

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - FINAL

Tuesday, March 13, 2012 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee

Supervisors Chu, Avalos, Kim, Cohen, Wiener

Wednesday

1:00 PM

Budget and Finance Sub-Committee

Supervisors Chu, Avalos, Kim

Wednesday

10:00 AM

City and School District Select Committee

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

4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday

10:00 AM

Government Audit and Oversight Committee

Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday

1:00 PM

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

Public Safety Committee

Supervisors Avalos, Olague, Mar

1st and 3rd Thursday

10:30 AM

Rules Committee

Supervisors Kim, Farrell, Campos

1st and 3rd Thursday

1:30 PM

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

Volume 107 Number 8

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

Supervisor Kim was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of January 31, 2012, and February 7, 2012. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

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

120177 [Formal Policy Discussions - March 13, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 3, 5, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, in November 2007, the voters of San Francisco passed Proposition I, which created the Office of Small Business to support small businesses, among other things, in complying with the laws and regulations administered by the 14 City departments that impact small business. As drafted by the Small Business Commission, Prop I specifically stated that within four months of the Office's opening, the Office "shall issue a report that analyzes the existing laws, regulations, roles, procedures and responsibilities of all City departments that impact small businesses and make recommendations regarding the streamlining and consolidation of such departmental functions under the Office of Small Business."

However, as of today, four years later, the Office has not issued that report, nor made any such recommendations, and the executive branch has not yet engaged in efforts to streamline or consolidate the functions of the 14 different City departments from which 80,000 small businesses must seek approvals to do business in San Francisco.

Mr. Mayor, will you commit to carrying out the mandates of Proposition I to streamline City government to help small businesses, and will you commit to delivering a report within the next four months with recommendations that you will act on? (Supervisor Chiu, District 3)

2. With the dissolution of the San Francisco Redevelopment Agency on February 1, 2012, and the new formation of the Redevelopment Successor Agency Oversight Board, what are your plans to ensure that community voices will be heard through the Community Advisory Committees in a meaningful way, despite the lack of staffing and shortage of resources? (Supervisor Olague, District 5)

3. There have been news articles claiming that you plan to attach strings to the release of any rainy day funds to the San Francisco Unified School District (SFUSD). Specifically, the articles claim that you will not release funds that will help SFUSD avoid teacher lay-offs unless the district sells off its surplus property. Whether selling surplus property is a good way of budgeting is an open question. Those of us who have supported the rainy day fund are concerned that these comments, if true, are inconsistent with the letter and spirit of the rainy day fund, which already outlines how the funds are supposed to be distributed. Can you please explain your position, and what would you say to the thousands of parents who may be concerned about what has been reported? (Supervisor Campos, District 9)

4. Although District 11 has some great parks and we are adjacent to San Francisco's second largest park - McLaren, our streets lack the robust urban forest that other districts benefit from. I have worked closely with the Department of Public Works and Friends of the Urban Forest to increase our district's green space and green canopy, however, there is much more we can do. Given that we just celebrated the 140th Anniversary of Arbor Day in District 11 this past weekend, I would like to know what the City's intention is towards completing the Alemany Street Greening Project. Currently, the median has only been greened from Lyell to Niagara. Does the City have plans to green the remainder of Alemany from Niagara to the Daly City border? And if so, what is the timeline for this plan? (Supervisor John Avalos, District 11)

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

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

120122 [Appropriating \$3,448,350 Consisting of Fund Balance and Re-appropriating \$1,800,000 to the Port Commission in FY2011-2012]

Sponsors: Mayor; Chiu

Ordinance appropriating \$3,448,350 consisting of \$3,448,350 in fund balance and re-appropriating \$1,800,000 from 2010 Revenue Bond funded projects to the Port Commission in FY2011-2012 for the development of the Mixed-Use Cruise Terminal at Pier 27.
(Fiscal Impact)

Ordinance No. 049-12

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

111315 [Planning Code - Automobile Sale or Rental in NC-S Districts]

Sponsor: Elsbernd

Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) make environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 047-12

FINALLY PASSED

Recommendation of the Public Safety Committee

120143 [Approval of the Youth Violence Prevention Initiative: Local Action Plan - 2012 Update]

Sponsors: Avalos; Mar

Resolution approving the San Francisco Juvenile Justice Coordinating Council's Youth Violence Prevention Initiative: Local Action Plan - 2012 Update.

Resolution No. 088-12

ADOPTED

Recommendations of the Rules Committee

111179 [Appointment, Public Utilities Revenue Bond Oversight Committee - Karen Donovan]

Motion appointing Karen Donovan, term ending November 12, 2015, to the Public Utilities Revenue Bond Oversight Committee. (Clerk of the Board)

Karen Donovan, seat 1, succeeding Brian Browne, term expired, must have expertise, skills and experience in economics, the environment, construction or project management, for a four-year term ending November 12, 2015.

Motion No. M12-033

APPROVED

120066 [Appointment, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - Daniel Hlad]

Motion appointing Daniel Hlad, term to be determined, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)

Daniel Hlad, seat 8, succeeding LJ Cirillo, resigned, must have expertise on homelessness, transitional age youth, or supportive housing and familiarity with the Central Market Street and Tenderloin Area or in District 6, bounded on the southern side by 13th Street and Townsend Street bounded, for a term to be determined.

Motion No. M12-034

APPROVED

120173 [Appointment, Immigrant Rights Commission - Bill Ong Hing]

Motion appointing Bill Ong Hing, term ending June 6, 2014, to the Immigrant Rights Commission. (Clerk of the Board)

Bill Ong Hing, seat 3, succeeding Samer Danfoura, resigned, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2014.

Motion No. M12-035

APPROVED

120174 [Appointments, SRO Task Force - Joshua Vining and Pratibha Tekkey]

Motion appointing Joshua Vining and Pratibha Tekkey, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived. (Clerk of the Board)

Joshua Vining, seat 5 (residency requirement waived), succeeding Jorge Portillo, resigned, must be a representative of the Mission SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

Pratibha Tekkey, seat 6 (residency requirement waived), succeeding Jeffrey Buckley, resigned, must be a representative of the Central City SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.

Motion No. M12-036

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

120120 [Appropriating \$706,500 of Fund Balance to the Department of Public Works - Jefferson Street Streetscape Improvement - FY2011-2012]

Sponsors: Mayor; Chiu

Ordinance appropriating \$706,500 consisting of \$706,500 in fund balance to the Department of Public Works in FY2011-2012 for the design of Jefferson Street Streetscape Improvements. (Fiscal Impact)

Ordinance No. 048-12

FINALLY PASSED by the following vote:

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

Recommendation of the Public Safety Committee

111029 [Environment Code - Tenant Bicycle Parking in Existing Commercial Buildings]

Sponsors: Avalos; Kim, Mar, Campos, Olague and Chiu

Ordinance amending the San Francisco Environment Code, Section 400, and adding Section 402, to: 1) require the owners of existing commercial buildings to either provide secure bicycle parking in their buildings or allow their tenants to bring their bicycles into the building; 2) provide that the Ordinance's operative date is January 1, 2012, or 30 days from the effective date of the Ordinance, whichever is later; and 3) make environmental findings.

Ordinance No. 046-12

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener

Noes: 2 - Chu, Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120190 [Accept and Expend Grant - 2011 Homeland Security Grant Program and Amendment to Annual Salary Ordinance - \$1,434,644]

Sponsor: Mayor

Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a FY2011 Homeland Security Grant Program grant in the amount of \$1,434,644 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities; and amending Ordinance No. 146-11 (Annual Salary Ordinance, FY2011-2012 and FY2012-2013) to provide for the creation of one (1) grant-funded 0931 Manager III position (1 FTE) in the Department of Emergency Management.

PASSED, ON FIRST READING by the following vote:

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

120139 [Airport Concession Lease - Hudson Group (HG) Retail, LLC]

Resolution approving the Terminal 3 News and Specialty Store Lease between Hudson Group (HG) Retail, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact)

Resolution No. 086-12

ADOPTED by the following vote:

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

120140 [Real Property Lease - 2712 Mission Street - Annual Rent of \$768,000]

Resolution authorizing a ten-year lease of 2712 Mission Street from Redwood Mortgage Investors VIII, A California Limited Partnership, for the Department of Public Health at an initial annual rent of \$768,000. (Real Estate Department)

Resolution No. 087-12

ADOPTED by the following vote:

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

120144 [Accept and Expend Grant - Wolfe Lane Community Garden Plot Terraces Rebuild - \$116,000]

Sponsor: Campos

Resolution authorizing the Department of Recreation and Park to retroactively accept and expend a grant valued at \$116,000 from the San Francisco Conservation Corps to rebuild community garden plot terraces at Wolfe Lane Community Garden.

Resolution No. 089-12

ADOPTED by the following vote:

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

120145 [Accept and Expend Grant - Teen Center Learning Lab at Main Library and Citywide Framework - \$99,680]**Sponsor: Kim**

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of \$99,680 from the Institute of Museum and Library Services for a planning process, in partnership with the Bay Area Video Coalition, the California Academy of Sciences, and KQED to achieve two primary goals to: 1) develop a vision, program design, and test a Teen Center Learning Lab at the Main Library; and 2) develop a citywide framework for incorporating content-based curriculum in a shared online platform, with the help of a broad consortium of youth service providers and a team of youth leaders across the City.

Resolution No. 090-12**ADOPTED by the following vote:**

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

120160 [Airport Concession Lease Amendment - Boarding Area B and C Books and News Store - Gateway Concessions, LLC]

Resolution retroactively approving Amendment No. 1 to Boarding Area B and C Books and News Store Lease No. 04-0231 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
(Fiscal Impact)

Resolution No. 091-12**ADOPTED by the following vote:**

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

120194 [Issuance of Tax-Exempt Revenue Obligation Bonds - The California School of Mechanical Arts (Lick-Wilmerding High School) - Not to Exceed \$17,000,000]**Sponsor: Avalos**

Resolution approving in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance of tax-exempt obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$17,000,000 for the refinancing of various capital facilities owned by The California School of Mechanical Arts (Lick-Wilmerding High School).

Resolution No. 092-12**ADOPTED by the following vote:**

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

120200 [Lease for Real Property - China Basin Ballpark Company, LLC. - Seawall Lot 337]
Sponsors: Mayor; Chiu, Kim and Elsbernd

Resolution approving Port Commission Lease No. L-14980 with China Basin Ballpark Company, LLC. (CBBC), for certain real property located at Seawall Lot 337 ("SWL 337"), including a license for certain areas of Pier 48 Shed A, Shed C, the Pier 48 Valley, and access to SWL 337 from surrounding public rights of way in the City and County of San Francisco for a term of five years.
(Fiscal Impact)

Resolution No. 085-12**ADOPTED by the following vote:**

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

Recommendations of the Public Safety Committee

120046 [Administrative Code - Establish Policy Regarding Participation in Federal Counterterrorism Activities]

Sponsors: Kim; Avalos, Campos, Chiu, Olague and Mar

Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in federal counterterrorism activities; 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities; 3) urge the Chief of Police to amend or terminate the current agreement between the Police Department and the Federal Bureau of Investigation regarding the Joint Terrorism Task Force; and 4) urge the Police Commission to direct the Chief to amend or terminate that agreement.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Ordinance 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, Olague, Wiener
Ordinance amending the San Francisco Administrative Code by adding Section 2A.84 to: 1) set City policy regarding participation in Federal counterterrorism activities; and 2) set parameters for Police Department participation in the activities of the Federal Bureau of Investigation's Joint Terrorism Task Force and other counterterrorism activities.

NOTE: This action requires a two-thirds vote pursuant to Charter Section 2.106. The Board may not amend the ordinance and may only veto in favor or in opposition to veto override. The Mayor's veto was received on April 10, 2012. Therefore, the Board of Supervisors will lose the ability to override unless it votes on the veto override on or before May 10, 2012.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

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

110983 [Employment Policies and Procedures Regarding Criminal History]

Resolution authorizing the City and County of San Francisco to access state and federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation. (Human Resources Department)

Resolution No. 084-12

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

120044 [Administrative Code - Reporting Responsibilities Relating to the Centralized and Publicly Accessible Online Database of Appointments to Advisory Bodies]**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code Sections 1.57-2 through 1.57-5, to clarify the reporting responsibilities relating to the centralized and publicly accessible online database of information concerning appointments to City and County of San Francisco advisory bodies.

PASSED, ON FIRST READING by the following vote:

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

Supervisor Kim was noted absent at 3:10 p.m. and present at 3:20 p.m.

Supervisor Olague Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Olague be excused from voting on File No. 120175. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Excused: 1 - Olague

Absent: 1 - Kim

120175 [Appointment, San Francisco LAFCo - Supervisor Christina Olague]

Motion appointing Supervisor Christina Olague, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Motion No. M12-037**APPROVED by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Excused: 1 - Olague

Absent: 1 - Kim

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

There were none.

COMMITTEE REPORT**120141 [Permit of Northeast-Facing Wall Sign - Total Outdoor Corporation - 1650 Mission Street]**

Resolution authorizing the execution of a permit to enter and use property for installation and maintenance of a northeast-facing wall sign at 1650 Mission Street by and between the City and County of San Francisco and Total Outdoor Corporation, a Delaware Corporation, permittee. (Real Estate Department)

This item was not sent as a Committee Report.

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.
Peter Warfield; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Catherine Hill; shared in song certain concerns with the Board.
Male Speaker; expressed various religious concerns.
Stefano Castellato; spoke on various concerns.*

*Supervisor Wiener was noted absent at 3:24 p.m. and present at 3:39 p.m.
Supervisor Chu was noted absent at 3:34 p.m. and present at 3:39 p.m.*

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

120233 [Closed Session - Update on Labor Negotiations]

Sponsor: Chiu

Hearing that the Board of Supervisors convene in closed session on March 13, 2012, with the Mayor's Office and the Department of Human Resources regarding negotiations with labor unions representing City employees.

This closed session is permitted by Government Code Section 54957.6 and the San Francisco Administrative Code Section 67.10(e).

*The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session, pursuant to File No. 120231. There were no speakers.
The President declared public comment closed.*

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 3:50 p.m. to convene in closed session pursuant to File No. 120231 (Motion No. M12-038). The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Persons in attendance:

Cheryl Adams, Deputy City Attorney
Monique Zmuda, Deputy Controller
Martin Gran, Director of Employee Relations
Micki Callahan, Director of Department of Human Resources
Kate Howard, Director, Mayor's Office of Public Policy and Finance
Angela Calvillo, Clerk of the Board
Alisa Miller, Office of the Clerk of the Board

Matter was HEARD in Closed Session and FILED.

RECONVENING OF THE BOARD

The Board at the hour of 4:36 p.m. reconvened. The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Farrell, seconded by Supervisor Avalos, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**120230 [Commending Our Kids First Day - March 17, 2012]****Sponsor: Avalos**

Resolution commending Our Kids First for their dedication and support of San Francisco's children, particularly those in the Outer Mission neighborhood, and proclaiming March 17, 2012, to be "Our Kids First Day" in the City and County of San Francisco.

Resolution No. 093-12

ADOPTED

120231 [Closed Session - Update on Labor Negotiations]**Sponsor: Chiu**

Motion that the Board of Supervisors convene in closed session on March 13, 2012, with the Mayor's Office and the Department of Human Resources pursuant to Section 67.10(e) of the San Francisco Administrative Code and Section 54957.6 of the California Government Code regarding negotiations with labor unions representing City employees.

Motion No. M12-038

APPROVED

120232 [Accept and Expend Grant - Accessibility Training and Improving Polling Place Accessibility - \$20,000]**Sponsor: Farrell**

Resolution authorizing the Department of Elections to accept and expend Help America Vote Act (HAVA) Section 261 funds in an amount not to exceed \$20,000 for improving polling place accessibility in accordance with the California Secretary of State's Accessibility Training Program.

Resolution No. 094-12**ADOPTED**

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 120205 be severed so that it may be considered separately.

120205 [Opposing Assembly Bill 1678 - Regarding Restrictions on Food Trucks' Proximity to Schools]**Sponsors: Wiener; Chiu, Olague and Campos**

Resolution opposing Assembly Bill 1678, regarding restrictions on food trucks' proximity to schools.

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

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

Supervisor Elsbernd requested that File No. 120214 be severed so that it may be considered separately.

120214 [Authorizing Preparation of Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 5, 2012, Consolidated Presidential Primary Municipal Election]

Motion authorizing preparation of written proponent and opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2012, Consolidated General Municipal Election. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Motion be AMENDED by authorizing Supervisors Wiener and Elsbernd to prepare opponent ballot arguments and rebuttal ballot arguments for Garbage Collection and Disposal and Coit Tower, respectively. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Motion authorizing preparation of written opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 5, 2012, Consolidated Presidential Primary Municipal Election. (Clerk of the Board)

Motion No. M12-039

APPROVED AS AMENDED by the following vote:

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

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

120241 [Planning Code, Zoning Map - Establishing Three Outer Sunset Neighborhood Commercial Districts]

Sponsor: Chu

Ordinance amending the San Francisco Planning Code by: 1) adding Section 739.1 to establish the Outer Sunset Commercial Cluster 1 Neighborhood Commercial District that includes currently zoned NC-2 Noriega Street from 19th through 27th and 30th through 33rd Avenues; 2) adding Section 740.1 to establish the Outer Sunset Commercial Cluster 2 Neighborhood Commercial District that includes currently zoned NC-1 Taraval Street from 40th through 41st Avenues and from 45th through 47th Avenues, Noriega Street from 38th through 39th and 44th through 47th Avenues, Judah Street from 27th through 29th, 38th through 40th, and 44th through 47th Avenues, and Irving Street from 40th through 41st and 45th through 46th Avenues; 3) adding Section 741.1 to establish the Outer Sunset Linear Streets Neighborhood Commercial District that includes currently zoned NC-2 Taraval Street from 19th through 36th Avenues, Judah Street from 29th through 33rd Avenues, and Irving Street from 19th through 27th Avenues; 4) amending Section 724.124 (trade shops) to allow catering, remove horsepower limitations, and allow wholesaling, manufacturing and processing as an accessory use for up to two-thirds of the gross floor area; 5) amending Zoning Map Sheet ZN05 to include the new Neighborhood Commercial Districts; and 6) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

03/13/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/12/2012.

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)

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

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, and placing these funds on Controller's Reserve pending the sale of the bonds.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120192 [Administrative Code - Board Approval of Grants Over \$100,000]

Sponsor: Wiener

Ordinance amending the San Francisco Administrative Code Section 10.170-1 to set a threshold of \$100,000 or more for Board of Supervisors approval of the acceptance and expenditure of grants.

02/28/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/29/2012.

03/06/12; REFERRED TO DEPARTMENT.

03/13/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

111082 [Campaign and Governmental Conduct and Municipal Elections Codes - Amending Public Financing Program]

Sponsors: Kim; Campos, Mar and Avalos

Ordinance amending the Campaign and Governmental Conduct Code and the Municipal Elections Code to modify funding of the City's public financing program, to increase expenditure ceilings for supervisorial candidates, to delay the date on which public funds may be disbursed, to change the qualification requirements for participating candidates, and to advance the date by which all local candidates must file their nomination papers.

10/04/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/3/2011.

10/12/11; REFERRED TO DEPARTMENT.

01/24/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

01/31/12; REFERRED TO DEPARTMENT.

02/09/12; TRANSFERRED to Rules Committee.

02/28/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/28/12; RE-REFERRED AS AMENDED to Rules Committee.

03/06/12; REFERRED TO DEPARTMENT.

03/13/12; SUBSTITUTED AND ASSIGNED to Rules Committee.

Resolutions

120244 [Multifamily Housing Revenue Bonds - 1180 Fourth Street Family Housing]

Sponsor: Kim

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$48,155,000 for the purpose of providing financing for the acquisition and construction of a 150-unit multifamily rental housing project known as 1180 Fourth Street Family Housing; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

03/13/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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)

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120246 [Master License Agreement - Photovoltaic Power Projects]

Sponsors: Wiener; Mar

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into a long term Master License Agreement for the installation of photovoltaic power projects on San Francisco Unified School District buildings, pursuant to San Francisco Charter Section 9.118.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120247 [Accept and Expend Grant - Evaluating the Impact on Student Nutrition and National Food Programs of Eliminating Competitive Meals in Schools - \$49,090]

Sponsor: Olague

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$49,090 from the Robert Wood Johnson Foundation to participate in a program entitled "Evaluating the Impact on Student Nutrition and National Food Programs of Eliminating Competitive Meals in Schools" for the period of November 1, 2011, through October 31, 2012.

120248 [Accept and Expend Grant - Juvenile Detention Reform - \$34,603]

Sponsor: Olague

Resolution authorizing the Department of Juvenile Probation to retroactively accept and expend a grant in the amount of \$34,603 from the Annie E. Casey Foundation for continuing support of the juvenile justice reform activities at the Juvenile Probation Department.

Requests for Hearing

120249 [Hearing - Business Tax Reform]

Sponsors: Avalos; Chiu

Hearing on the Controller's Office of Economic Analysis Research and results on options for Business Tax Reform in San Francisco.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120250 [Hearing - Controller's 6-Month Overtime Report for FY2011-2012]

Sponsor: Campos

Hearing on the Controller's 6-Month Overtime Report for FY2011-2012 including on why the Municipal Transportation Agency, Fire, Police, Public Health, and Sheriff's Departments are greatly exceeding their budgeted overtime including whether insufficient staffing or other staffing issues are primary causes, and a discussion on whether hiring sufficient, permanent, and skilled staff is a smarter policy than spending millions of dollars on overtime.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120251 [Hearing - City Departments Projected Overtime Costs]

Sponsor: Chu

Hearing on the status of current and projected overtime costs for City departments.

03/13/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120252 [Hearing - City's Response to Americans with Disabilities Act Based Lawsuits]

Sponsor: Mar

Hearing on the City's response to Americans with Disabilities Act based lawsuits brought against small businesses.

03/13/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

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)

02/29/12; RECEIVED FROM DEPARTMENT.

03/13/12; RECEIVED AND ASSIGNED to Rules Committee.

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)

03/05/12; RECEIVED FROM DEPARTMENT.

03/13/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120178 [2012 Annual Joint Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2012 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

02/21/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Elsbernd

To: Superintendent, San Francisco Unified School District

Requesting/Inquiring: Supervisor Elsbernd inquires what the financial impact will be on the budget of the San Francisco Unified School District (SFUSD) should the Board of the California Public Employees' Retirement System (CalPERS) reduce anticipated annual investment return from 7.75% to 7.5%?

In Memoriams

Dora Shinn Piamonte - Supervisor Campos

Jake "The Bulldog Mayor of Haight Street" Wilson – Supervisors Olague & Campos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:38 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 April 17, 2012.

Angela Calvillo, Clerk of the Board