

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, May 15, 2012 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,  
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

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

Supervisors Chu, Avalos, Kim, Cohen, Wiener

Wednesday

1:00 PM

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

Supervisors Chu, Avalos, Kim

Wednesday

10:00 AM

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

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

4th Thursday

3:30 PM

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

Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday

10:00 AM

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

Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday

1:00 PM

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

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

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

Supervisors Avalos, Olague, Mar

1st and 3rd Thursday

10:30 AM

##### **Rules Committee**

Supervisors Kim, Farrell, Campos

1st and 3rd Thursday

1:30 PM

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

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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 2:08 p.m. On the call of the roll, Supervisors Kim, Mar and Olague were noted absent. There was a quorum.*

*At 2:09 p.m., Supervisor Olague was noted present.*

*At 2:10 p.m., Supervisors Kim and Mar were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Chu, moved to approve the Special Board Meeting Minutes at the Land Use and Economic Development Committee Meeting (File No. 120126) of April 9, 2012, and the Board Meeting Minutes of April 10, 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

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

Ordinance amending the San Francisco Park Code, Article 12, by: 1) amending Section 12.35 to increase certain parking rates and eliminate the Early Bird Rate at the Golden Gate Park Concourse Underground Parking Facility; 2) amending Section 12.20 to revise the Controller's reporting requirement regarding cost recovery; and 3) adding a new Section 12.49 to ratify prior fees and fee adjustments; and 4) making environmental findings and findings of consistency with general plan. (Recreation and Park Department)

**Ordinance No. 093-12**

**FINALLY PASSED**

**Recommendations of the Land Use and Economic Development Committee****111247 [Planning Code - Permitting Five Feet Ground Floor Height Increases in Designated Lots and Prohibiting Certain Lot Mergers Along Geary Boulevard, Balboa Street, and in the Inner and Outer Clement Neighborhood Commercial Districts]****Sponsor: Mar**

Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a 5 feet ground floor height increase a) in the 40-X and 50-X Height and Bulk Districts in the NC-3 Zoning District along Geary Boulevard, from Masonic Avenue to 28th Avenue, except for designated parcels; b) on NC-2 designated parcels on Balboa Street between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 39th Avenue; and c) in the Inner Clement Street and Outer Clement Street Neighborhood Commercial Districts (NCDs); 2) amending Section 121.7(b) to prohibit lot mergers resulting in lots with street frontages greater than 50 feet in the Inner and Outer Clement NCDs, and in NC-2 Districts on Balboa Street, between 2nd Avenue and 8th Avenue, and between 32nd Avenue and 38th Avenue; and 3) making findings, including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

**Ordinance No. 092-12****FINALLY PASSED****120316 [Street Artist Spaces - Post Street, Northwest Corner, at Stockton Street]**

Resolution approving re-designation for six months two temporary selling spaces on Post Street, northwest corner, at Stockton Street for street artists certified by Arts Commission, City and County of San Francisco. (Arts Commission)

**Resolution No. 178-12****ADOPTED****The foregoing items were acted upon by the following vote:**

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

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

#### **120300 [Planning Code - Article 10 - Landmarks Preservation]**

**Sponsors: Wiener; Olague**

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

*FINALLY PASSED by the following vote:*

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

*Nos: 2 - Avalos, Campos*

*Supervisor Elsbernd, seconded by Supervisor Farrell, 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*

**Ordinance No. 094-12**

**FINALLY PASSED by the following vote:**

*Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener*

*Noes: 3 - Avalos, Campos, Mar*

#### **120301 [Planning Code - Article 11 - Historic Preservation in the C-3 Districts]**

**Sponsors: Wiener; Olague**

Ordinance amending the San Francisco Planning Code, Article 11, entitled "Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 Districts," in its entirety; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

(Supervisor Mar dissented in committee.)

*FINALLY PASSED by the following vote:*

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

*Nos: 2 - Avalos, Campos*

*Supervisor Elsbernd, seconded by Supervisor Farrell, 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*

**Ordinance No. 095-12**

**FINALLY PASSED by the following vote:**

*Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener*

*Noes: 3 - Avalos, Campos, Mar*

## NEW BUSINESS

### Recommendations 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.

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

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

#### **120413 [Agreement - Granting Easement - 1 Cashmere Street]**

**Sponsor: Cohen**

Resolution: 1) approving and authorizing an agreement to grant a nonexclusive perpetual easement in gross over and through the easement area within Assessor's Parcel No. 4720/006, a City parcel located at 1 Cashmere Street, San Francisco, California, for its improvement and maintenance; 2) adopting findings that the conveyance is in conformity with the City's General Plan Referral, as required by Section 4.105 of the Charter and Section 2A.53 of the Administrative Code, and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; 3) adopting that the Department of City Planning determined that the project was evaluated in the Hunters View Redevelopment Project Environmental Impact Report (Case No. 2007.0168E) and certified on June 12, 2008; and 4) authorizing the City's Acting Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

**Resolution No. 180-12**

**ADOPTED by the following vote:**

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 Mar, seconded by Supervisor Farrell, 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

#### *SMALL BUSINESS WEEK*

*Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Small Business Week, their accomplishments, and their continued community support as referenced below:*

*Supervisor Mar recognized Taishan Cafe (Henry Liu);  
Supervisor Farrell recognized the Marina Times;  
Supervisor Chiu recognized Swan Oyster Depot;  
Supervisor Chu recognized Polly Ann Ice Cream (Eric Wu);  
Supervisor Olague recognized The Booksmith (Christin Evans);  
Supervisor Olague recognized Shoe Biz (Mehran Esmaili);  
Supervisor Kim recognized Turtle Tower Restaurant (Mr. Pham and Female Speaker);  
Supervisor Elsbernd recognized Round Table Pizza (Portola) and Pop Sandwich (Jeff Spiegel);  
Supervisor Wiener recognized Canyon Market (Janet Tarlov);  
Supervisor Campos recognized El Rio;  
Supervisor Cohen recognized Christopher's Books (Tim Minot);  
Supervisor Avalos recognized Henry's Hunan Restaurant (Eddie Zhu);  
Jason Elliott, representing on behalf of Mayor Lee, and Supervisor Chu, recognized Sunset Shapers (James Mitchell);  
Luther Brian, Vice President, Small Business Commission;  
Steve Adams, President, Small Business Commission.*

**SPECIAL ORDER 4:00 P.M.****120266 [Public Hearing - Appeal of a Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]**

Hearing of persons interested in or objecting to the Planning Commission's decision, dated March 22, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0030E, through its Motion No. 18560, for the proposed mixed-use, residential, commercial, fitness center, and public open space project at 8 Washington Street/Seawall Lot 351. (District 3) (Appellant: Zane O. Gresham on behalf of Equity Office Properties, Filed March 26, 2012; Sue Hestor on behalf of Friends of Golden Gateway, Filed April 4, 2012).

*The President inquired as to whether any member of the public wished to address the Board. Louise Renne; Brad Paol, FOGG; Zane Gresham, EOP (Appellants); provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Pam Baker, Former Director, Mayor's Office of Community Development; Lee Radner, FOGG; Gail Gilman; Bill Petrocelli, Book Passage; Greg Hinds, Hog Island; Ted Lin, Cowgirl Creamery; Glenn Hindecott; Tommi Aviccoli- Mecca, Housing Rights Committee; Tony Robles, POOR Magazine and Senior Action Network; Ted Gullickson, San Francisco Tenants Union; Grace Martinez; Trainor Galavez; Debra Benedict, Senior Action Network and Senior Action Collaborative; Betty Traynor, Board, Senior Action Network; Jazzie Collins, Senior Action Network; Joel; Jessica Landy, Senior Action Network; Bob Iwersen, FOGG; Janet Lottenberger; Yvonne Shaw; Zondra Hernandez Vacelli; Karen Mack; Mary Baldwin; Rosia Ecrarie; Mia Well; Carrell McCarthy, FOGG; Deborah Smit, FOGG; Female Speaker; Allan Brotsky, Golden Gateway Tenant Association; Philip Lay, FOGG; Michael Lyons, San Francisco Gray Panthers; Kevin O'Brian, FOGG; Earl Shipakudo; Mr. Shomaker; Kiri Chase; Ray Eem; Barry Herbertson; Iroko Rikay; Suzanne Ratcliff; Mary Wallace; Tricia Lieberman; Vlah Sheena; Nan Roth; Chris Shafer; Al Basco; Michael Taylor; Charles Dunchan; Robert Harrer, Barbary Coast Neighborhood Association; Bill Bendovitch; Eric Nat, FOGG; Barbara Stewart; Dick Stewart, FOGG; Sue Hestor, Attorney for Appellants, FOGG; Mitchell Omerberg, Affordable Housing Alliance; Sandy Bernhard; Ernestine Weiss; Bill Hannon, Golden Gateway Tenants Association; Bobby Cohen, San Francisco Tenants Union; Vedica Puri, Past President, Telegraph Hill Dwellers; Tony Chinchillo. All spoke in support of the appeal. AnMarie Rodgers; Paul Maltzer; Kevin Guy (Planning Department); Christine, Deputy City Attorney; Elaine Warren, Deputy City Attorney; Jonathan Stern, Port; provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jonathan Stern, Port; Mr. Snellgrove; Witt Hadley; Ms. Murphy; Mark Swanson, Architect (Project Sponsor); provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. David El Torre, Laborers; Male Speaker; Male Speaker; Male Speaker; Tony Rodriguez; Tim Poland, Housing Action Coalition; Mr. Stockfield; Tim Paulson, Executive Director, San Francisco Labor Council; Allen Martin, President, Martin Company; Male Speaker; Paul Olsen; Matthew Harrison; Female Speaker; Male Speaker; Male Speaker; Ann Halsted; Female Speaker; Male Speaker; Lisray Neery; Vince Courtney; Joe Wilson; John Casey; Tanika Moss, SPUR; Male Speaker; Female Speaker; Male Speaker; Marcie Albert; Ms. Marie; Rick Cardell, Board Member, Russian Hill Neighbors; Cara Brennan; Justin Almon, Waterfront for All; Sara Scott, Jackson Square Historic District Association; Amy Norquist, Owns Greensly; Katie Liddell; Steven Katz; Danny Campbell; Roger Wong; Paula Hewitson; Femal Speaker; Ellen John; Nanette Osher, President, Strict 1; Christian Toby; Male Speaker; Manny Flores, Carpenters Union; Cameron Deal; Jim Chapell, Urban Planner; spoke in support of the project and in opposition to the appeal. Zane Gresham; Louise Renne (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AND FILED**

**120267 [Affirming Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project. (Clerk of the Board)

*Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion FAILED by the following vote:*

*Ayes: 3 - Avalos, Campos, Chiu*

*Noes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

**Motion No. M12-061**

**Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be APPROVED. The motion carried by the following vote:**

*Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

*Noes: 3 - Avalos, Campos, Chiu*

**120268 [Reversing Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]**

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project.

*Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion FAILED by the following vote:*

*Ayes: 3 - Avalos, Campos, Chiu*

*Noes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

**Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be TABLED. The motion carried by the following vote:**

*Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

*Noes: 3 - Avalos, Campos, Chiu*

**120269 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 8 Washington Street/Seawall Lot 351 Project]**

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project. (Clerk of the Board)

*Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion FAILED by the following vote:*

*Ayes: 3 - Avalos, Campos, Chiu*

*Noes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

**Supervisor Chu, seconded by Supervisor Cohen, moved that this Motion be TABLED. The motion carried by the following vote:**

*Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener*

*Noes: 3 - Avalos, Campos, Chiu*

**SPECIAL ORDER 4:00 P.M.**



**120397 [Public Hearing - Conditional Use Appeal - 8 Washington Street/Seawall Lot 351]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's March 22, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ, by its Motion No. 18567 for a Planned Unit Development, including specific modifications of Planning Code requirements regarding bulk limitations, rear yard, off-street loading, and off-street parking, and to allow development exceeding 50 feet in height within an RC District, to allow a non-accessory off-street parking garage, to allow commercial uses above the ground floor, and to allow non-residential uses exceeding 6,000 square feet pursuant to Planning Code Sections 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, with respect to a proposal to demolish an existing surface parking lot and health club, and to construct a new health club, residential buildings ranging from four to twelve stories in height containing 134 dwelling units, ground floor retail uses totaling approximately 20,000 square feet, and 382 off-street parking spaces within the RC-4 (Residential-Commercial, High Density) District, and the 84-E Height and Bulk District, and adopting findings under the California Environmental Quality Act, on property located at 8 Washington Street/Seawall Lot 351, Assessor's Block No. 0168/Lot No. 058, Block No. 0171/Lot No. 069, and Block No. 0201/Lot Nos. 012-013 (including Seawall Lot 351). (District 3) (Appellant: Sue Hestor on behalf of the Friends of Golden Gateway and subscribed by Supervisors Chiu, Campos, Avalos, Mar, and Kim) (Filed April 17, 2012).

*The President inquired as to whether any member of the public wished to address the Board. Louise Renne; Brad Paol, FOGG; Zane Gresham, EOP (Appellants); provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Pam Baker, Former Director, Mayor's Office of Community Development; Lee Radner, FOGG; Gail Gilman; Bill Petrocelli, Book Passage; Greg Hinds, Hog Island; Ted Lin, Cowgirl Creamery; Glenn Hindecott; Tommi Aviccolli- Mecca, Housing Rights Committee; Tony Robles, POOR Magazine and Senior Action Network; Ted Gullickson, San Francisco Tenants Union; Grace Martinez; Trainor Galavez; Debra Benedict, Senior Action Network and Senior Action Collaborative; Betty Traynor, Board, Senior Action Network; Jazzie Collins, Senior Action Network; Joel; Jessica Landy, Senior Action Network; Bob Iwersen, FOGG; Janet Lottenberger; Yvonne Shaw; Zondra Hernandez Vacelli; Karen Mack; Mary Baldwin; Rosia Ecrarie; Mia Well; Carrell McCarthy, FOGG; Deborah Smit, FOGG; Female Speaker; Allan Brotsky, Golden Gateway Tenant Association; Philip Lay, FOGG; Michael Lyons, San Francisco Gray Panthers; Kevin OBrian, FOGG; Earl Shipakudo; Mr. Shomaker; Kiri Chase; Ray Eem; Barry Herbertson; Iroko Rikay; Suzanne Ratcliff; Mary Wallace; Tricia Lieberman; Vlahah Sheena; Nan Roth; Chris Shafer; Al Basco; Michael Taylor; Charles Dunchan; Robert Harrer, Barbary Coast Neighborhood Association; Bill Bendovitch; Eric Nat, FOGG; Barbara Stewart; Dick Stewart, FOGG; Sue Hestor, Attorney for Appellants, FOGG; Mitchell Omerberg, Affordable Housing Alliance; Sandy Bernhard; Ernestine Weiss; Bill Hannon, Golden Gateway Tenants Association; Bobby Cohen, San Francisco Tenants Union; Vedica Puri, Past President, Telegraph Hill Dwellers; Tony Chinchillo. All spoke in support of the appeal. AnMarie Rodgers; Paul Maltzer; Kevin Guy (Planning Department); Christine, Deputy City Attorney; Elaine Warren, Deputy City Attorney; Jonathan Stern, Port; provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Jonathan Stern, Port; Mr. Snellgrove; Witt Hadley; Ms. Murphy; Mark Swanson, Architect (Project Sponsor); provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. David El Torre, Laborers; Male Speaker; Male Speaker; Male Speaker; Tony Rodriguez; Tim Poland, Housing Action Coalition; Mr. Stockfield; Tim Paulson, Executive Director, San Francisco Labor Council; Allen Martin, President, Martin Company; Male Speaker; Paul Olsen; Matthew Harrison; Female Speaker; Male Speaker; Male Speaker; Ann Halsted; Female Speaker; Male Speaker; Lisray Neery; Vince Courtney; Joe Wilson; John Casey; Tanika Moss, SPUR; Male Speaker; Female Speaker; Male Speaker; Marcie Albert; Ms. Marie; Rick Cardell, Board Member, Russian Hill Neighbors; Cara Brennan; Justin Almon, Waterfront for All; Sara Scott, Jackson Square Historic District Association; Amy Norquist, Owns Greensly; Katie Liddell; Steven Katz; Danny Campbell; Roger Wong; Paula Hewitson; Femal Speaker; Ellen John; Nanette Osher, President, Strict 1; Christian Toby; Male Speaker; Manny Flores, Carpenters Union; Cameron Deal; Jim Chapell, Urban Planner; spoke in support of the project and in opposition to the appeal. Zane Gresham;*

Louise Renne (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

**120398 [Approving Planning Commission Decision Related to Conditional Use Authorization - 8 Washington Street/Seawall Lot 351]**

Motion approving decision of the Planning Commission by its Motion No. 18567, approving Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ on property located at 8 Washington Street/Seawall Lot 351, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 12, 2012. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Chiu, Cohen, Wiener

Noes: 7 - Campos, Chu, Elsbernd, Farrell, Kim, Mar, Olague

**Motion No. M12-062**

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

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 3 - Avalos, Campos, Chiu

**120399 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 8 Washington Street/Seawall Lot 351]**

Motion disapproving decision of the Planning Commission by its Motion No. 18567, approving Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ on property located at 8 Washington Street/Seawall Lot 351, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 12, 2012. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Chiu, Cohen, Wiener

Noes: 7 - Campos, Chu, Elsbernd, Farrell, Kim, Mar, Olague

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

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 3 - Avalos, Campos, Chiu

**120400 [Preparation of Findings Related to the Conditional Use Authorization - 8 Washington Street/Seawall Lot 351]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2007.0030ECKMRZ on property located at 8 Washington Street/Seawall Lot 351. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Campos, moved that this Motion be CONTINUED to June 12, 2012. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Chiu, Cohen, Wiener

Noes: 7 - Campos, Chu, Elsbernd, Farrell, Kim, Mar, Olague

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

Ayes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 3 - Avalos, Campos, Chiu

## COMMITTEE REPORTS

### Recommendations 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.

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

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

**120014 [Airport Lease - Alclear, LLC]**

Resolution approving the Expedited Traveler Service Lease between Alclear, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) (Fiscal Impact)

**Resolution No. 175-12**

**ADOPTED by the following vote:**

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

**120015 [Airport Lease and Operating Agreement - Smarte Carte, Inc. - Not to Exceed \$9,406,000]**

Resolution approving the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission in an amount not-to-exceed \$9,406,000. (Airport Commission)

**Resolution No. 176-12**

**ADOPTED by the following vote:**

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

**120281 [Lease of Real Property - 220 Golden Gate Clinic, LLC - 230 Golden Gate Avenue]**

Resolution authorizing the lease of approximately 11,700 square feet at 230 Golden Gate Avenue with 220 Golden Gate Clinic, LLC, for the Department of Public Health for use as a health clinic. (Real Estate Department)

**Resolution No. 177-12**

**ADOPTED by the following vote:**

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

**120387 [Wastewater Enterprise Agreement - Central Bayside System Improvements Project - Not to Exceed \$30,000,000]**

**Sponsor: Cohen**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to negotiate and execute Wastewater Enterprise Sewer System Improvement Program funded Agreement No. CS-169, Central Bayside Improvements to provide planning and engineering services for an amount not to exceed \$30,000,000 with a duration of 108 months.

**Resolution No. 179-12**

**ADOPTED by the following vote:**

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

**120438 [Accept and Expend Grant - California Volunteers - \$125,000]**

**Sponsor: Mayor**

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a grant in the amount of \$125,000 from California Volunteers to recruit and train Disaster Corps volunteers.

**Resolution No. 181-12**

**ADOPTED by the following vote:**

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

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Abdallah Megahed, expressed various concerns.*

*Ray Hartz, Jr.; expressed concerns relating to the SF Public Library.*

*Male Speaker; commented on the Alex Jones show.*

*Randall Evans; expressed various concerns.*

*Francisco Da Costa; expressed concerns about seniors.*

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

*Jim Hing Gordon, Jr.; expressed various concerns.*

*Mark Gruberg; expressed concerns regarding taxi issues.*

*Emil Lawrence; expressed various concerns regarding taxi issues.*

*Male Speaker; expressed concerns regarding equestrian activities.*

*Margaret Libby, Executive Director, Mission San Francisco Community Center; expressed various concerns.*

*Ms. Ramos; expressed concerns regarding pay day lenders.*

*Carl Seto; expressed concerns regarding pay day lenders.*

*Male Speaker; expressed concerns regarding pay day lenders.*

*Jamal; opposing AB 1158.*

*Douglas Yep; expressed concerns regarding the 49ers leaving town.*

*Nadia Swaney; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*Jackie Osidie; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*Dr. Jess Hanan; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*Samuel; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*Missy Misizemore; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*Zakaris Raba; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*C. O'Kerry; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*Miriam; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*Lilian Tommie; expressed concerns regarding the expulsion of Palestinians from their homeland.*

*Male Speaker; expressed various concerns.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **120480 [Urging the Planning Commission to Initiate and Consider Amendments to the General Plan Concerning the Chinese Hospital Special Use District and Replacement Project]**

**Sponsor: Chiu**

Resolution urging the Planning Commission to initiate and consider amendments to Policy 1.2 and Map 1 of the Chinatown Area Plan of the San Francisco General Plan as part of the Chinese Hospital Replacement Project (835 and 845 Jackson Street, Assessor's Block No. 0192, Lot No. 041).

**Resolution No. 182-12**

**ADOPTED**

**120481 [Ron Isola Day - May 19, 2012]****Sponsors: Farrell; Elsbernd**

Resolution declaring May 19, 2012, Ron Isola Day in the City and County of San Francisco.

**Resolution No. 183-12****ADOPTED****120482 [Public Works Week - May 20-26, 2012]****Sponsor: Kim**

Resolution commending the men and women of the Department of Public Works and proclaiming May 20-26, 2012, as Public Works Week in the City and County of San Francisco.

**Resolution No. 184-12****ADOPTED****120483 [Urging the United States Congress to Designate May 22nd as "Harvey Milk Day"]****Sponsors: Olague; Campos and Wiener**

Resolution urging the United States Congress to designate May 22nd as "Harvey Milk Day", and establishing it as a national holiday.

**Resolution No. 185-12****ADOPTED****120455 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 22, 2012, at 3:00 p.m., to hold a public hearing on a 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. (Clerk of the Board)

**Motion No. M12-063****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 none.*

## 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

#### **120499 [Memorandum of Understanding - Service Employees International Union, Local 1021]**

**Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

#### **120500 [Memorandum of Understanding - International Federation of Professional and Technical Engineers, AFL-CIO, Local 21]**

**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

#### **120501 [Memorandum of Understanding - Union of American Physicians and Dentists (Unit 17)]**

**Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 17), to be effective July 1, 2012, through June 30, 2015.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

#### **120502 [Memorandum of Understanding - Union of American Physicians and Dentists (Unit 18)]**

**Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 18), to be effective July 1, 2012, through June 30, 2015.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.



**120503 [Memorandum of Understanding - San Francisco Deputy Probation Officers' Association]**

**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120504 [Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]**

**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120505 [Memorandum of Understanding - San Francisco Institutional Police Officers' Association]**

**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120506 [Memorandum of Understanding - Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers]**

**Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.



**120507 [Memorandum of Understanding - MOU Multiple Unions (Crafts Coalition)]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Title Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120508 [Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120509 [Memorandum of Understanding - San Francisco Deputy Sheriffs' Association]****Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120510 [Memorandum of Understanding - San Francisco District Attorney Investigators' Association]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120511 [Memorandum of Understanding - San Francisco Sheriffs' Managers and Supervisors Association]****Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Sheriffs' Managers and Supervisors Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120512 [Memorandum of Understanding - Teamsters, Local 856 (Multi-Unit)]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit), to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120513 [Memorandum of Understanding - United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120514 [Memorandum of Understanding - International Brotherhood of Electrical Workers Local Union 6, AFL-CIO]****Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, AFL-CIO, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120515 [Memorandum of Understanding - Laborers, Local 261]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120516 [Memorandum of Understanding - Transport Workers Union of America, AFL-CIO, Local 200]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120517 [Memorandum of Understanding - Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit)]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120518 [Memorandum of Understanding - Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410)]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120519 [Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]****Sponsor: Mayor**

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers Stationary Engineers, Local 39, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120520 [Memorandum of Understanding - Municipal Attorneys Association]****Sponsor: Mayor**

Ordinance adopting and implementing the mediated arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys Association, to be effective July 1, 2012, through June 30, 2014.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120521 [Memorandum of Understanding - Municipal Executives' Association]****Sponsor: Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, to be effective July 1, 2012, through June 30, 2014.

(Supervisor Elsbernd excused from voting.)

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120522 [Compensation for Unrepresented Employees]****Sponsor: Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2012.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120523 [Planning Code - Transit Impact Development Fee Increase and Updates]****Sponsors: Mayor; Wiener and Olague**

Ordinance amending Planning Code Article 4 by: 1) making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); and 2) amending Sections 408, 411.1 through 411.5, 411.7, and 411.8 to increase TIDF rates and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

05/15/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2012.

**120524 [Planning Code - Establishing a New Citywide Transportation Sustainability Fee]****Sponsors: Mayor; Wiener and Olague**

Draft Ordinance amending the San Francisco Planning Code by: 1) adding new Sections 411A through 411A.11 to establish a new citywide Transportation Sustainability Fee; 2) amending Section 401 to add definitions reflecting these changes; and 3) making findings, including general findings, environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

05/15/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2012.

**120525 [General Obligation Bond Election - San Francisco Clean and Safe Neighborhood Parks - \$195,000,000]****Sponsors: Mayor; Chu, Mar, Farrell, Chiu, Elsbernd, Wiener, Campos, Cohen, Kim and Olague**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2012, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: \$195,000,000 for the construction, reconstruction, renovation, demolition, environmental remediation and/or improvement of park, open space, and recreation facilities and all other structures, improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; making environmental findings and findings of consistency with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

(Fiscal Impact)

05/15/12; ASSIGNED to Government Audit and Oversight Committee.

**120526 [Appropriating \$265,185,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for FY2011-2012]**

**Sponsors: Mayor; Chu**

Ordinance appropriating \$265,185,000 of General Obligation Bond, proceeds, approved by voters under Proposition A in the November 2008 election, authorizing the fourth issuance of General Obligation Bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for FY2011-2012.

05/15/12; ASSIGNED to Budget and Finance Committee.

**120527 [Appropriating \$40,410,000 of Earthquake Safety and Emergency Response General Obligation Bonds to the Public Utilities Commission in FY2011-2012]**

**Sponsors: Mayor; Chiu and Chu**

Ordinance appropriating \$40,410,000 of the 2012A Series Earthquake Safety and Emergency Response General Obligation Bond Proceeds to the Public Utilities Commission in FY2011-2012 for necessary repairs and seismic improvements in order to better prepare San Francisco for a major earthquake or natural disaster and placing these funds on Controller's Reserve pending the sale of the Bonds.

05/15/12; ASSIGNED to Budget and Finance Committee.

**120528 [Administrative, Planning Codes - Historical Property (Mills Act) Contracts and Fee Reduction]**

**Sponsor: Wiener**

Ordinance amending the San Francisco Administrative Code, Chapter 71, entitled "Mills Act Contract Procedures" to amend Section 71.2 to add limitations on eligibility, amend Section 71.3 to add application deadlines, amend Section 71.4 to add a time limit for receipt of the Assessor-Recorder's report, amend Section 71.5 to require use of a standard form contract, and adding new Section 71.7 to require departmental monitoring reports; amending the San Francisco Planning Code by amending Section 356 to reduce the application fee for Mills Act contracts; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

05/15/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2012.

## **Resolutions**

**120529 [Issuance of Tax Exempt Revenue Obligations - Live Oak School - Not to Exceed \$6,750,000]**

**Sponsor: Cohen**

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code the issuance of tax-exempt revenue obligations by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$6,750,000 to refinance various capital facilities owned by Live Oak School.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120530 [Ground Lease - Retention and Expansion of the San Francisco Wholesale Produce Market]****Sponsors: Mayor; Cohen**

Resolution: 1) authorizing a lease of real property and improvements known as the San Francisco Wholesale Produce Market, near 2095 Jerrold Avenue, to the San Francisco Market Corporation, including the lease of the property at 901 Rankin Street; 2) adopting findings pursuant to the California Environmental Quality Act; 3) adopting findings that the transactions contemplated are consistent with the City's General Plan and Eight Priority Policies of the City's Planning Code; and 4) authorizing the City Administrator, or designee, to execute documents, make certain modifications, and take certain actions in furtherance of this resolution.

(Fiscal Impact)

05/15/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**120531 [General Obligation Bonds - San Francisco Clean and Safe Neighborhood Parks - \$195,000,000]****Sponsors: Mayor; Chu, Mar, Farrell, Chiu, Elsbernd, Wiener, Campos, Cohen, Kim and Olague**

Resolution determining and declaring that the public interest and necessity demand improving the safety and quality of neighborhood parks and waterfront open spaces across the City, enhancing water quality and cleaning up environmental contamination along the Bay, replacing unsafe playgrounds, fixing restrooms, improving access for the disabled, and ensuring the seismic safety of park and recreation facilities under the jurisdiction of, or maintained by, the Recreation and Park Commission or the jurisdiction of the Port Commission or any other projects, sites or properties otherwise specified in the ordinance submitting this proposal to the voters, and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$195,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; making environmental findings and findings of consistency with the General Plan; providing for the City to declare its official intent to reimburse prior expenditures; and waiving the time limits set forth in Administrative Code Section 2.34.

05/15/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120532 [Sale of General Obligation Bonds - San Francisco General Hospital Improvement - Not to Exceed \$265,185,000]****Sponsors: Mayor; Chu**

Resolution authorizing and directing the sale of not to exceed \$265,185,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2012D; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.



**120533 [Sale of General Obligation Bonds - Earthquake Safety and Emergency Response - Not to Exceed \$40,410,000]**

**Sponsors: Mayor; Chiu and Chu**

Resolution authorizing and directing the sale of not to exceed \$40,410,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2012E; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

**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.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**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.

05/15/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



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

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

**PROPOSED ORDINANCES****120467 [Water Revenue Bond Issuance and Sale - Not to Exceed \$163,400,000]**

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed \$163,400,000 to finance various capital water projects benefitting the Water Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)  
(Fiscal Impact)

05/07/12; RECEIVED FROM DEPARTMENT.

05/15/12; ASSIGNED to Budget and Finance Sub-Committee.

**120468 [Power Revenue Bond Issuance and Sale - Not to Exceed \$12,300,000]**

Ordinance approving the issuance and sale of power revenue bonds by the San Francisco Public Utilities Commission (SFPUC) in an aggregate principal amount not to exceed \$12,300,000 to finance various power capital projects benefitting the SFPUC Power Enterprise, pursuant to Section 9.107(8) of the City Charter; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)

05/07/12; RECEIVED FROM DEPARTMENT.

05/15/12; ASSIGNED to Budget and Finance Sub-Committee.

**120469 [Wastewater Revenue Bond Issuance and Sale - Not to Exceed \$522,810,000]**

Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission in an aggregate principal amount not to exceed \$522,810,000 to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Public Utilities Commission)

05/07/12; RECEIVED FROM DEPARTMENT.

05/15/12; ASSIGNED to Budget and Finance Sub-Committee.

**In Memoriams**

*Dorothy Johansen – Supervisor Chu  
James Earl Lee – Supervisor Olague*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 12:30 a.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