

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, July 19, 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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of June 7, 2011, and June 14, 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.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

110664 [Contract - San Francisco AIDS Foundation - Housing and Urban Rent Subsidies Services]

Sponsor: Mayor

Resolution approving a contract between the Department of Public Health and the San Francisco AIDS Foundation for rent subsidies services for people living with HIV/AIDS.
(Fiscal Impact)

Resolution No. 301-11

ADOPTED

Recommendation of the Public Safety Committee**110450 [Accept and Expend Grant - Community Justice Center Intensive Outpatient Program - \$205,000]****Sponsor: Chiu**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$205,000 from the Department of Justice to fund the project entitled "San Francisco Community Justice Center Intensive Outpatient Program" for the period of October 1, 2010, through September 30, 2011.

Resolution No. 297-11**ADOPTED****Recommendations of the Rules Committee****110797 [Appointments, Ballot Simplification Committee - June Fraps, Betty Packard, and Adele Fasick]**

Motion appointing June Fraps, Betty Packard, and Adele Fasick, terms ending November 30, 2012, to the Ballot Simplification Committee. (Clerk of the Board)

June Fraps, seat 1, succeeding herself, term expired, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2012.

Betty Packard, seat 2, succeeding herself, term expired, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2012.

Adele Fasick, seat 3, succeeding herself, term expired, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2012.

Motion No. M11-115**APPROVED****110741 [Appointment, SRO Task Force - Victor Nelson]**

Motion appointing Victor Nelson, term ending December 31, 2012, to the SRO Task Force. (Clerk of the Board)

Victor Nelson, seat 9, succeeding Patrick Flanagan, resigned, must be a SRO tenant, for the unexpired portion of a three-year term ending December 31, 2012.

Motion No. M11-116**APPROVED****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

Privilege of the floor was granted to John Kwong (Department of Public Works) and John Malamut (City Attorney's Office) who provided an overview of the current discussions with AT&T and responded to questions raised throughout the discussion.

110345 [Affirming the Exemption Determination - AT&T Network "Lightspeed" Upgrade]

Motion affirming the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Motion be CONTINUED to September 6, 2011. The motion FAILED by the following vote:

Ayes: 5 - Campos, Chiu, Mar, Mirkarimi, Wiener

Noes: 6 - Avalos, Chu, Cohen, Elsbernd, Farrell, Kim

Motion No. M11-120

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

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

Noes: 5 - Avalos, Chiu, Kim, Mar, Mirkarimi

110346 [Reversing the Exemption Determination - AT&T Network "Lightspeed" Upgrade]

Motion reversing the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Motion be CONTINUED to September 6, 2011. The motion FAILED by the following vote:

Ayes: 5 - Campos, Chiu, Mar, Mirkarimi, Wiener

Noes: 6 - Avalos, Chu, Cohen, Elsbernd, Farrell, Kim

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

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

Noes: 5 - Avalos, Chiu, Kim, Mar, Mirkarimi

110347 [Preparation of Findings to Reverse the Exemption Determination - AT&T Network "Lightspeed" Upgrade]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Motion be CONTINUED to September 6, 2011. The motion FAILED by the following vote:

Ayes: 5 - Campos, Chiu, Mar, Mirkarimi, Wiener

Noes: 6 - Avalos, Chu, Cohen, Elsbernd, Farrell, Kim

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

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

Noes: 5 - Avalos, Chiu, Kim, Mar, Mirkarimi

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)

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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.

PASSED ON FIRST READING 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)

Resolution No. 289-11**ADOPTED 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.

Resolution No. 290-11**ADOPTED 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.

Resolution No. 291-11**ADOPTED 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)

Resolution No. 292-11**ADOPTED 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.

Resolution No. 293-11**ADOPTED 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.

Resolution No. 295-11

ADOPTED 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.

Resolution No. 296-11

ADOPTED 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

110654 [General Obligation Bond Election - Road Repaving and Street Safety - \$248,000,000]

Sponsors: Mayor; Chiu, Wiener, Avalos, Campos, Cohen, Kim, Mar and Mirkarimi

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 8, 2011, for the purpose of submitting to the voters a proposition to incur the following bonded debt of the City and County: \$248,000,000 to finance the repaving and reconstruction of roads, the rehabilitation and seismic improvement of street structures, the replacement of sidewalks, the installation and renovation of curb ramps, the redesign of streetscapes to include pedestrian and bicycle safety improvements, and the construction, rehabilitation and renovation of traffic infrastructure and related costs necessary or convenient for the foregoing 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 therefor 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; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act (CEQA); finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; 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 the restrictions on the use of bond proceeds specified in California Government Code Section 53410; incorporating the provisions of San Francisco Administrative Code Sections 5.30 - 5.36; and waiving the time requirements specified in San Francisco Administrative Code Section 2.34.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 2 - Elsbernd, Farrell

110750 [Certificates of Participation - War Memorial Veterans Building Seismic Upgrade and Improvements - Not to Exceed \$170,000,000]**Sponsors: Mayor; Chiu**

Ordinance authorizing the execution and delivery of certificates of participation evidencing in an aggregate principal amount of not to exceed \$170,000,000 to: 1) finance the seismic upgrade of and certain improvements to the War Memorial Veterans Building; 2) authorizing the selection of a trustee by the Director of Public Finance and approving the form of a trust agreement for the certificates of participation between the City and County of San Francisco and the trustee named therein (including certain indemnities contained therein); 3) approving the forms of a property lease and a project lease between the City and the trustee of one or more portions of the San Francisco War Memorial Performing Arts Center; 4) approving the form of an official notice of sale and notice of intention to sell for the certificates of participation, if sold by competitive sale; 5) authorizing the selection of underwriters by the Director of Public Finance and approving the form of a purchase contract between the City and the underwriters relating to the certificates of participation, if sold by negotiated sale; 6) approving the forms of a preliminary and final official statement with respect to the certificates of participation; 7) approving the form of a continuing disclosure certificate; 8) finding that the proposed project is categorically exempt from the California Environmental Quality Act; 9) finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirements of Charter Section 4.105 and Administrative Code Section 2A.53; 10) granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of the certificates of participation; 11) approving modifications to documents and agreements; and 12) ratifying previous actions taken in connection therewith.

PASSED, ON FIRST READING by the following vote:

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

110528 [Feeder Agreement - BART]

Resolution approving the Feeder Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for payment for transfer trips, with a term from July 1, 2009, to June 30, 2010. (Municipal Transportation Agency)

Privilege of the floor was granted to Sonali Bose (Municipal Transportation Agency) and Cheryl Adams (City Attorney's Office) who responded to questions raised throughout the discussion.

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED to August 2, 2011. The motion carried by the following vote:

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

110536 [Airport Lease Agreement - XpresSpa SF International, LLC, and ILJ San Francisco, LLC]

Resolution approving Amendment No. 1, retroactive to April 14, 2011, to Airport Spa Lease No. 06-0242 with XpresSpa SF International, LLC; and Amendment No. 2 to Technology Stores and Accessories Lease No. 07-0108 with ILJ San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 299-11**ADOPTED by the following vote:**

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

110540 [Airport Concession Leases - Subway, Jalapeno Grill, Guava & Java, and Mission Bar & Grill]

Resolution approving Amendment No. 1, retroactive to April 14, 2011, to Domestic Terminal Food and Beverage Lease No. 03-0185 with Baysubway Airport (Subway); No. 03-0187 with Luna Azul Corporation (Jalapeno Grill); No. 03-0191 with Guava & Java (SFO), Inc. (Guava & Java); and No. 03-0199 with Burger Joint, Inc. (Mission Bar & Grill), and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 300-11

ADOPTED by the following vote:

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

110773 [SOMA Community Stabilization Fund Expenditures - \$325,000]

Sponsors: Kim; Mar

Resolution authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization Fund in the amount of \$325,000 to provide housing and job readiness services to low-income residents and workers in the South of Market neighborhood.
(Fiscal Impact.)

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 305-11

ADOPTED by the following vote:

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

110494 [Amendment to the Budget and Legislative Analyst Contract to Exercise Two-Year Option]

Motion approving and exercising the final option set forth in the Agreement for Professional Budget and Legislative Analyst Services between the City and County of San Francisco and Harvey M. Rose Associates, LLC, Debra A. Newman, and Louie & Wong, LLP, (A Joint Venture), thereby extending the term of the Agreement from January 1, 2012, through December 31, 2013. (Clerk of the Board)
(Fiscal Impact)

Motion No. M11-117

APPROVED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee**110656 [Environment Code - Cell Phone Disclosure Requirements]**

Sponsors: Avalos; Mar

Ordinance amending the San Francisco Environment Code Sections 1101 through 1105 to require cell phone retailers to provide their customers with information regarding how to limit exposure to the radiofrequency energy emitted by cell phones in place of the mandatory disclosure of Specific Absorption Rate Values for cell phone models.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

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

110458 [Accept and Expend Grant - Civic Center Sustainable Resources District Project - \$970,000]**Sponsor: Kim**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a U.S. Environmental Protection Agency administered grant in the amount of \$970,000 for a Civic Center Sustainable Resources District Project.

Resolution No. 298-11**ADOPTED by the following vote:**

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

From the City Operations and Neighborhood Services Committee Without Recommendation**110332 [Liquor License Transfer - 2801 Jones Street]**

Resolution determining that the transfer of a Type 21 off-sale general license from 511 Crescent Street to 2801 Jones Street (District 3) to Daniel J. Kramer of Haas Najarian, LLP, for Walgreen Co., dba Walgreens, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 294-11**ADOPTED by the following vote:**

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

Noes: 1 - Avalos

Recommendations of the Land Use and Economic Development Committee**110180 [Changing the Official Sidewalk Width - Clarence Place]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1590 to change the official sidewalk width on the easterly side of Clarence Place northwesterly of Townsend Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both, of facilities affected by the sidewalk width change. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

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

110277 [Planning Code - Vintage Signs]**Sponsor: Campos**

Ordinance amending the San Francisco Planning Code Section 608.14 to 1) authorize vintage signs; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

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

110623 [Changing the Official Sidewalk Width - Brotherhood Way]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1588 to change the official sidewalk width on north side of Brotherhood Way west of Chumasero Drive; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

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

110627 [General Plan Amendment - Community Safety Element]

Ordinance amending the San Francisco General Plan by amending the Community Safety Element to reference the most recent Hazard Mitigation Plan; and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and environmental findings. (Planning Department)

PASSED, ON FIRST READING by the following vote:

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

110771 [Jurisdictional Transfer and Exchange of Real Property - Ocean Avenue and Phelan Avenue]

Sponsor: Elsbernd

Resolution 1) approving the jurisdictional transfer of an approximately 5,835 square foot portion of City property located near Ocean Avenue and Phelan Avenue under the jurisdiction of the San Francisco Public Utilities Commission with an approximately 6,264 square foot portion of adjacent City property under the jurisdiction of the San Francisco Municipal Transportation Agency; 2) approving the subsequent exchange of the 6,264 square foot portion of such City property and an approximately 6.21 acre portion of adjacent City property under the jurisdiction of the San Francisco Public Utilities Commission for adjacent real property owned by the San Francisco Community College District and comprised of approximately 6.60 acres; 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.

Resolution No. 304-11

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**110400 [Campaign and Governmental Conduct Code - Modifying Registration and Disclosure Requirements for Campaign Consultants]**

Sponsor: Wiener

Motion ordering submitted to the voters an ordinance amending Article I, Chapter 5, of the Campaign and Governmental Conduct Code, to modify registration and disclosure requirements for campaign consultants at an election to be held on November 8, 2011.

Motion No. M11-118

APPROVED by the following vote:

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

110798 [Appointment, Entertainment Commission - Glendon Carl Hyde]

Motion appointing D. Gill Sperlein, term ending July 1, 2015, to the Entertainment Commission.
(Clerk of the Board)

D. Gill Sperlein, seat 1, succeeding James Meko, term expired, shall represent the interests of City neighborhood associations or groups, for a four-year term ending July 1, 2015.

(Supervisor Kim dissented in Committee.)

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED on Page 1, Line 3, by replacing 'D. Gill Sperlein' with 'Glendon Carl Hyde'; on Line 9, by replacing 'D. Gill Sperlein' with 'Glendon Carl Hyde'; on Line 11, by replacing 'D. Gill Sperlein' with 'Glendon Carl Hyde'. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi

Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

Motion appointing Glendon Carl Hyde, term ending July 1, 2015, to the Entertainment Commission.
(Clerk of the Board)

Glendon Carl Hyde, seat 1, succeeding James Meko, term expired, shall represent the interests of City neighborhood associations or groups, for a four-year term ending July 1, 2015.

Motion No. M11-119

APPROVED AS AMENDED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

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)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed Charter Amendment as referenced in File No. 110058. Walter Paulson; Lois Scott; Earl Gilman; Kay Walker; Judith Terracina; Mary Anne McGuire-Hickey; Jean Thomas; Ken Tray; Peter Ashe; Herbert Weiner; James Elliott; Cathy Holton; Bob Moskatt; Gerry Meister; Pamela Lichtenwalner; Sharon Johnson; Tim Paulson; Nancy Gin; Jerry Slaughter; Joan Wood; expressed various concerns relating to the amendments of the proposed Charter Amendment. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

110058 [Charter Amendment - City Retirement Benefits and Health Care Benefits]**Sponsors: Mayor; Elsbernd, Avalos, Chiu, Chu, Cohen, Farrell, Wiener and Campos**

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.

Privilege of the floor was granted to Micki Callahan, Director, Department of Human Resources, who responded to questions raised throughout the discussion.

ORDERED SUBMITTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****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)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the motion to table File Nos. 110745 and 110693. Walter Paulson; expressed various concerns relating to the motion to table. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

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

Ayes: 8 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Cohen, Elsbernd

Committee of the Whole Adjourn and Report

From the Board

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.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Charter Amendment be TABLED.

The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Cohen, Elsbernd

Recommendation of the Rules Committee

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.

ORDERED SUBMITTED by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 4 - Avalos, Campos, Mar, Mirkarimi

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

There were none.

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

110774 [Assessment Ballots for City-Owned Parcels for the Proposed Renewal and Expansion of Fillmore Jazz Community Benefit District to be Renamed Fillmore Community Benefit District]

Sponsor: Mirkarimi

Resolution authorizing the Mayor to cast assessment ballots in the affirmative, on behalf of the City and County of San Francisco, as the owner of five parcels over which the Board of Supervisors has jurisdiction, where those five parcels would be subject to assessment in the proposed renewed and expanded property and business improvement district currently known as the Fillmore Jazz Community Benefit District, to be renamed the Fillmore Community Benefit District.

Resolution No. 306-11

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

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

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

Ace Washington; expressed concerns relating to the Press Room.

John Jenkyl; expressed various concerns relating to constitutional law.

Colleen Bernal; expressed various concerns.

Barry Toronto; spoke in support of legislation relating to credit card charges to taxi cab drivers.

Mark; spoke in support of legislation relating to credit card charges to taxi cab drivers.

Dave Schneider; spoke in support of legislation relating to credit card charges to taxi cab drivers.

Tom Newberg; expressed various concerns relating to neighborhood developments.

Female Speaker; expressed various concerns relating to garbage collection.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**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.

Resolution No. 302-11**ADOPTED****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.

Motion No. M11-121**APPROVED**

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 Chu requested that File No. 110740 be severed so that it may be considered separately.

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.

Supervisors Mar and Avalos requested to be added as co-sponsors.

Supervisor Cohen, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to July 26, 2011. The motion carried by the following vote:

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

Supervisor Campos requested that File No. 110743 be severed so that it may be considered separately.

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.

Supervisor Campos, seconded by Supervisor Mirkarimi, 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 urging the San Francisco Municipal Transportation Agency to reconsider and abandon the decision to shift the burden of credit card merchant charges to the City cab drivers.

Supervisors Mar and Avalos requested to be added as co-sponsors.

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED AS AMENDED to July 26, 2011. The motion carried by the following vote:

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

Supervisor Cohen requested that File No. 110744 be severed so that it may be considered separately.

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.

Supervisor Avalos requested to be added as a co-sponsor.

Resolution No. 303-11

ADOPTED 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

Ordinances

110546 [Administrative Code - Health Care Security Ordinance]

Sponsors: Campos; Mar, Avalos, Mirkarimi, Cohen, Chiu and Kim

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1, 14.3, and 14.4 of the Health Care Security Ordinance to provide that only amounts actually paid or irrevocably committed to pay for providing employee health care services shall satisfy the employer expenditure requirements of the Ordinance, add an employee notification requirement, and to modify penalty provisions.

(Economic Impact)

05/03/11; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/2/2011.

05/06/11; REFERRED TO DEPARTMENT.

06/20/11; RESPONSE RECEIVED.

07/19/11; CALLED FROM COMMITTEE.

110845 [Zoning Map - Rezoning of 312 Connecticut Street]

Sponsor: Cohen

Ordinance amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Block No. 4035, Lot No. 003 (312 Connecticut Street) from RH-2 to NC-2; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

07/19/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/18/2011.

110846 [Administrative Code - Postrelease Community Supervision Program]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Article XXII, Sections 2A.300 and 2A.301, Chapter 2A to: 1) designate the Adult Probation Department as the county agency responsible for providing postrelease community supervision to eligible inmates released from state prison, as required under California Penal Code section 3451; and 2) authorize the Adult Probation Department to develop a Home Detention and Electronic Monitoring Program that can be used as a supervision tool and sanction for persons who violate conditions of their Postrelease Community Supervision Program.

07/19/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 8/18/2011.

110847 [Memorandum of Understanding, Amendment No. 5 - San Francisco Firefighters, Local 798 (Unit 2)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 5 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Firefighters, Local 798 (Unit 2), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

07/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110848 [Memorandum of Understanding, Amendment No. 5 - San Francisco Firefighters, Local 798 (Unit 1)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 5 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Firefighters, Local 798 (Unit 1), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

(Supervisor Chu excused from voting.)

07/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110849 [Memorandum of Understanding, Amendment No. 4 - San Francisco Police Officers' Association (Units P-1 & P-2A)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

07/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110850 [Memorandum of Understanding, Amendment No. 4 - Municipal Executives' Association, Fire]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the Municipal Executives' Association, Fire, by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

07/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110851 [Memorandum of Understanding, Amendment No. 4 - San Francisco Police Officers' Association (Unit P-2B)]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014, and 2014-2015.

07/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110852 [Memorandum of Understanding, Amendment No. 4 - Municipal Executives' Association, Police]**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding (MOU) between the City and County of San Francisco and the Municipal Executives' Association, Police, by extending the term of the MOU to June 30, 2015, and by implementing specified terms and conditions of employment for FYs 2011-2012, 2012-2013, 2013-2014 and 2014-2015.

07/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110853 [Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]**Sponsors: Mayor; Chiu**

Ordinance: 1) amending the San Francisco Planning Code, Section 429, to provide that developers currently required to spend 1% of construction costs for public artwork on any development project over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that Fee to a City fund dedicated to support public art; 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district to be administered and expended by the Arts Commission; and 3) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

07/19/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/18/2011.

110854 [Environment Code - Green Building Requirements for City Buildings]**Sponsors: Mayor; Mar**

Ordinance amending the San Francisco Environment Code, Chapter 7, Sections 700 through 713, to update the green building requirements for the design, construction, and operation of City buildings.

07/19/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/18/2011.

110857 [Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]

Sponsors: Mayor; Avalos

Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.

07/19/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

110855 [Street Vacation - Resolution of Intention - Portion of Cayuga Avenue]

Sponsors: Mayor; Avalos

Resolution declaring the intention of the Board of Supervisors to vacate an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way.

07/19/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110858 [Endorsing 2011 Annual Language Access Ordinance Compliance Report]

Sponsor: Chiu

Resolution endorsing "Language Matters: Language Access Ordinance Annual Compliance Summary Report, July 2011," issued by the Office of Civic Engagement & Immigrant Affairs.

07/19/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110859 [Approval of a 90 Day Extension for Planning Commission Review]

Sponsor: Chiu

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3 and 607.4 and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; 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.

07/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110860 [Approval of a 90 Day Extension for Planning Commission Review]**Sponsor: Chiu**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; 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.

07/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110861 [City Agency Coordination to Resolve the Problem of Waterfront Parking Lot Scam Crimes]**Sponsor: Mirkarimi**

Resolution urging the Mayor's Office to promptly coordinate with the District Attorney's Office, the San Francisco Police Department, and the Port of San Francisco to stop chronic parking lot scam crimes on the waterfront and adjacent neighborhoods.

07/19/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110862 [TIDA Contract Amendment - AMEC Geomatrix, Inc. - Retroactively Extending Term through June 30, 2012]**Sponsor: Mayor**

Resolution approving an amendment to the contract between the Treasure Island Development Authority and AMEC Geomatrix, Inc., to retroactively extend the term through June 30, 2012.

07/19/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110863 [Extending Time to Consider Continuing Redevelopment Activities]**Sponsors: Mayor; Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Mirkarimi and Wiener**

Resolution expressing the non-binding intent of the City and County of San Francisco to comply with Part 1.9 of the California Health and Safety Code, recently added by Assembly Bill 27, for the purpose of providing the Board of Supervisors with up to an additional month, until November 1, 2011, to consider adopting an ordinance allowing the City and County of San Francisco to continue to undertake state-authorized redevelopment activities by agreeing to make ongoing annual payments for the benefit of other taxing entities, including the San Francisco Unified School District and City College of San Francisco; and adopting findings that the Resolution is not a project under the California Environmental Quality Act.

07/19/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110864 [Application Approval - Comprehensive HIV Prevention Programs - \$8,085,800]**Sponsors: Mayor; Wiener**

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2012 to continue to receive funding for the "Comprehensive HIV Prevention Programs" grant from the Centers for Disease Control and Prevention, requesting \$8,085,000 in HIV prevention funding for San Francisco; from January 1, 2012, through December 31, 2012.

07/19/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110865 [Pedicab Fare Schedule - Cabrio Taxi]**Sponsor: Chiu**

Resolution approving the pedicab fare schedule for Cabrio Taxi.

07/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110866 [Commending the 50th Anniversary of Save the Bay]**Sponsors: Chiu; Mar**

Resolution commending Save the Bay on its 50th Anniversary in 2011.

07/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110867 [Accept and Expend Grant - Criminal Restitution Compact - \$85,658.40]**Sponsor: Cohen**

Resolution authorizing the Department of the District Attorney to retroactively contract for, accept, and expend up to \$85,658.40 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2011, through June 30, 2012

07/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**110689 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]**

Motion directing the Board of Supervisors to hold a public hearing on August 2, 2011, at 3:00 p.m. with the Board sitting as a Committee of the Whole, to consider adopting a resolution confirming Report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Sections 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. (Clerk of the Board)

06/30/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110868 [Closed Session - Potential Litigation - Health Care Security Ordinance]**Sponsor: Campos**

Motion that the Board of Supervisors convene in closed session on July 26, 2011, to consult with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation against the City involving amendments to the Health Care Security Ordinance. Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

07/19/11; RECEIVED AND ASSIGNED to Board of Supervisors.

110869 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 8, 2011, Consolidated General Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2011, Consolidated General Municipal Election. (Clerk of the Board)

07/19/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110690 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

Hearing of persons interested in or objecting to proposed Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Sections 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. (Clerk of the Board)

06/30/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110856 [Hearing - Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]

Hearing of persons interested in or objecting to the proposed Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance. (Clerk of the Board)

07/19/11; RECEIVED AND ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCES****110694 [Settlement of Lawsuit - Jorei Enterprises, LLC - \$125,000]**

Ordinance authorizing settlement of the lawsuit filed by Jorei Enterprises, LLC, against the City and County of San Francisco for \$125,000; the lawsuit was filed on December 21, 2010, in San Francisco Superior Court, Case No. CGC-10-506527; entitled Jorei Enterprises, LLC v. City and County of San Francisco; other material terms of said settlement are mutual releases of liability in connection with the conveyance of 351 California Street, San Francisco. (City Attorney)

07/05/11; RECEIVED AND ASSIGNED to Rules Committee.

110714 [Settlement of Lawsuit - Arash Ghanadan - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Arash Ghanadan against the City and County of San Francisco for \$50,000; the lawsuit was filed on December 18, 2009, in San Francisco Superior Court, Case No. CGC-09-495308; entitled Arash Ghanadan, et al. v. City and County of San Francisco, et al. (City Attorney)

07/11/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**110713 [Settlement of Unlitigated Claim - Ned Bresnahan - \$265,000]**

Resolution approving the settlement of the unlitigated claim filed by Ned Bresnahan against San Francisco for \$265,000; claim was filed on March 28, 2011.

07/06/11; RECEIVED AND ASSIGNED to Rules Committee.

110715 [Settlement of Unlitigated Claims - Pearl Howell - \$80,000]

Resolution approving the settlement of unlitigated claims (DFEH No. E201011M0352 and EEOC Charge No. 550-2010-01808) filed by Pearl Howell against the City and County of San Francisco for \$80,000; claims were filed on September 15 and 16, 2010. (City Attorney)

07/11/11; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Municipal Transportation Agency

To: Chief, Police Department

To: City Attorney

To: Senator Mark Leno

To: Senator Leland Yee

To: Assemblymember Fiona Ma

To: Assemblymember Tom Ammiano

Requesting/Inquiring: Requesting the Municipal Transportation Agency, The San Francisco Police Department, City Attorney, and San Francisco's State Legislative Delegation to report on the following in the wake of a tragic shuttle bus crash at Octavia and Oak Streets on Thursday, July 14th:

- *Traffic light and signage modifications at intersections along Octavia Boulevard and nearby streets to slow traffic and alert drivers to the particular challenges navigating in the area*
- *Possible speed bumps, speed bump enhancements, and other traffic controls on the streets and alleyways that flow into Octavia Boulevard (Linden Avenue, for example)*
- *Increased police enforcement of speed and other traffic laws in the area*
- *A rail and/or guard to buffer the children's playground at Patricia's Green from nearby traffic on Octavia Boulevard and Fell Street*
- *Potential state law requiring seat belts in shuttle buses*

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 at the following locations:

Utility Boxes

Northwest corner of Fulton and Webster

Approximately 390 Webster

Northwest corner of Golden Gate and Webster

Approximately 1155 McAllister

940 Fillmore

Northeast corner of Hayes and Fillmore

Southeast corner of Oak and Octavia

Southwest corner of Octavia and Lily

Southeast corner of Page and Octavia

Parking and Traffic Signs

810 Fulton

110 Webster

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 following private property locations:

Residential and Commercial Buildings

539 Gough

1104 Stanyan

2 Medical Center Way, on East side

Southwest corner of 7th Avenue and Judah

330 Judah

1398 9th Avenue

1224 9th Avenue
1335 9th Avenue, on south side
1329 9th Avenue
Opposite 1722 Irving, on fence
Approximately 1271 19th Avenue
1707 Lincoln
1201 8th Avenue
1201 6th Avenue, on West side
597 Lincoln
1708 and 1770 Haight Street
1606, 1636, 1638, 1644 and 1652 Haight Street
Southeast corner of Haight and Clayton
Southwest corner of 9th Avenue and Judah
1540 Haight Street
1553 and 1555 Haight Street

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
Northwest corner of Hayes and Fillmore

San Francisco Chronicle
Southeast corner of Haight and Fillmore
Southeast corner of Divisadero and Haight
Southwest corner of 9th Avenue and Judah

San Francisco Examiner
Northwest corner of Fillmore and Hayes
1401 Haight
Southwest corner of 9th Avenue and Judah
Northwest corner of Geary and Fillmore

SF Weekly
Southeast corner of Post and Webster
Northeast corner of Scott and Haight
1825B Post

Advertiser
Northwest corner of Geary and Fillmore

Jobs and Careers
Northwest corner of Geary and Fillmore
1825B Post

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
4979 17th Street
1180 Stanyan
Approximately 1406 5th Avenue
Northwest corner of 5th Avenue and Parnassus

Northwest corner of Grove and Webster
Northeast corner of McAllister and Webster
Approximately 1116 McAllister
Northeast corner of Eddy and Laguna
Northeast corner of Hayes and Fillmore
724 Fillmore

Wood Poles
Approximately 175 Rose

Concrete Poles
760 Webster
Northwest corner of Willow and Laguna

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 following locations:

Garbage Cans
Approximately 1191 McAllister
Northeast corner of Grove and Fillmore
Northeast corner of Grove and Fillmore

Mailboxes
Southwest corner of Hayes and Fillmore
Northwest corner of Haight and Octavia

Curbstones and ADA Curb Ramps
Southeast corner of Page and Fillmore

Fire Hydrants
Southeast corner of Grove and Fillmore
Northeast corner of Golden Gate and Webster
Southeast corner of Haight and Webster

In Memoriams

Aoife Marie McConn – Supervisors Carmen Chu and Sean Elsbernd
Sean Wilson – Supervisor Ross Mirkarimi

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:39 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.

Angela Calvillo, Clerk of the Board