



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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

Tuesday, April 17, 2012 - 2:00 PM

Regular Meeting

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

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Chu, Avalos, Kim, Cohen, Wiener

Budget and Finance Sub-Committee
Supervisors Chu, Avalos, Kim

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Public Safety Committee
Supervisors Avalos, Olague, Mar

Rules Committee
Supervisors Kim, Farrell, Campos

Meeting Days

Wednesday
1:00 PM

Wednesday
10:00 AM

4th Thursday
3:30 PM

2nd and 4th Monday
10:00 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Thursday
10:30 AM

1st and 3rd Thursday
1:30 PM

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

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk.

Meeting Procedures

The Board of Supervisors is the legislative body of the City and County of San Francisco. The Board has several standing committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

IMPORTANT INFORMATION: The public is encouraged to testify at Committee meetings. Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Written communications should be submitted to the Clerk of the Board, Clerk of a Committee or its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Communications which are not received prior to the hearing may be delivered to the Clerk of the Committee at the hearing and you are encouraged to bring enough copies for distribution.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, 1 Dr. Carlton B Goodlett Place, or on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722. **AVISO EN ESPAÑOL:** La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <http://www.sfgov.org/ethics>

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 13, 2012, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 through 15

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Chu, Avalos and Kim

1. [111354](#) **[Administrative Code - San Francisco Municipal Transportation Agency Revenue Bond]**

Sponsors: Chu; Wiener and Chiu

Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XIII, Sections 43.13.1 through 43.13.8, to authorize the issuance of revenue bonds by the San Francisco Municipal Transportation Agency.

(Fiscal Impact)

Attachments: [Legislation Ver1](#)

[Comm Packet 040412](#)

[Budget Analyst 040412](#)

[Board Packet 041012](#)

[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [120242](#) **[Appropriating \$46,935,000 of 2012 Series A Refunding Revenue Bonds, and De-Appropriating \$2,431,363 for the Municipal Transportation Agency in FY2011-2012]**

Sponsors: Mayor; Chu

Ordinance appropriating \$46,935,000 of the 2012 Series A Parking Garage Refunding, and de-appropriating \$2,431,363 in existing debt service reserve funds, for the Municipal Transportation Agency in FY2011-2012 for parking meter and parking garage refunding, and placing these funds on Controller's Reserve pending the sale of the bonds.

(Fiscal Impact)

Attachments: [Legislation ver1](#)

[Comm Packet 040412](#)

[Budget Analyst 040412](#)

[Board Packet 041012](#)

[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. [120243](#) **[Appropriating \$28,300,000 of 2012 Series B Revenue Bonds for Transit Projects and Parking Garage Projects, for the Municipal Transportation Agency in FY2011-2012]**

Sponsors: Mayor; Chu

Ordinance appropriating \$28,300,000 of the 2012 Series B Revenue Bonds for Transit Projects and for Parking Garage Projects proceeds to the Municipal Transportation Agency in FY2011-2012 for improvements to transit access, reliability, communication, and capital improvements to parking garages; placing these funds on Controller's Reserve pending the sale of the bonds; and placing \$1,600,000 for the Muni System Radio Replacement Project on Budget and Finance Committee Reserve.

(Fiscal Impact)

Attachments: [Legislation ver1](#)

[Comm Packet 040412](#)

[Legislation ver2](#)

[Budget Analyst 040412](#)

[Board Packet 041012](#)

[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. [120188](#) **[Planning, Building Codes - Fee Waiver Program - Small Business Month - May 2012]**

Sponsor: Chu

Ordinance: 1) recognizing Small Business Month in May 2012; 2) amending the San Francisco Planning and Building Codes to waive fees for the month of May for certain façade improvements; 3) making findings including environmental findings, findings of consistency with the General Plan, and priority policies of Planning Code Section 101.1.

Attachments: [Legislation_Ver1](#)

[Legislation ver2](#)

[Building_Inspection_042912](#)

[Comm_Packet_040412](#)

[Small_Business_040412](#)

[Planning_Commission_040312](#)

[Board_packet_041012](#)

[Board_Packet_041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

5. [120126](#) **[Accept and Expend Grant - Existing Commercial Buildings Energy Performance Policy Implementation - \$180,000]**
Sponsor: Chiu
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$180,000 from the Kresge Foundation to implement the Existing Commercial Buildings Energy Performance Ordinance (San Francisco Environment Code Chapter 20).
Attachments: [Legislation Ver1](#)
[Comm Packet 040912](#)
[Board Packet 041712](#)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell, Wiener

6. [120134](#) **[Settlement of Lawsuit - Timothy Hoyt - \$80,000]**
Ordinance authorizing settlement of the lawsuit filed by Timothy Hoyt against the City and County of San Francisco for \$80,000; the lawsuit was filed on April 26, 2010, in U.S. District Court, Case No. CV 10-01778 RS; entitled Timothy Hoyt v. the City and County of San Francisco, et al. (City Attorney)
Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. [120163](#) **[Settlement of Lawsuit - Patricia Banks - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Patricia Banks against the City and County of San Francisco for \$50,000; the lawsuit was filed on August 5, 2009, in San Francisco Superior Court, Case No. CGC-09-491089; entitled Patricia Banks, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. [120164](#) **[Settlement of Lawsuit - Pacific States Environmental Contractors, Inc. - \$425,000]**
Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental Contractors, Inc., against the City and County of San Francisco for \$425,000; the lawsuit was filed on November 20, 2009, in San Mateo County Superior Court and subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-501403, entitled Pacific States Environmental Contractors, Inc. v. City and County of San Francisco, et al.; other material terms of the settlement are: 1) mutual releases except for latent defects, 2) dismissal of the complaint with prejudice, and 3) each side to bear its own attorneys fees and costs. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. [120181](#) **[Settlement of Lawsuit - Christine Peterson - \$34,000]**
Ordinance authorizing settlement of the lawsuit filed by Christine Peterson against the City and County of San Francisco for \$34,000; the lawsuit was filed on November 25, 2009, in San Francisco Superior Court, Case No. CGC-09-494798 (Consolidated with Case No. CGC-10-500217); entitled Christine Peterson, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. [120182](#) **[Settlement of Lawsuit - Wilma Espinosa - \$275,000]**
Ordinance authorizing settlement of the lawsuit filed by Wilma Espinosa against the City and County of San Francisco for \$275,000; the lawsuit was filed on March 9, 2011, in San Francisco Superior Court, Case No. CGC-11-508999; entitled Wilma Espinosa, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. [120187](#) **[Settlement of Lawsuit - Airis v. CCSF, et al. - \$7,500,000]**
Ordinance authorizing settlement of the lawsuit filed by Airis SFO, LLC, Airis Holdings, LLC, and Duane Morris LLP ("Airis") against the City and County of San Francisco (the "City") for \$7,500,000; the lawsuit was filed on July 15, 2005, in San Mateo Superior Court, Case No. 448274, entitled Airis SFO, LLC, et al. v. City and County of San Francisco, et al.; other material terms include a full and final release by Airis of all claims for attorneys' fees, costs, and post judgment interest. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. [120238](#) **[Settlement of Lawsuit - Fonseca v. Fong, et al. - \$73,000]**
Ordinance authorizing settlement of the lawsuit filed by Charles Fonseca against the City and County of San Francisco for \$73,000 in attorney's fees and costs; the lawsuit was filed on May 4, 2007, in San Francisco Superior Court, Case No. CPF-07-507227; entitled Fonseca v. Heather Fong, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. [120239](#) **[Settlement of Lawsuit - Preston, et al. v. CCSF, et al. - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Bonnie Preston against the City and County of San Francisco for \$100,000; the lawsuit was filed on June 16, 2010, in San Francisco Superior Court, Case No. CGC-10-499015; entitled Bonnie Preston, et al. v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. [120258](#) **[Settlement of Lawsuit - Bigeleisen v. CCSF - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by David Bigeleisen against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507900; entitled David Bigeleisen, v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

Attachments: [Comm Packet 032912](#)
[Legislation Ver1](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. [120259](#) **[Settlement of Lawsuit - Donna Murray v. CCSF - \$245,000]**
Ordinance authorizing settlement of the lawsuit filed by Donna Murray against the City and County of San Francisco for \$245,000; the lawsuit was filed on September 22, 2010, in San Francisco Superior Court, Case No. CGC-10-503853; entitled Donna Murray v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 032912](#)
[Board Packet 041012](#)
[Board Packet 041712](#)

04/10/2012; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

16. [120084](#) **[Planning Code - Eating and Drinking Establishment Definitions and Controls]**
Sponsors: Wiener; Olague, Chu, Mar, Kim and Cohen

Ordinance: 1) deleting and amending various sections of the San Francisco Planning Code to simplify and consolidate eating and drinking establishment definitions, and subject the newly-defined uses to Section 312 notification and Formula Retail controls; 2) adding Section 703.5 to establish operating conditions for Bars and Restaurants; and 3) adopting 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.

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 040212](#)
[Response SBC 032712](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Comm Packet 040912](#)
[Board Packet 041012](#)
[Legislation Ver3](#)
[Board Packet 041712](#)

04/10/2012; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

04/10/2012; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Chu, Avalos and Kim

17. [120082](#) **[Administrative Code - Benefit Corporation Discount]**
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code by adding Chapter 14C, Sections 14C.1 through 14C.3 to provide for a downward adjustment in price or upward adjustment in rating of a proposal or bid from a California Benefit Corporation for a competitively-solicited City contract.
- Attachments:** [Legislation Ver1](#)
[Leg_Digest_Ver1](#)
[Budget_Analyst_031412](#)
[Budget_Analyst_031412-2](#)
[Comm_Packet_031412](#)
[120082-2](#)
[Leg_Digest_Ver2](#)
[Comm_Packet_040412](#)
[Legislation_ver3](#)
[Leg_Digest_ver3](#)
[Small_Business_040312](#)
[Budget_Analyst_040412](#)
[Comm_Packet_041112](#)
[Budget_Analyst_041112](#)
[Legislation_ver4](#)
[Leg_Digest_Ver4](#)
[Board_Packet_041712](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. [120237](#) **[Airport Professional Services Agreement - New South Parking - California - Not to Exceed \$95,969,983]**

Resolution approving the Professional Services Agreement for the management and operation of the Airport's Public and Employee Parking between New South Parking - California and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal Impact)

Attachments: [Legislation_Ver1](#)

[Comm_Packet_041112](#)

[Budget_Analyst_041112 revised](#)

[Budget_Analyst_041112](#)

[Board_Packet_041712](#)

Question: Shall this Resolution be ADOPTED?

19. [120245](#) **[Contract Amendment - Netsmart New York, Inc. - Not to Exceed \$31,786,819]**
Sponsor: Mayor

Resolution authorizing the Department of Public Health to execute a contract amendment with Netsmart New York, Inc., to acquire product enhancements and extend the initial term of the agreement for an amended term of August 1, 2008, through June 30, 2018.

(Fiscal Impact)

Attachments: [Legislation ver1](#)

[Original Contract](#)

[Comm Packet 041112](#)

[Budget Analyst 041112](#)

[Board Packet 041712](#)

Question: Shall this Resolution be ADOPTED?

20. [120305](#) **[San Francisco Summer Jobs+ Campaign]**

Sponsors: Olague; Campos, Avalos, Kim and Chu

Resolution urging the Mayor to launch a San Francisco Summer Jobs+ Campaign by identifying private and public sector funds, securing private sector job opportunities, and developing infrastructure to manage internships so as to increase the summer employment opportunities for San Francisco's disconnected young people.

Attachments: [Legislation ver1](#)

[Comm Packet 041112](#)

[Legislation Ver2](#)

[Board Packet 041712](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Kim, Farrell, Campos

21. **120298** **[Appointment, Health Commission - Bell Taylor-McGhee]**
Motion approving the Mayor's appointment of Belle Taylor-McGhee, term ending January 15, 2016, to the Health Commission. (Clerk of the Board)
- (Charter Section 3.100-18 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - March 19, 2012.)
- Attachments:** [Legislation Ver1](#)
[Comm Packet 040512](#)
[Legislation Ver2](#)
[Board Packet 041712](#)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**22. ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 24 through 27

24. [120324](#) **[Supporting Assembly Bill 1081 - The TRUST Act]**
Sponsors: Campos; Avalos, Chiu, Kim, Mar, Olague and Wiener
Resolution supporting Assembly Bill 1081 (Ammiano) the TRUST Act, a bill that establishes standards for local governments to ensure that an individual will only be detained pursuant to an Immigration and Customs Enforcement hold if that individual has been convicted of a serious or violent felony, and provides key safeguards against profiling and the wrongful detention of U.S. Citizens.

Attachments: [Legislation Ver1](#)

[Board packet 041012](#)

[Board Packet 041712](#)

04/03/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

04/10/2012; CONTINUED.

Question: Shall this Resolution be ADOPTED?

25. [120369](#) **[Department of Children, Youth and Their Families Community Needs Assessment]**
Sponsor: Chu
Resolution approving the Community Needs Assessment developed by the Department of Children, Youth and Their Families in accordance with Section 16.108 of the San Francisco Charter.

Attachments: [120369.doc](#)

[Board Packet 041712](#)

04/11/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

26. [120370](#) **[Armenian Genocide Commemoration Day - April 24, 2012]**
Sponsor: Elsbernd
Resolution declaring April 24, 2012, as Armenian Genocide Commemoration Day in the City and County of San Francisco.

Attachments: [120370.doc.docx](#)
[Board Packet 041712](#)

04/11/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. [120371](#) **[Urging the Director of HOPE to Convene a Shelter Reform Working Group]**
Sponsor: Kim
Resolution urging the Director of HOPE to convene a working group to develop a series of recommendations on how the city can improve access to shelter for all, improve programming within the shelter and explore opportunities to better assess the health needs of shelter clients.

Attachments: [120370.doc.docx](#)
[Board Packet 041712](#)

04/11/2012; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

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

PROPOSED RESOLUTIONS

Proposed resolutions received from April 3, 2012, through April 9, 2012, for reference by President to appropriate committee on April 17, 2012.

120014

[Airport Lease - Alclear, LLC]

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

04/03/2012; RECEIVED FROM DEPARTMENT.

04/17/2012; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

120015

[Airport Lease and Operating Agreement - Smarte Carte, Inc.]

Resolution approving the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

04/03/2012; RECEIVED FROM DEPARTMENT.

04/17/2012; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

120016

[Street Encroachment - Outdoor Child Play Area - Redwood Street]

Resolution: 1) granting revocable permission to the Public Utilities Commission to occupy a portion of the public right-of-way on Redwood Street, approximately 150 feet west of Polk Street to construct and maintain an outdoor play area accessible to a child care facility within the new building at 525 Golden Gate Avenue (Assessor's Block No. 0766, Lot No. 001); and 2) making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

04/06/2012; RECEIVED FROM DEPARTMENT.

04/17/2012; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

120340 [Petitions and Communications]

Petitions and Communications received from April 3, 2012, through April 9, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 17, 2012.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From Bruce Brugmann, submitting opposition to the current California Pacific Medical Center Agreement. Copy: Each Supervisor (1)

From Priya Murthy, submitting support for proposed legislation that establishes policy for participation in Federal Counterterrorism Activities. File No. 120046, Copy: Each Supervisor (2)

From Emil Lawrence, regarding proposed legislation that establishes policy for participation in Federal Counterterrorism Activities and public comment at the April 3, 2012, Board of Supervisors Meeting. Copy: Supervisor Chiu (3)

From State Fish and Game Commission, regarding proposed regulatory action relating to the election of commission officers. Copy: Each Supervisor (4)

From Myrna Melgar, regarding Eliana Mirkarimi. Copy: Each Supervisor (5)

From Holly Near, regarding the removal of murals at the Bernal Heights Branch Library. Copy: Each Supervisor (6)

From Elliot Schwartz, submitting support for proposed legislation to allow children in strollers on Muni vehicles. File No. 120326, Copy: Each Supervisor (7)

From Howard Wong, regarding the North Beach Branch Library. File No. 120222, Copy: Each Supervisor (8)

From YouthNet Academic Program, regarding Trayvon Martin. Copy: Each Supervisor (9)

From John Pritzker, submitting support for the 8 Washington Street Project File No. 120272, Copy: Each Supervisor (10)

From Gary Noguera, regarding the recent death of a pedestrian who was hit by a speeding cyclist. Copy: Each Supervisor (11)

From Eileen Wampole, regarding the Clean Power SF Community Choice Program. (12)

From Aaron Goodman, regarding adequate working class housing in San Francisco. Copy: Each Supervisor (13)

From Patrick Monette-Shaw, regarding open government in San Francisco. Copy: Each Supervisor (14)

From concerned citizen, regarding housing in San Francisco. (15)

From T. Grammon, regarding California's High Speed Rail Project. File No. 110532, Copy: Each Supervisor (16)

From Christine Ward, regarding various issues. Copy: Each Supervisor (17)

From concerned citizens, regarding the Public Art Fee and the Public Artwork Trust Fund. File No. 110853, Copy: Each Supervisor (18)

From Department of Public Health, submitting the demand for substance abuse treatment annual report. Copy: Each Supervisor (19)

From M. R. Wolfe & Associates, regarding the San Francisco Law Library. Copy: Each Supervisor (20)

From Eduardo Antonio Troz, regarding his car accident. (21)

From Rick Robinson, regarding hop-on/off tour buses. Copy: Each Supervisor (22)

From Elizabeth Santos, regarding proclaiming June as California Avocado Month. (23)

From Juvenile Probation Commission, regarding the Juvenile Probation Department's proposed FY2012-2013 and FY2013-2014 budget. Copy: Each Supervisor (24)

From JD Coderus, regarding Ross Mirkarimi. (25)

From Stephanie Greenburg, regarding proposed legislation concerning eating and drinking establishment definitions and controls. File No. 120084, Copy: Each Supervisor (26)

*(An asterisked item represents the cover sheet to document that exceeds 25 pages. The complete document is available at the Clerk's Office Room 244, City Hall.)

ADJOURNMENT