

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, July 12, 2011 - 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, ROSS MIRKARIMI, SCOTT WIENER

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

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

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Wednesday

10:00 AM

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

Supervisors Chu, Mirkarimi, Kim

Wednesday

10:00 AM

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

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

2nd and 4th Thursday

3:30 PM

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

Supervisors Avalos, Mar, Elsbernd

2nd and 4th Monday

10:00 AM

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

Supervisors Campos, Farrell, Chiu

2nd and 4th Thursday

10:00 AM

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

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

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

Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday

10:30 AM

##### **Rules Committee**

Supervisors Kim, Elsbernd, Farrell

1st and 3rd Thursday

1:30 PM

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

**Members Present:** John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.*

## **AGENDA CHANGES**

*There were none.*

## **APPROVAL OF MEETING MINUTES**

**Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes of May 17, 2011, and May 24 2011. The motion carried by the following vote:**

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

## **COMMUNICATIONS**

*There were none.*

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

### **110819 [Formal Policy Discussions - July 12, 2011]**

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 2, 4, 6, 8, and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Beyond what we have accomplished in City Hall thus far in 2011, do you have any specific plans for stimulating our local economy before leaving office? (Supervisor Farrell, District 2)

2. The Municipal Transportation Agency (MTA) Board will soon have the task of appointing a new Director for the MTA. How will you help ensure that the new Director will steer our city's transit agency in a direction that leads to service improvements and increased reliability for riders? How will you help ensure that the new Director will have a broad vision for transportation in our city? (Supervisor Chu, District 4)

3. A recent newspaper article noted an increase in suspected gang violence along the Market and 6th Street Corridor. Of the five listed shooting incidents that have occurred just in the last month and a half, four were youth related. Within the vision for the City's youth and family infrastructure, what policies and investments are we prioritizing that are focused on the City's youth and families? What is the City doing to ensure that youth have access to violence prevention programs and economic opportunities that are a pathway to economic self-sufficiency in the future? Specifically, what is the city's strategy for youth to have access to job opportunities with companies that we are currently trying to partner with such as Twitter and California Pacific Medical Center? (Supervisor Kim, District 6)

4. The Departments of Public Works (DPW) and Recreation and Park (RPD) have seen significant reductions in their tree maintenance budgets. This has led to inadequate maintenance of park trees, creating a public safety hazard, and street tree maintenance being shifted to property owners - resulting in spotty maintenance and unfair burdens on property owners to care for trees that they didn't plant and may not even want. I am very interested in finding a sustainable funding source for DPW and RPD to maintain their trees consistently, and to relieve property owners of this unfair obligation. What are your thoughts on this subject? (Supervisor Wiener, District 8)

5. Will you provide us with an update regarding the 3rd Street Corridor improvements that multiple City Departments have been working toward? Specifically, what has been accomplished around façade improvements and employment opportunities for community members? Furthermore, what is the status of the Redevelopment Agency and the Administration's plans for next steps in Bayview? (Supervisor Cohen, District 10)

*Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## CONSENT AGENDA

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

#### **110624 [General Plan Amendments - Executive Park Subarea Plan]**

**Sponsor: Cohen**

Ordinance amending the San Francisco General Plan by amending the Executive Park Subarea Plan of the Bayview Hunters Point Area Plan, the Land Use Index, and maps and figures in various elements and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

**Ordinance No. 143-11**

**FINALLY PASSED**

#### **110625 [Planning Code - Zoning - Executive Park Special Use District, Special Height and Bulk Provisions, and Permit Review Procedures]**

**Sponsor: Cohen**

Ordinance amending the San Francisco Planning Code by adding Section 249.54 to establish the Executive Park Special Use District; adding Section 263.27 to establish Special Height Provisions for the Executive Park Special Use District and the 65/240 EP Height and Bulk District; amending Table 270 to provide that the Table is not applicable to the Executive Park Special Use District; and adding Section 309.2 to establish Permit Review Procedures in the Executive Park Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

**Ordinance No. 144-11**

**FINALLY PASSED**

#### **110626 [Zoning Map Amendments - Executive Park Subarea Plan Area]**

**Sponsor: Cohen**

Ordinance amending the San Francisco Planning Code by amending Sectional Maps SU10 of the Zoning Map of the City and County of San Francisco to establish the Executive Park Special Use District; amending Sectional Map HT10 to establish the 65/240-EP Height and Bulk District; amending Sectional Map ZN09 to change certain Executive Park parcels from C-2(Community Business) and M-1(Light Industrial) to RC-3(Residential-Commercial Combined, Medium Density); adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

**Ordinance No. 145-11**

**FINALLY PASSED**

## **Recommendations of the Rules Committee**

### **110392 [Settlement of Lawsuit - Committee on JOBS Candidate Advocacy Fund, et al. - \$290,000]**

Ordinance authorizing settlement of the lawsuit filed by Committee on JOBS Candidate Advocacy Fund and Building Owners and Managers Association of San Francisco Independent Expenditure Political Action Committee against the City and County of San Francisco for \$290,000; the lawsuit was filed on June 18, 2007, in United States District Court for the Northern District of California, Case No. 07-3199 JSW; entitled Committee on JOBS Candidate Advocacy Fund, et al. v. City and County of San Francisco; other material terms of the settlement are a stipulated injunction prohibiting the City from enforcing the independent expenditure contribution limit in San Francisco Campaign and Governmental Conduct Code 1.114(c). (City Attorney)

**Ordinance No. 141-11**

**FINALLY PASSED**

### **110537 [Settlement of Lawsuit - Stephanie Davis - \$45,000]**

Ordinance authorizing settlement of the lawsuit filed by Stephanie Ann Davis against the City and County of San Francisco for \$45,000; the lawsuit was filed on January 5, 2010, in San Francisco Superior Court, Case No. CGC-10-495809; entitled Stephanie Ann Davis, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

**Ordinance No. 142-11**

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

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

## **REGULAR AGENDA**

## **UNFINISHED BUSINESS**

### **From the Board**

### **110686 [Adopting Findings Related to the Conditional Use Application - 800 Presidio Avenue]**

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18342, approving Conditional Use Application 2006.0868CEKTZ on property located at 800 Presidio Avenue. (Clerk of the Board)

**Motion No. M11-110**

**APPROVED by the following vote:**

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

## **Recommendation of the Rules Committee**

### **110058 [Charter Amendment - City Retirement Benefits and Health Care Benefits]**

**Sponsors: Mayor; Elsbernd, Avalos, Chiu, Chu, Cohen, Farrell, Wiener and Campos**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending the provisions in Appendix A to: 1) adjust contribution rates for current and future employees to the San Francisco Employees' Retirement System (SFERS) based on the rate employers are required to pay each year; 2) limit SFERS' supplemental cost of living adjustments to retiree benefits for all employees and retirees; 3) create new retirement plans for employees commencing employment on and after January 7, 2012; 4) require elected officials to pay their contributions to SFERS and the Retiree Health Care Trust Fund (RHCTF); 5) allow certain individuals who are members of the California Public Employees' Retirement System (CalPERS) to become members of SFERS; 6) change the composition of the Health Service Board (HSB); 7) change the vote requirement for the HSB to approve member health care plans; 8) require current employees to contribute to the RHCTF beginning in FY2016-2017; 9) restrict certain retiree health care benefits for employees who left City employment, but have not yet retired, to those benefits in place at the time they left employment; 10) reduce employers' contributions into the Health Service System Trust Fund under certain circumstances; and 11) make certain other changes to retirement and health care benefits, and provisions governing the RHCTF and the Health Service System.

**Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener  
Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending the provisions in Appendix A to: 1) adjust contribution rates for current and future employees to the San Francisco Employees' Retirement System (SFERS) based on the rate employers are required to pay each year; 2) limit SFERS' supplemental cost of living adjustments to retiree benefits for all employees and retirees; 3) create new retirement plans for employees commencing employment on and after January 7, 2012; 4) require elected officials to pay their contributions to SFERS and the Retiree Health Care Trust Fund (RHCTF); 5) allow certain individuals who are members of the California Public Employees' Retirement System (CalPERS) to become members of SFERS; 6) change the composition of the Health Service Board (HSB); 7) change the vote requirement for the HSB to approve member health care plans; 8) require current employees to contribute to the RHCTF beginning in FY2016-2017; 9) restrict certain retiree health care benefits for employees who left City employment, but have not yet retired, to those benefits in place at the time they left employment; 10) reduce employers' contributions into the Health Service System Trust Fund under certain circumstances; and 11) make certain other changes to retirement and health care benefits, and provisions governing the RHCTF and the Health Service System.

**Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Charter Amendment be CONTINUED AS AMENDED, with the Board sitting as a Committee of the Whole, to July 19, 2011. The motion carried by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### **110387 [Consolidated Budget and Annual Appropriation Ordinance - FYs 2011-2012 and 2012-2013]**

**Sponsor: Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures of the City and County of San Francisco for the FY ending June 30, 2012; and for FYs ending June 30, 2012, and June 30, 2013, for the Airport, Port Commission and Public Utilities Commission.

(Fiscal Impact)

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

#### **110386 [Annual Salary Ordinance - FYs 2011-2012 and 2012-2013]**

**Sponsor: Mayor**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2012; FY ending June 30, 2013, for the Airport, Port Commission, and the Public Utilities Commission; and continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

#### **110534 [Administrative Code - Public Works Greening Fund]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-371 to establish the Department of Public Works Greening Fund as a Category Six Fund.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

**110549 [Park Code - Harding Park and Fleming Golf Courses Fees]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.12 to: 1) authorize the Recreation and Park Commission to approve special promotions of up to 25% of the applicable rate, and increases of up to 50% for non-resident and tournament fees at Harding Park and Fleming Golf Courses; 2) designate weekday and weekend hours; and 3) making environmental findings.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

**110550 [Park Code - Lincoln Park Golf Fees]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.13 to: 1) designate weekday and weekend hours; 2) add a junior non-resident rate to the golf fees at Lincoln Park; and 3) making environmental findings.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

**110551 [Park Code - Sharp Park Golf Fees]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.14 to: 1) designate weekday and weekend hours; 2) add junior resident and non-resident rates to the golf fees at Sharp Park; and 3) making environmental findings.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

**110552 [Park Code - Golden Gate Park Golf Fees]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.16 to: 1) designate weekday and weekend hours; 2) add a junior non-resident rate to the golf fees at Golden Gate Park; and 3) making environmental findings.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING on July 19, 2011. The motion carried by the following vote:**

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

**110706 [Administrative Code - Fee Update]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 31, Sections 31.22, 31.23, and 31.23.1 to: 1) increase all fees based on the Controller's annual two-year average consumer price index; and 2) adopting findings, including environmental findings.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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



**110707 [Planning Code - Fee Update]****Sponsor: Mayor**

Ordinance amending the San Francisco Planning Code, Article 3.5 to: 1) increase fees based on the Controller's annual two-year average consumer price index and place a cap on the intake fee amount for applications for Planning Commission and Zoning Administrator hearing applications, certificates of appropriateness, and building permit applications; and 2) adopting findings, including 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.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

**110708 [Health Code - Patient Rates - FY2011-2012]****Sponsor: Mayor**

Ordinance amending the San Francisco Health Code, Article 3, Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2011.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

**110709 [Public Works - Temporary Street Occupancy Fees]****Sponsor: Mayor**

Ordinance amending the San Francisco Public Works Code, Section 724.1 to: 1) modify monthly fees for temporary street occupancy for construction and daily fees for temporary street occupancy unrelated to construction; and 2) making environmental findings.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

**110710 [Administrative Code - Public Administrator/Public Guardian Representative Payee Services Fee]****Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Section 2A.211-A to add a fee of \$37 for services provided by the Public Administrator/Public Guardian Representative Payee Program.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FIRST READING to July 19, 2011. The motion carried by the following vote:**

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

**110270 [Redevelopment Agency Budget and Bonds in an Amount Not to Exceed \$84,000,000 - FY2011-2012]****Sponsor: Mayor**

Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for FY2011-2012 and approving the Issuance by the Redevelopment Agency of bonds in an aggregate principal amount of not to exceed \$84,000,000 to finance a portion of redevelopment activities described in such approved budget for FY2011-2012.

(Fiscal Impact)

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to July 19, 2011. The motion carried by the following vote:**

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

**110273 [Treasure Island Development Authority Budget - FY2011-2012]****Sponsor: Mayor**

Resolution approving the budget of the Treasure Island Development Authority for FY2011-2012.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to July 19, 2011. The motion carried by the following vote:**

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

**110274 [Adjusting the Access Line Tax with the Consumer Price Index of 2011]****Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2011, and adjusting the Access Line Tax by the same rate.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to July 19, 2011. The motion carried by the following vote:**

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

**110275 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Various Departments]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for the following services: budget analyst (Board of Supervisors); absentee voter ballot distribution (Department of Elections); LGBT Anti-violence Education and Outreach Program (District Attorney); central shops security, convention facilities management, janitorial services, and security services (General Services Agency-City Administrator); security services-1680 Mission Street (General Services Agency-Public Works); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); Project S.A.F.E. (Police); and food services (Sheriff).  
(Fiscal Impact)

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to July 19, 2011. The motion carried by the following vote:**

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

**110285 [Declaring the City's Intention to Appropriate Available Rainy Day Reserve Funds to the San Francisco Unified School District - 2011-2012 School Year]****Sponsors: Mayor; Chiu, Kim, Cohen, Mar, Avalos, Wiener, Campos and Mirkarimi**

Resolution declaring the City's intention to appropriate available Rainy Day Reserve Funds to the San Francisco Unified School District to help the District cope with the loss of State funding for the 2011-2012 school year.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to July 19, 2011. The motion carried by the following vote:**

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

**110379 [Expenditure Plan for the Human Services Care Fund - FY2011-2012]****Sponsor: Mayor**

Resolution approving the expenditure plan for the Human Services Care Fund for FY2011-2012.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to July 19, 2011. The motion carried by the following vote:**

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

**110380 [Public Education Enrichment Fund - San Francisco Unified School District - FY2011-2012]****Sponsor: Mayor**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for FY2011-2012.

**Supervisor Chu, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

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

**Supervisor Chu, seconded by Supervisor Campos, moved that this Resolution be RE-REFERRED AS AMENDED to the Budget and Finance Committee. The motion carried by the following vote:**

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

**110381 [Public Education Enrichment Fund - Children and Families Commission - FY2011-2012]****Sponsor: Mayor**

Resolution approving the San Francisco Children and Families Commission expenditure plan for the Public Education Enrichment Fund for FY2011-2012.

**Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to July 19, 2011. The motion carried by the following vote:**

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

**Recommendations of the Government Audit and Oversight Committee****110459 [Annual Reports - North of Market/Tenderloin Community Benefit District]****Sponsor: Kim**

Resolution regarding North of Market/Tenderloin Community Benefit District Annual Reports to the City: receiving and approving the District's Annual Reports for FYs 2006-2007, 2007-2008, 2008-2009 and 2009-2010, as submitted pursuant to Section 36650 of the Business Property and Business Improvement Act of 1994 (California Streets and Highways Code §§36600 et seq.), and Section 3.4 of the District's management contract with the City.

**Resolution No. 284-11**

**ADOPTED by the following vote:**

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

**110753 [Directing the Budget and Legislative Analyst to Conduct Two Audits in FY2011-2012]****Sponsor: Campos**

Motion directing the Budget and Legislative Analyst to conduct two performance audits to evaluate in FY2011-2012 and setting the priority as follows: 1) the effectiveness of the City's policies to develop affordable housing and the Planning Department's oversight of City housing development; and 2) the governance and City oversight of the Asian Art and Fine Arts Museums, War Memorial, and Academy of Sciences.

**Motion No. M11-111**

**APPROVED by the following vote:**

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

## **Recommendations of the Rules Committee**

### **Supervisor Mirkarimi Excused from Voting**

Supervisor Campos, seconded by Supervisor Chu, moved that Supervisor Mirkarimi be excused from voting on File No. 110763. The motion carried by the following vote:

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

### **110763 [Appointment, Association of Bay Area Governments Executive Board - Supervisors Ross Mirkarimi]**

Motion appointing Supervisors Ross Mirkarimi, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

**Motion No. M11-112**

**APPROVED by the following vote:**

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

### **Supervisor Avalos Excused from Voting**

Supervisor Farrell, seconded by Supervisor Campos, moved that Supervisor Avalos be excused from voting on File No. 110821. The motion carried by the following vote:

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

### **110821 [Appointment, Association of Bay Area Governments Executive Board - Supervisor John Avalos]**

Motion appointing Supervisor John Avalos, term ending June 30, 2013, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

**Motion No. M11-113**

**APPROVED by the following vote:**

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

**Supervisor Mar Excused from Voting**

Supervisor Kim, seconded by Supervisor Cohen, moved that Supervisor Mar be excused from voting on File No. 110822. The motion carried by the following vote:

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

**110822 [Appointment, Association of Bay Area Governments Executive Board - Supervisor Eric Mar]**

Motion appoint Supervisor Eric Mar, term ending June 30, 2013, as an alternate member, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

**Motion No. M11-114**

**APPROVED** by the following vote:

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

**110401 [Charter Amendment - Allowing Amendments to or Repeals of Initiative Ordinances and Declarations of Policy]**

**Sponsor: Wiener**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.101 to allow amendments to or repeals of initiative ordinances and declarations of policy.

*See File No. 110693.*

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be **DUPLICATED**. The motion carried by the following vote:

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

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be **CONTINUED** to July 19, 2011. The motion carried by the following vote:

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

**110693 [Charter Amendment - Allowing Amendments to or Repeals of Initiative Ordinances and Declarations of Policy Approved by the Voters on or after November 1, 2011]**

**Sponsor: Wiener**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.101 to allow amendments to or repeals of initiative ordinances and declarations of policy.

*See File No. 110401.*

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

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

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.101 to allow amendments to or repeals of initiative ordinances and declarations of policy approved by the voters on or after November 1, 2011.

**Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED AS AMENDED. with the Board sitting as a Committee of the Whole, to July 19, 2011. The motion carried by the following vote:**

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

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

*There were none.*

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## **PUBLIC COMMENT**

*Male Speaker; expressed support for summer learning.*

*Kenneth Jo Jo; expressed support for Freedom School and summer learning.*

*Vera Cummings; expressed support for Freedom School and summer learning.*

*Former Supervisor Amos Brown; spoke expressing various concerns.*

*Abdallah Megahed; expressed various concerns.*

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

*Ray Hartz; expressed concerns relating to government.*

*Francisco Da Costa, expressed various concerns.*

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

*Eugene Gordon Jr.; expressed various concerns.*

*Female Speaker; spoke in support of pending legislation relating to US Airway incident.*

*Dr. Annette Shelton; spoke in support of pending legislation relating to US Airway incident.*

*Shirley Holmes; spoke in support of pending legislation relating to US Airway incident.*

*Ace Washington; shared a video with the Board.*

*Debray Carpenter; spoke in support of pending legislation relating to US Airway incident.*

*Theresa Cooper; expressed concerns relating to gang violence.*

*Bridgette LeBlanc; spoke in support of pending legislation relating to US Airway incident and Youth MUNI passes.*

*Everette Downs; spoke in support of pending legislation relating to US Airway incident.*

*Male Speaker; expressed various religious concerns.*

*Male Speaker; expressed various concerns.*

*Donna Doyle; spoke in support of pending legislation relating to US Airway incident.*

*Jackie Moyer; spoke in support of pending legislation relating to US Airway incident.*

*Male Speaker; spoke in support of pending legislation relating to US Airway incident.*

*Male Speaker; expressed various concerns.*

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

*Reverend Arnold Townsend; spoke in support of pending legislation relating to US Airway incident.*

*Espinola Jackson; spoke in support of pending legislation relating to US Airway incident.*

*Female Speaker; expressed various concerns.*

*Male Speaker; spoke in support of pending legislation relating to US Airway incident.*

*Cynthia Carder; spoke in support of pending legislation relating to US Airway incident.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### **110799 [Accept and Expend Grant - Bayview Opera House - \$400,000]**

**Sponsor: Cohen**

Resolution authorizing the Arts Commission to accept and expend a grant in the amount of \$400,000 from the San Francisco Redevelopment Agency to make structural upgrades and install accessibility improvements at the Bayview Opera House.

**Resolution No. 285-11**

**ADOPTED**

### **110800 [Urging the MTA to Require Quarterly Reports on the Implementation of Work Rule Changes]**

**Sponsor: Wiener**

Resolution urging the San Francisco Municipal Transportation Agency Board of Directors to require quarterly reports on the implementation of work rule changes.

**Resolution No. 286-11**

**ADOPTED**

### **110802 [Accept and Expend Grant - Out-of-School-Time Online Homework Help Program - \$20,000]**

**Sponsor: Chu**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$20,000 from the California State Library as part of the Federal Library Services and Technology Act the Out-of-School-Time Online Homework Help Program.

**Resolution No. 288-11**

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

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

## **Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Farrell requested that File No. 110801 be severed so that it may be considered separately.*

### **110801 [Commending Octagon House on its 150th Anniversary]**

**Sponsor: Farrell**

Resolution commending the Octagon House on its 150th Anniversary in 2011.

**Supervisor Farrell, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

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

Resolution commending Octagon House on its 150th Anniversary in 2011.

**Resolution No. 287-11**

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

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

## **IMPERATIVE AGENDA**

*There were no items.*

## **LEGISLATION INTRODUCED AT ROLL CALL**

### **Introduced by a Supervisor or the Mayor**

#### **Charter Amendment**

**110693 [Charter Amendment - Allowing Amendments to or Repeals of Initiative Ordinances and Declarations of Policy Approved by the Voters on or after November 1, 2011]**

**Sponsor: Wiener**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.101 to allow amendments to or repeals of initiative ordinances and declarations of policy approved by the voters on or after November 1, 2011.

07/12/11; ASSIGNED to Board of Supervisors.

07/12/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

07/12/11; CONTINUED AS AMENDED.

#### **Ordinances**

**110348 [Health Code - Biological Agent Detector Registration and Fees]**

**Sponsor: Chiu**

Ordinance amending the San Francisco Health Code by adding Article 35 to create a registration scheme, fees, and other requirements for Biological Agent Detectors.

03/22/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 4/21/2011.

07/12/11; SUBSTITUTED AND ASSIGNED to Public Safety Committee.



**110506 [Police, Planning, and Business and Tax Regulations Codes - Limited Live Performance Permits]****Sponsors: Mirkarimi; Wiener, Mar and Campos**

Ordinance amending the San Francisco Police Code Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.19, 1060.20.4, 1060.24, 1060.35, 2901, 2909, and 2916; adding to the San Francisco Police Code, Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1; amending the San Francisco Planning Code Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37; and amending the San Francisco Business and Tax Regulations Code Section 8 to 1) create a Limited Live Performance Permit for indoor locales, whose primary function is not presentation of live performances, said permit to include noise and hours restrictions, but not necessarily security plan requirements; 2) specify application and license fees and hearing requirements for said permit; and 3) making findings, including 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.

04/26/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/26/2011.

05/12/11; REFERRED TO DEPARTMENT.

06/21/11; RESPONSE RECEIVED.

07/06/11; TRANSFERRED to Land Use and Economic Development Committee.

07/12/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110716 [Transportation Code - Tour Bus Parking and Loading]****Sponsors: Chiu; Farrell and Mirkarimi**

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

07/12/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/11/2011.

**110718 [Campaign and Governmental Conduct Code - Capping the Amount of Public Matching Funds]****Sponsors: Farrell; Elsbernd**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 1.144 to cap the amount of public matching funds.

07/12/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

**110719 [Administrative Code - Reentry Council Membership]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Administrative Code Section 5.1-3 to add two seats to the Reentry Council.

07/12/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 8/11/2011.

**110720 [Administrative Code - Gift Funds]****Sponsors: Mayor; Chiu and Chu**

Ordinance amending the San Francisco Administrative Code to: 1) create a Recreation and Parks Gift Fund; 2) update the Mayor's Earthquake Emergency Relief Fund to broaden its purpose as a general disaster recovery fund; and 3) amend the Mayor's Fund for the homeless to change the administering agency.

07/12/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 8/11/2011.

**Resolutions****110688 [Board Response to the 2010-2011 Civil Grand Jury Report Entitled "The Parkmerced: Government by Developer"]****Sponsor: Campos**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "The Parkmerced Vision: Government by Developer" and urging the Mayor to cause the implementation of accepted findings and recommendations through his department heads and through the development of the annual budget. (Clerk of the Board)

07/11/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**110721 [Mortgage Revenue Bonds - 121 Golden Gate Avenue - Not to Exceed \$26,000,000]****Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco (City) to: 1) reimburse certain expenditures from proceeds of future bonded indebtedness; 2) authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$26,000,000 for 121 Golden Gate Avenue (121 Golden Gate Avenue Senior Community); 3) authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; 4) authorizing the Director to certify to CDLAC that the City has on deposit the required amount; 5) authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; 6) approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$26,000,000; 7) authorizing and directing the execution of any documents necessary to implement this Resolution; and 8) ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

07/12/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110723 [Contract Amendment - Transbay Joint Powers Authority - Transbay Transit Center Program Services - Not to Exceed \$3,280,677]****Sponsor: Kim**

Resolution approving the First Amendment to Contract No. CS -159 between the San Francisco Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services pursuant to Charter Section 9.118 in an amount not to exceed \$3,280,677.

07/12/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110724 [Exchange and Conveyance of Real Property - Folsom and Essex Streets Intersection]****Sponsor: Kim**

Resolution 1) approving the exchange of a portion of City property located near the intersection of Folsom Street and Essex Street with a portion of abutting real property owned by 515 Folsom Street LLC; 2) adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.

07/12/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110725 [Issuance and Sale of Tax-Exempt Bonds - Children's Day School, Inc. - Not to Exceed \$11,000,000]****Sponsor: Wiener**

Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code, the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$11,000,000 to finance various capital facilities owned or leased by Children's Day School.

07/12/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110726 [Agreement - Serco, Inc. - SFpark Pilot Project - Not to Exceed \$44,080,000]****Sponsor: Wiener**

Resolution approving the Fourth Amendment to the Agreement with Serco, Inc., to: 1) replace, upgrade, and add parking meters; 2) conduct an education campaign and expand the pilot testing of new residential parking management strategies in support of the SFpark Pilot Project; and 3) to increase the contract not-to-exceed amount by \$22,000,000 utilizing a loan from the Metropolitan Transportation Commission for a total not-to-exceed amount of \$44,080,000.  
(Fiscal Impact)

07/12/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110728 [Accept and Expend Grant - Altamont Education Advisory Board - \$10,000]****Sponsor: Mar**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$10,000 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

07/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110729 [Issuance and Sale of Special Tax Bonds - GreenFinanceSF Program - Not to Exceed \$100,000,000]****Sponsors: Mayor; Mar**

Resolution authorizing the issuance and sale of special tax bonds (federally taxable) in an aggregate principal amount not to exceed \$100,000,000 and authorizing related documents and actions in connection therewith.

07/12/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110730 [Loan Loss Reserve Agreement and Approving Administrative Terms and Conditions - GreenFinanceSF Program]****Sponsors: Mayor; Mar**

Resolution 1) approving the administrative terms and conditions for the GreenFinanceSF owner-arranged financing program; 2) identifying the San Francisco Department of the Environment, or its City agency designee, as the Program Administrator for the City; 3) setting reporting requirements; and 4) authorizing the execution of a loan loss reserve agreement and related matters.

07/12/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110731 [Electricity Resource Plan Update]****Sponsors: Mayor; Cohen**

Resolution endorsing an updated Electricity Resource Plan to provide a long-term vision of San Francisco's electricity future, to serve as a policy guide to be used in proposing and implementing specific actions related to electric energy programs and usage in San Francisco, and to identify potential steps toward achievement of San Francisco's goal of having zero greenhouse gas emissions from its electric usage by 2030.

07/12/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110732 [Executive Committee of the Corrections Partnership for Criminal Justice Realignment Appointment]****Sponsors: Mayor; Mirkarimi**

Resolution appointing the San Francisco Department of Public Health to the Executive Committee of the San Francisco Community Corrections Partnership for the purpose of developing an implementation plan for criminal justice realignment.

07/12/11; RECEIVED AND ASSIGNED to Public Safety Committee.

**110735 [County Agency Responsible for Implementation of Post-Release Community Supervision Interim Designation]****Sponsors: Mayor; Mirkarimi**

Resolution designating, on an interim basis, the San Francisco Adult Probation Department as the county agency responsible for implementing post-release community supervision until an ordinance designating the San Francisco Adult Probation Department as the post-release community supervision authority is considered and adopted by the Board of Supervisors.

07/12/11; RECEIVED AND ASSIGNED to Public Safety Committee.

**110736 [Real Property - Office of the Chief Medical Examiner Relocation - 1 Newhall Street - \$5,304,500]****Sponsor: Mayor**

Resolution authorizing the execution and performance of an option to purchase the approximately 33,000 square foot industrial building and land at 1 Newhall Street for \$5,304,500 contained in a lease dated for reference December 20, 2006, by and between 1 Newhall, LLC, as Landlord, and the City and County of San Francisco, as tenant; adopting findings under the California Environmental Quality Act and adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal Impact)

07/12/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110739 [Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]****Sponsor: Mirkarimi**

Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for 7 years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

07/12/11; ASSIGNED to Board of Supervisors.

**110740 [Urging the United States Food and Drug Administration to Ban Menthol in Tobacco Products]****Sponsors: Cohen; Mar and Avalos**

Resolution urging the U.S. Food and Drug Administration to ban menthol in cigarettes and other tobacco products.

07/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110743 [Urging the Municipal Transportation Agency to Halt Action on the Transfer of Credit Card Charges to Taxi Cab Drivers]****Sponsor: Campos**

Resolution urging the San Francisco Municipal Transportation Agency to reconsider and abandon the decision to shift the burden of credit card merchant charges from taxi cab companies to the City cab drivers.

07/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110744 [Concern Over the Deshon Marman Incident on US Airways]****Sponsors: Cohen; Campos, Kim, Mar, Mirkarimi, Wiener and Avalos**

Resolution expressing concern over the treatment of Deshon Marman by US Airways, and urging the Federal Aviation Administration to investigate US Airways' actions and develop and implement consistent dress requirements for passengers.

07/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Motion****110737 [Committee of the Whole - Public Hearing to Consider Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]****Sponsor: Mirkarimi**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 26, 2011, at 3:00 p.m., to hold a public hearing to consider adopting a Resolution to establish (renew and expand) the Fillmore Jazz Community Benefit District and rename the district as the Fillmore Community Benefit District.

07/12/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Requests for Hearing**

### **110687 [2010-2011 Civil Grand Jury Report - The Parkmerced Vision]**

**Sponsor: Campos**

Hearing on the recently published 2010-2011 Civil Grand Jury report entitled "The Parkmerced Vision: Government-By-Developer." (Clerk of the Board)

05/12/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

### **110738 [Public Hearing - Resolution to Establish (Renew and Expand) and Rename Fillmore Jazz Community Benefit District as the Fillmore Community Benefit District]**

**Sponsor: Mirkarimi**

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based Community Benefit District to be known as the "Fillmore Community Benefit District (CBD)," by renewing and expanding the previously established Fillmore Jazz CBD; ordering the levy and collection of assessments against property located in the Fillmore Community Benefit District for 7 years, commencing with FY2011-2012, subject to conditions as specified; and making environmental findings.

07/12/11; ASSIGNED to Board of Supervisors.

### **110745 [Public Hearing - Charter Amendment - Allowing Amendments to or Repeals of Initiative Ordinances and Declarations of Policy Approved by the Voters on or after November 1, 2011]**

Hearing of persons interested in or objecting to the amendments to the proposed Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.101 to allow amendments to or repeals of initiative ordinances and declarations of policy approved by the voters on or after November 1, 2011. (Clerk of the Board)

07/12/11; ASSIGNED to Board of Supervisors.

### **110746 [Public Hearing - Charter Amendment - City Retirement Benefits and Health Care Benefits]**

Hearing of persons interested in or objecting to the amendments to the proposed Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by amending the provisions in Appendix A to: 1) adjust contribution rates for current and future employees to the San Francisco Employees' Retirement System (SFERS) based on the rate employers are required to pay each year; 2) limit SFERS' supplemental cost of living adjustments to retiree benefits for all employees and retirees; 3) create new retirement plans for employees commencing employment on and after January 7, 2012; 4) require elected officials to pay their contributions to SFERS and the Retiree Health Care Trust Fund (RHCTF); 5) allow certain individuals who are members of the California Public Employees' Retirement System (CalPERS) to become members of SFERS; 6) change the composition of the Health Service Board (HSB); 7) change the vote requirement for the HSB to approve member health care plans; 8) require current employees to contribute to the RHCTF beginning in FY2016-2017; 9) restrict certain retiree health care benefits for employees who left City employment, but have not yet retired, to those benefits in place at the time they left employment; 10) reduce employers' contributions into the Health Service System Trust Fund under certain circumstances; and 11) make certain other changes to retirement and health care benefits, and provisions governing the RHCTF and the Health Service System. (Clerk of the Board)

07/12/11; ASSIGNED to Board of Supervisors.

**Introduced by the President at the Request of a Department****PROPOSED ORDINANCES****110496 [License Agreement - Non-Stop Music Library, L.C.]**

Ordinance approving an agreement with Non-Stop Music Library, L.C., to license the use of a music library and waiving certain requirements of the Administrative Code with respect to the license agreement. (Department of Technology)

06/22/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110596 [Settlement of Claim - Shatese Stewart - \$250,000]**

Ordinance authorizing settlement of all claims in the lawsuit filed by Shatese Stewart against the City and County of San Francisco for \$250,000; the lawsuit was filed on March 25, 2010, in San Francisco Superior Court, Case No. CGC-09-494967; entitled Shatese Stewart v. City and County of San Francisco, et al. (City Attorney)

06/27/11; RECEIVED AND ASSIGNED to Rules Committee.

**PROPOSED RESOLUTIONS****110586 [Management Services Agreement - Sewer System Improvement Program - Not to Exceed \$150,000,000]**

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute Sewer System Improvement Program-Funded Agreement No. CS-165, Program Management Services, with AECOM-Parsons Joint Venture, for an amount not to exceed \$150,000,000 with a term of up to 15 years, under Charter Section 9.118. (Public Utilities Commission)  
(Fiscal Impact)

06/30/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110680 [Master Lease Amendment - U.S. Navy - Treasure Island South Waterfront]**

Resolution approving the Twenty-Seventh Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

06/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110681 [Master Lease Amendment - U.S. Navy -Treasure Island Childcare]**

Resolution approving the Seventh Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

06/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110682 [Cooperative Agreement Modification - U.S. Navy - Treasure Island]**

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification of the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2011, to September 30, 2012. (Treasure Island Development Authority)

06/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110683 [Master Lease Amendment - U.S. Navy - Treasure Island Event Venues]**

Resolution approving the Twenty Third Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

06/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110684 [Master Lease Amendment - U.S. Navy - Treasure Island Land and Structures]**

Resolution approving the Thirty-Fifth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

06/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110685 [Master Lease Amendment - U.S. Navy - Treasure Island Marina]**

Resolution approving the Fifteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

06/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110691 [Special Assessment of Liens for Assessment of Cost]**

Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Building Inspection Commission)

06/30/11; ASSIGNED to Board of Supervisors.



**Requests Granted**

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:*

*San Francisco Bay Guardian  
Southeast corner of Haight and Ashbury*

*San Francisco Chronicle  
Southwest corner of Haight and Clayton  
738 Haight  
Northeast corner of Steiner and Haight  
Southwest corner of Buena Vista East and Haight  
Southeast corner of Buena Vista West and Haight  
Southeast corner of Haight and Ashbury  
451 Haight  
350 Pegasus*

*Examiner  
Northwest corner of Gough and Hayes  
Northwest corner of Clayton and Haight*

*SF Weekly  
350 Pegasus  
Northeast corner of Steiner and Haight  
Northwest corner of Clayton and Haight  
Southeast corner of Lincoln and 19th Avenue  
Southwest corner of Divisadero and Haight  
Southwest corner of Stanyan and Parnassus*

*Advertiser  
Southeast corner of Parnassus and Stanyan  
Southeast corner of 3rd Avenue and Parnassus*

*Open Exchange  
350 Parnassus*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:*

*Sidewalk Dumping  
Southwest corner of 8th Avenue and Judah  
Northwest corner of Willard and Parnassus  
Northwest corner of Irving and 19th Avenue  
Southeast corner of Fillmore and Waller  
929 Haight St.*

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*From: Supervisor Mirkarimi  
To: Director, Department of Public Works  
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:*

*Residential and Commercial Buildings*

*1530 Haight St.  
1531 Haight St.  
1515 Haight St.  
1472 Haight St.  
1466 Haight St.  
1474 Haight St.  
1463 Haight St.  
1459 Haight St.  
1453 Haight St.  
1428 Haight St.  
1399 Haight St.  
1369 Haight St.  
1371 Haight St.  
1373 Haight St.  
Opposite 1340 Haight St.  
989 Haight St.  
959 Haight St.  
917 Haight St.  
909 Haight St.  
949 Haight St.  
687 Haight St.  
681 Haight St.  
Northeast corner of Haight and Steiner  
500 Haight St.  
160 Pierce, on north side*

*Planter Boxes  
1605 Haight St.*

*Parking Lots  
Northwest corner of 19th Avenue and Irving*

*Billboards  
1400 9th Avenue  
Southeast corner of 11th Avenue and Irving*

*From: Supervisor Mirkarimi  
To: Director, Department of Public Works  
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:*

*Garbage Cans  
1505 Irving  
Northwest corner of Irving and 19th Avenue  
559 Lincoln  
1601 Haight St.  
1600 Haight St.  
Northeast corner of Clayton and Haight  
Northeast corner of Haight and Ashbury*

*Mailboxes*

*Northwest corner of 5th Avenue and Parnassus  
1401 Haight St.*

*Curbstones and ADA Curb Ramps*

*Southwest corner of 18th Avenue and Irving  
Approximately 1675 Lincoln, on median  
Southwest corner of 5th Avenue and Lincoln*

*Public Benches*

*Southwest corner of Masonic and Haight*

*Fire Hydrants*

*Northeast corner of Masonic and Haight*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:*

*Bus Shelters*

*Southeast corner of Lincoln and 19th Avenue  
Southwest corner of Funston and Lincoln  
Southeast corner of 9th Avenue and Lincoln  
Northwest corner of 5th Avenue and Lincoln  
Southeast corner of 5th Avenue and Lincoln  
Southwest corner of Masonic and Haight  
Southeast corner of Haight and Divisadero*

*Emergency Boxes*

*Approximately 1775 Irving  
Northeast corner of Haight and Masonic*

*Parking Meters*

*Southwest corner of Haight and Cole  
Approximately 1671 Haight St.  
Approximately 1651 Haight St.  
1555 Haight St.  
1512 Haight St.  
1415 Haight St.  
1401 Haight St.*

*Parking and Traffic Signs*

*Northwest corner of Buchanan and Laussat*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:*

*Metal Poles*

*973 Haight St.  
909 Haight St.  
Northeast corner of 3rd Avenue and Lincoln  
1772 Haight St.  
Southwest corner of Haight and Cole*

Southeast corner of Haight and Cole  
Approximately 1671 Haight St.  
Northeast corner of Haight and Ashbury  
1555 Haight St.  
1512 Haight St.  
1451 Haight St.  
Southwest corner of Buena Vista West and Haight  
1379 9th Avenue  
520 Buchanan  
Approximately 360 Buchanan  
269 Waller

Wood Poles  
Approximately 420 Buchanan  
315 Buchanan

Concrete Poles  
Intersection of Kezar, 3rd Avenue and Lincoln, in median  
Northeast corner of 7th Avenue and Judah  
515 Gough

### **In Memoriams**

Michael Soden – Supervisor Chu  
Laura Powers – Supervisor Elsbernd  
Dennis Gleavy – Supervisor Elsbernd

### **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 4:07 p.m.*

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

*Approved by the Board of Supervisors on September 6, 2011.*

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Angela Calvillo, Clerk of the Board