreement with Cooper Pugeda Management, Inc. for the Laguna Honda Hospital Replacement Program from \$16,196,764 to \$16,805,733.

(Fiscal Impact)

### **120907 [Accept and Expend Grant - South of Market Alleyways Improvement Project - \$1,381,000]**

**Sponsor: Kim**

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of \$1,381,000 from the Metropolitan Transportation Commission for the South of Market Alleyways Improvement Project.

09/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120908 [Contract - New Flyer of America, Inc. - Low Floor Diesel-Hybrid Buses - Not to Exceed \$36,889,364]****Sponsors: Wiener; Chu**

Resolution approving a contract with New Flyer of America, Inc., for the purchase of 45 40-foot low floor diesel-hybrid buses, and related tools, training and spare parts, through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, in an amount not to exceed \$36,889,364 for a term not to exceed six years.

09/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120909 [Contract Approval - Complete Coach Works - 80 Neoplan Diesel Buses Rehabilitation - Not to Exceed \$19,105,885.60]****Sponsor: Wiener**

Resolution approving Contract No. CPT 631, Neoplan rehabilitation, between the City and County of San Francisco and Complete Coach Works to rebuild major systems and components on approximately 80 standard Neoplan diesel buses, in an amount not to exceed \$19,105,885.60, and for a term not to exceed six years, with expenditures limited to \$12 million pending certification of additional funding.

09/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120910 [Approval of the Comprehensive HIV Prevention Programs Application - \$9,523,313]****Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to submit a one-year application for calendar year 2013 to continue to receive funding for the Comprehensive HIV Prevention Programs grant from the Centers for Disease Control and Prevention, requesting \$9,523,313 in HIV prevention funding for San Francisco; from January 1, 2013, through December 31, 2013.

09/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120911 [Opening of City College of San Francisco Chinatown-North Beach Campus]****Sponsors: Chiu; Mar and Chu**

Resolution congratulating City College of San Francisco (CCSF) on the completion and opening of the Chinatown-North Beach campus and designating September 21, 2012, the CCSF Chinatown-North Beach Campus Day.

**120912 [Donation of Surplus Fire Department Equipment to California State University Maritime Academy Program]****Sponsor: Elsbernd**

Resolution authorizing the Fire Department to donate five surplus Self Contained Breathing Apparatus to the California State University Maritime Academy.

**120913 [It Can Wait - No Texting While Driving Pledge Day - September 19, 2012]****Sponsor: Farrell**

Resolution declaring "It Can Wait - No Texting While Driving Pledge Day" on September 19, 2012.

**120914 [Multifamily Housing Revenue Bonds - 2175 Market Street]****Sponsor: Wiener**

Resolution of the City and County of San Francisco 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).

**Motion****120918 [Reaffirming the Commitment to Protect and Preserve Coit Tower]****Sponsor: Chiu**

Motion reaffirming the commitment of the Board of Supervisors to protect and preserve Coit Tower and its murals following the passage by voters of Proposition B on June 5, 2012.

09/11/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Requests for Hearing****120915 [Hearing - Treasure Island Recent Radiological Findings]****Sponsors: Kim; Avalos**

Hearing on the recent Navy disclosure of additional areas of potential radiological contamination on Treasure Island.

09/11/12; RECEIVED AND ASSIGNED to Rules Committee.

**120916 [Hearing - Theft Scams]****Sponsor: Mar**

Hearing on series of theft scams targeting older Asian women throughout San Francisco.

09/11/12; RECEIVED AND ASSIGNED to Public Safety Committee.

**120917 [Hearing - Urban Forest Maintenance and Funding]****Sponsors: Wiener; Chiu**

Hearing calling on various City agencies, including the Department of Public Works, Recreation and Parks Department, and Planning Department to discuss the condition of the City's street trees and park trees, including current plans for street tree maintenance relinquishment by the Department of Public Works. This hearing will also discuss the draft Urban Forest Master Plan and will consider various funding options for street tree and park tree maintenance.

09/11/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Introduced by the President at the Request of a Department**

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

**PROPOSED RESOLUTION****120897 [Settlement of Claim - Laurel Dawn Teixeira - \$80,000]**

Resolution approving the settlement of the unlitigated claim filed by Laurel Dawn Teixeira against the City and County of San Francisco for \$80,000; claim was filed on November 7, 2011. (City Attorney)

08/27/12; RECEIVED FROM DEPARTMENT.

09/11/12; RECEIVED AND ASSIGNED to Rules Committee.

**Request Granted**

*From: Supervisor Avalos*

*To: Director, Department of Recreation and Parks*

*Requesting/Inquiring: Requesting that the Department of Recreation and Parks inform us of any updates they plan for Coit Tower's budget, staffing, and special event policies to reflect the passage of Measure B in the June 5, 2012 election.*

**In Memoriam**

*Jonathan Bullock, Jr. – Supervisor Olague*

*James McCray, Sr. – Supervisor Olague*

*Chuck Huggins – Supervisor Farrell*

*Celia Rodriguez – Supervisor Chu*

*Nora Patricia Spiers – Supervisor Chu*

*Arthur Fobbs – Supervisor Chiu*

*Andy Leakokos – Supervisor Chiu*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 4:52 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 October 23, 2012.*

## ADDENDUM

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

*Ray Hartz submitted to the following additional information during Public Comment as follows: This is SOTF O.D. #11083 finding City Librarian, Luis Herrera in violation for withholding public records relating to the finances of the Friends of the San Francisco Public Library. This records request is now a year old, and Luis Herrera is still not releasing certain public records. I've been asked why he would do this and my answer is two-fold: first, the records show that neither the Library Commission or the City Librarian provide any oversight of the millions of dollars raised and expended each year by "The Friends," second, Luis Herrera receives approximately \$3000 per month of "discretionary funds" from "The Friends." The reality is that this "public-private partnership" is ONE HUNDRED PERCENT PRIVATE and ZERO PERCENT PUBLIC. In fact, it has reached the point where this BOS can no longer just look the other way, as both the City Librarian and the Library Commission have done for years!*

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Angela Calvillo, Clerk of the Board