

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, June 12, 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

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|--|----------------------------------|
| 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 |

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 2:07 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

Supervisor Mar was noted present at 2:09 p.m.

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AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of May 1, 2012. The motion carried by the following vote:

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

COMMUNICATIONS

Rick Caldeira, Legislative Deputy Director, announced that pursuant to Charter Section 3.100(7), the Mayor and Board President have rescheduled the Mayor's Appearance Before the Board to June 19, 2012.

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CONSENT AGENDA

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Recommendations of the Budget and Finance Committee

120428 [Appropriating \$587,756,000 for Wastewater Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]

Sponsor: Mayor

Ordinance appropriating \$587,756,000 of proceeds from revenue bonds, wastewater revenue, state grants, and bond interest income for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program, comprised of \$299,402,000 for FY2012-2013, and \$288,354,000 for FY2013-2014, and placing \$255,600,000 on Board Finance Committee reserve as well as placing all applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, accept and expend a Department of Water Resources administered grant in the amount of \$24,147,000 and allow reimbursement of prior expenditures, funded from Wastewater Revenue Bonds, to be funded by the grant retroactive to December 2011; notably if the State delays the disbursement of the \$24,147,000 in grant funding, Wastewater Revenue Bonds may be substituted as a source for the grant funds.

(Fiscal Impact)

Ordinance No. 108-12

FINALLY PASSED

120429 [Appropriating \$171,001,000 for Water Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]

Sponsor: Mayor

Ordinance appropriating \$171,001,000 of proceeds from revenue bonds, water revenues, and interest income for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program, comprised of \$60,084,000 for FY2012-2013, and \$110,917,000 for FY2013-2014, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness.

Ordinance No. 109-12

FINALLY PASSED

120430 [Appropriating \$141,171,000 for Hetch Hetchy Water and Power Capital Improvements at the Public Utilities Commission for FY2012-2013 and FY2013-2014]

Sponsor: Mayor

Ordinance appropriating \$141,171,000 of Hetch Hetchy revenue, California Energy Commission loan and Power and Water Revenue Bonds for the San Francisco Public Utilities Commission (SFPUC) Hetch Hetchy Enterprise's Capital Improvement Program consisting of \$51,383,000 for FY2012-2013, and \$89,788,000 for FY2013-2014, and placing applicable appropriations by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and loan funds.

Ordinance No. 110-12

FINALLY PASSED

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

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

Ordinance No. 113-12

FINALLY PASSED

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

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

Ordinance No. 114-12

FINALLY PASSED

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

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

Ordinance No. 115-12

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee**120378 [Administrative Code - Establishing a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force]****Sponsors: Wiener; Olague, Campos, Cohen and Avalos**

Ordinance amending the San Francisco Administrative Code, Chapter 5, Article XII, by adding Sections 5.110 through 5.115, to establish a Lesbian, Gay, Bisexual, and Transgender Seniors Task Force and establish its powers and duties.

Ordinance No. 107-12**FINALLY PASSED****Recommendations of the Land Use and Economic Development Committee****120435 [Park Code - Marina Small Craft Harbor Fees and Licenses]****Sponsor: Farrell**

Ordinance amending the San Francisco Park Code Section 12.11 to: 1) reflect the fees for FY2011-2012 for berthing licenses in the San Francisco Marina Small Craft Harbor; 2) establish a flat daily rate for short-term dock fees; 3) delete fees for obsolete services; 4) add new transfer fee provisions; and 5) authorize annual renewals of berthing licenses pursuant to the Recreation and Park Commission's Marina Rules; and making environmental findings and findings of consistency with the General Plan.

Ordinance No. 111-12**FINALLY PASSED****120436 [Appropriating \$1,039,600 of Fund Balance in the Marina Yacht Harbor Operating Fund to the Recreation and Park Department for the West Harbor Renovation Project in FY2011-2012]****Sponsor: Farrell**

Ordinance appropriating \$1,039,600 in fund balance in the Marina Yacht Harbor Operation Fund to the Recreation and Park Department in FY2011-2012 for funding the construction of 36 additional slips as a part of the West Harbor Renovation Project.

(Fiscal Impact)

Ordinance No. 112-12**FINALLY PASSED****120388 [Accept and Expend Grant - GreenFinanceSF - \$200,608]****Sponsor: Mar**

Resolution authorizing the Department of the Environment to accept and expend an American Recovery and Reinvestment Act of 2009 funded grant in the amount of \$200,608 from the California Energy Commission's State Energy Program through the Local Government Commission to support GreenFinanceSF.

Resolution No. 228-12**ADOPTED**

Recommendation of the Public Safety Committee**120431 [Administrative Code - Establishing a Wage Theft Task Force]****Sponsors: Campos; Mar, Chiu, Kim, Avalos, Olague and Cohen**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.260 through 5.260-5 to: 1) establish a Wage Theft Task Force to make recommendations to the Board of Supervisors regarding how the City may best address wage theft in San Francisco; 2) provide for the Task Force's membership, organization, and duties; and 3) set a sunset date for the Task Force.

Ordinance No. 102-12**FINALLY PASSED****Recommendation of the Rules Committee****120068 [Settlement of Lawsuit - Kevin Woodson v. CCSF - \$45,000]**

Ordinance authorizing settlement of the lawsuit filed by Kevin Woodson against the City and County of San Francisco for \$45,000; the lawsuit was filed on December 10, 2010, in the United States District Court, Northern District of California, Case No. C11-00057 JCS; entitled Kevin Woodson, et al. v. City and County of San Francisco, et al., and the waiver of the San Francisco General Hospital lien. (City Attorney)

Ordinance No. 103-12**FINALLY PASSED****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

Recommendation of the Land Use and Economic Development Committee

120047 [Planning Code - Including Financial Services Within Definition of Formula Retail]

Sponsors: Mar; Olague, Campos and Avalos

Ordinance amending the San Francisco Planning Code by: 1) amending Section 703.3(c) to include financial services within the uses subject to formula retail controls in Neighborhood Commercial Districts; 2) amending Section 806.3(c) including financial services within the uses subject to formula retail controls in Mixed Use Districts; 3) amending Section 303.3(i) making conforming amendments; and 4) making findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and with the Priority Policies of Planning Code Section 101.1.

Ordinance No. 106-12

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120561 [Correcting the Appropriation of Sources in Supplemental Ordinance No. 77-12 in the Department of Public Health for FY2011-2012]

Sponsors: Chu; Mayor

Ordinance correcting the appropriation of Sources in Supplemental Ordinance No. 77-12, an Ordinance recognizing revenue losses of \$31,477,332 at the Department of Public Health and appropriating \$67,629,934 of SB1128 reimbursement revenues, \$25,620,000 of surplus General Hospital revenues, and \$6,555,007 of General Fund Reserves for State revenue losses to support additional expenditures in the Department of Public Health including \$28,160,000 at San Francisco General Hospital, \$13,090,000 at Laguna Honda Hospital, and \$27,077,609 for a debt service reserve in FY2011-2012.

PASSED, ON FIRST READING by the following vote:

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

120476 [Design Agreement Amendment - Laguna Honda Hospital Replacement Program - \$51,276,867]**Sponsor: Elsbernd**

Resolution authorizing the Director of Public Works to execute an amendment to the design agreement for the Laguna Honda Hospital Replacement Program by increasing the contract amount from \$50,799,281 to \$51,276,867.

(Fiscal Impact)

Resolution No. 223-12**ADOPTED by the following vote:**

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

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

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

Supervisor Chu 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, Olague, Wiener

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

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

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

Resolution No. 230-12**ADOPTED by the following vote:**

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

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

Sponsors: Mayor; Chiu and Chu

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

Supervisor Chu 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, Olague, Wiener

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

Sponsors: Mayor; Chiu and Chu

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

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

Resolution No. 231-12

ADOPTED by the following vote:

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

From the Budget and Finance Sub-Committee Without Recommendation

120270 [Approval of Public Trust Exchange; Agreement to Sell Portion of Seawall Lot 351 in Exchange for Portion of Block 168-Lot 58, Block 171-Lot 69, and Block 201-Lot 12; Approval of Lease and Maintenance Agreement]

Resolution approving and authorizing a Purchase and Sale Agreement with San Francisco Waterfront Partners II, LLC, for the sale by the San Francisco Port Commission of unimproved real property located on Seawall Lot No. 351 at the corner of The Embarcadero and Washington Street in exchange for a portion of real property located on Block No. 168-Lot No. 58, Block No. 171-Lot No. 69, and Block No. 201-Lot No. 12 having an address at 8 Washington; approving and authorizing a Trust Exchange Agreement with the California State Lands Commission that would remove the public trust from such portion of Seawall Lot No. 351 and impressing the public trust on such portion of real property located on Block No. 168-Lot No. 58, Block No. 171-Lot No. 69, and Block No. 201-Lot No. 12; approving and authorizing a 66-year lease with San Francisco Waterfront Partners II, LLC, for real property near The Embarcadero and former Pacific Street; approving and authorizing a Maintenance Agreement with San Francisco Waterfront Partners II, LLC, for the maintenance of open space bound by The Embarcadero, Washington Street, and Drumm Street; adopting environmental findings and findings of consistency with the General Plan and the eight Priority Policies of City Planning Code Section 101.1; and authorizing the Port's Executive Director and the City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Port)
(Supervisor Avalos dissented in Committee.)

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Resolution be AMENDED by adding 'WHEREAS, Section 21 of the DDA provides for SFWP to be reimbursed up to \$5 million in Public Financing for Qualified Projects Costs of Public Improvements on the Open Space Parcel.'; and adding 'FURTHER RESOLVED, That Board of Supervisors approval of this Resolution is contingent upon a revision of the DDA between the Port and the developer that removes the portions of Section 21 of the DDA that provides for the developer to be reimbursed up to \$5 million in Public Financing for Qualified Project Costs of Public Improvements on the Open Space Parcel and instead provides that the developer cannot be reimbursed with Public Financing for any project costs.' The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Chiu, Cohen, Mar

Noes: 6 - Chu, Elsbernd, Farrell, Kim, Olague, Wiener

Supervisor Chiu, seconded by Supervisor Campos, moved that this Resolution be AMENDED by adding 'FURTHER RESOLVED, That Board of Supervisors approval of this Resolution is contingent upon a revision of the Purchase and Sale Agreement between the Port and the developer that provides for payment by the developer to the Port or its designee to fund affordable housing projects in the City in the amount of \$25 million.' The motion FAILED by the following vote:

Ayes: 4 - Avalos, Campos, Chiu, Cohen

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

Supervisor Chiu, seconded by Supervisor Campos, moved that this Resolution be AMENDED by adding 'FURTHER RESOLVED, That Board of Supervisors approval of this Resolution is contingent upon a revision of the Purchase and Sale Agreement between the Port and the developer that provides for payment by the developer to the Port or its designee to fund affordable housing projects in the City in the amount of \$13 million.' The motion FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Chiu, Cohen, Mar

Noes: 6 - Chu, Elsbernd, Farrell, Kim, Olague, Wiener

Supervisor Chiu, seconded by Supervisor Campos, moved that this Resolution be AMENDED by adding 'FURTHER RESOLVED, That Board of Supervisors approval of this Resolution is contingent upon a revision of the Purchase and Sale Agreement between the Port and the developer that provides for transfer fees equal to 1.0% of the Condominium Sales Proceeds received including the first sale.' The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Chiu

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

Privilege of the floor was granted to Cheryl Adams, Deputy City Attorney (City Attorney's Office) who responded to questions raised throughout the discussion regarding File No. 120270.

Supervisor Chu, seconded by Supervisor Olague, moved that this Resolution be AMENDED on Page 12, Lines 14-19, by adding 'FURTHER RESOLVED, That the Board of Supervisors has reviewed and considered the information in the memorandum from Paul Maltzer of the Planning Department dated June 12, 2012, that considers the effect of reducing the amount of commercial parking and concludes that such reduction would not result in any additional environmental effects beyond those analyzed in the Final EIR for the reasons stated in the memorandum, which is incorporated into this resolution by this reference; and'. The motion carried by the following vote:

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

Resolution No. 226-12

ADOPTED AS AMENDED by the following vote:

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

Noes: 3 - Avalos, Campos, Chiu

120278 [Amending Resolution of Intention to Form Waterfront Infrastructure Financing District (File No. 120128)]

Resolution amending Resolution of Intention to establish Infrastructure Financing District No. 2 (File No. 120128) for the City and County of San Francisco at the Port of San Francisco. (Port)

Resolution No. 227-12

ADOPTED by the following vote:

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

Noes: 3 - Avalos, Campos, Chiu

Recommendations of the Government Audit and Oversight Committee

120377 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Small Business Net New Payroll - 2012 through 2015]

Sponsors: Farrell; Campos, Chu, Cohen, Elsbernd, Mar and Wiener

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by adding Section 906.5 to permit a Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015.

(Fiscal Impact)

Privilege of the floor was granted to Monique Zmuda, Deputy Controller (Office of the Controller) who responded to questions raised throughout the discussion regarding File No. 120377.

PASSED ON FIRST READING by the following vote:

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

Noes: 1 - Avalos

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

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

Resolution No. 229-12**ADOPTED by the following vote:**

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

Recommendations of the Land Use and Economic Development Committee**111338 [Naming the Waller Street Stairway as Adah's Stairway]****Sponsors: Wiener; Olague**

Ordinance: 1) establishing the name of the stairway on the southern portion of Waller Street at Waller and Broderick Streets that connects to Buena Vista Park at Buena Vista East as "Adah's Stairway," in recognition of Adah Bakalinsky, author of the book Stairway Walks in San Francisco; 2) commemorating this location under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance; 3) accepting a plaque and its installation in honor of Ms. Bakalinsky as a gift to the City; 4) waiving permit and inspection fees for plaque installation; and 5) directing official acts in furtherance of this Ordinance.

PASSED, ON FIRST READING by the following vote:[play video](#)

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

120191 [Building Code - Definition of Efficiency Unit]**Sponsor: Wiener**

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Ordinance be CONTINUED ON FIRST READING to July 10, 2012. The motion carried by the following vote:[play video](#)

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

Noes: 4 - Avalos, Campos, Kim, Mar

120572 [Real Property Acquisition, Ground Lease Agreement - Construction of Affordable Housing - MERCY HOUSING CALIFORNIA XLIV - 1180-4th Street]**Sponsor: Kim**

Resolution: 1) authorizing the Mayor's Office of Housing as Successor Housing Agency to the Redevelopment Agency to exercise an Agency Purchase Option for Block No. 8711, Lot No. 14, also known as 1180-4th Street located within the Mission Bay South Redevelopment Project Area pursuant to that certain Mission Bay South Owner Participation Agreement and Memorandum of Option between the Redevelopment Agency and FOCIL-MB, LLC; 2) approving and authorizing a long term ground lease to MERCY HOUSING CALIFORNIA XLIV, a California limited partnership, for a term of 75 years with a 24 year extension option, under San Francisco Charter Section 9.118, for the development and operation of affordable housing; and 3) making findings that the acquisition and lease is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1.

Resolution No. 224-12**ADOPTED by the following vote:**[play video](#)

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

From the Land Use and Economic Development Committee Without Recommendation**120271 [Zoning Map Amendment - 8 Washington Street Project]**

Ordinance: 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; 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. (Planning Commission)

Privilege of the floor was granted to Cheryl Adams, Deputy City Attorney (City Attorney's Office) who responded to questions raised throughout the discussion regarding File No. 120271.

Supervisor Chu, seconded by Supervisor Olague, moved that this Ordinance be AMENDED on Page 3, Lines 14-19, by adding 'That the Board of Supervisors has reviewed and considered the information in the memorandum from Paul Maltzer of the Planning Department dated June 12, 2012, that considers the effect of reducing the amount of commercial parking and concludes that such reduction would not result in any additional environmental effects beyond those analyzed in the Final EIR for the reasons stated in the memorandum, which is incorporated into this resolution by this reference.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Noes: 3 - Avalos, Campos, Chiu

120272 [General Plan Amendment - 8 Washington Street Project]

Ordinance: 1) amending the San Francisco General Plan Map 2 (Height and Bulk Plan) of the Northeastern Waterfront Area Plan as part of the 8 Washington Street Project (Assessor's Block No. 0201, Lot No. 012); and 2) making environmental findings, Planning Code Section 340 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

Privilege of the floor was granted to Cheryl Adams, Deputy City Attorney (City Attorney's Office) who responded to questions raised throughout the discussion regarding File No. 120272.

Supervisor Chu, seconded by Supervisor Olague, moved that this Ordinance be AMENDED on Page 3, Lines 15-20, by adding 'That the Board of Supervisors has reviewed and considered the information in the memorandum from Paul Maltzer of the Planning Department dated June 12, 2012, that considers the effect of reducing the amount of commercial parking and concludes that such reduction would not result in any additional environmental effects beyond those analyzed in the Final EIR for the reasons stated in the memorandum, which is incorporated into this resolution by this reference.' The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Noes: 3 - Avalos, Campos, Chiu

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

[play video](#)

120639 [Committee of the Whole - Warriors Arena Sole Source Negotiations]

Hearing of persons interested in or objecting to a Resolution: 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29. (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 proposed Resolution as referenced in File No. 120625. Ken Rich (Office of Economic and Workforce Development) provided an overview of the Resolution. Ray Hartz; Jim Lazarus; Walter Paulson; Dennis MacKenzie; Charles Melancon, Sr.; expressed concerns relating to the proposed Resolution. 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 AND FILED

Committee of the Whole Adjourn and Report

[play video](#)

120625 [Warriors Arena Project - Sole Source Negotiations]**Sponsors: Mayor; Chiu, Kim, Farrell, Chu, Wiener, Olague and Cohen**

Resolution 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 1, Line 10, by changing 'urging' to 'requiring'; and Page 8, Line 13, by changing 'urges' to 'requires'. The motion carried by the following vote:

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

Resolution 1) finding that the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities is exempt from the competitive bidding policy set forth in Administrative Code Section 2.6-1 and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) requiring OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29.

Supervisor Campos, seconded by Supervisor Kim, moved that this Resolution be AMENDED on Page 1, Line 3, by deleting 'the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to'; Page 1, Line 5, by adding 'is exempt from the competitive bidding policy set forth in Administrative Code Section 2.6-1'; and Page 7, Line 23, to Page 8, Line 1, by changing the clause to 'all as further described above, the possible transaction with GSW (including, for all purposes of this resolution, any affiliated development entity or entities that GSW may establish for the Project, as approved by the City) is exempted from the competitive bidding policy set forth in Administrative Code Section 2.6-1 for development of the Site'. The motion carried by the following vote:

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

Resolution No. 236-12**ADOPTED AS AMENDED by the following vote:**

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

Supervisor Olague was noted absent at 3:00 p.m., and present at 3:28 p.m.

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

There were none.

[play video](#)

SPECIAL ORDER 4:00 P.M.

120549 [Public Hearing - Appeal of a Final Environmental Impact Report - California Pacific Medical Center Long Range Development Plan Project]

Hearing of persons interested in or objecting to the Planning Commission's decision, dated April 26, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2005.0555E, through its Motion No. 18588, for the proposed California Pacific Medical Center Long Range Development Plan Project. (Appellant: Law Offices of Gloria D. Smith on behalf of the California Nurses Association/National Nurses United, Council of Community Housing Organizations, Cathedral Hill Neighbors Association, Bernal Heights Neighborhood Center, Jobs with Justice San Francisco, and San Franciscans for Healthcare, Housing, Jobs and Justice.) (Filed May 16, 2012) (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Campos, seconded by Supervisor Chu, moved that this Hearing be CONTINUED to July 17, 2012. The motion carried by the following vote:

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

The President CONTINUED the Hearing open to July 17, 2012.

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Chu, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:

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

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Chu, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:

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

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Chu, moved that this Motion be CONTINUED to July 17, 2012. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

[play video](#)

PUBLIC COMMENT

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

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

Ray Hartz; expressed concerns relating to government.

Edmond Juicye Larry; expressed various concerns.

Supervisor Cohen was noted absent at 5:39 p.m. for the remainder of the meeting.

[play video](#)

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

[play video](#)

120620 [Miguel Marquez Day - June 5, 2012]

Sponsors: Campos; Kim and Chiu

Resolution declaring June 5, 2012, as Miguel Marquez Day in the City and County of San Francisco and congratulating former Deputy City Attorney Miguel Marquez for his appointment to the California Sixth District Court of Appeal.

Resolution No. 232-12

ADOPTED

[play video](#)

120621 [Accept and Expend Grant - Sustainable Neighborhoods Technical Assistance and Planning - \$49,000]**Sponsor: Olague**

Resolution authorizing the Department of the Environment to accept and expend a grant of \$49,000 from the Urban Sustainability Directors Network to administrate technical assistance for planning for environmentally sustainable neighborhoods (EcoDistricts) and to develop a plan for a national technical assistance program for local governments.

Resolution No. 233-12**ADOPTED**[play video](#)**120622 [Accept and Expend Grant - Imagination Playgrounds - \$11,358]****Sponsor: Olague**

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend an in-kind grant of two Imagination Playgrounds in a Cart, valued at \$11,358 from KaBOOM.

Resolution No. 225-12**ADOPTED**[play video](#)**120623 [Promoting the Responsible Acquisition of Dogs in the City and County of San Francisco]****Sponsors: Wiener; Campos**

Resolution supporting the responsible acquisition of dogs in the City and County of San Francisco.

Resolution No. 234-12**ADOPTED**[play video](#)**120624 [Approval of an 18-Month Extension for Planning Commission Review of the Ordinance Establishing the Transportation Sustainability Fee (File No. 120524)]****Sponsors: Mayor; Wiener and Olague**

Resolution extending by 18 months the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120524) amending the San Francisco Planning Code by: 1) adding new Sections 411A through 411A.11 to establish a new citywide Transportation Sustainability Fee; 2) amending Section 401 to add definitions reflecting these changes; and 3) making findings, including general findings, environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Resolution No. 235-12**ADOPTED**[play video](#)

120541 [Committee of the Whole - Hearing on the Report of Assessment Costs for Sidewalk and Curb Repairs]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 19, 2012, at 3:00 p.m., to hold a public hearing on a Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

Motion No. M12-074

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 120629 be severed so that it may be considered separately.

120629 [Committee of the Whole - Hearing on the Warriors Arena Sole Source Negotiations]**Sponsor: Chiu**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 12, 2012, at 3:00 p.m., to hold a public hearing on a Resolution: 1) finding that the competitive bidding policy set forth in Administrative Code Section 2.6-1 does not apply to the potential real estate transaction involving Port property at Piers 30-32 and part of Seawall Lot 330 with GSW Arena LLC (GSW), an affiliate of the Golden State Warriors, for development of an arena and other facilities and endorsing sole source negotiations with GSW for that purpose; 2) endorsing the Port Commission's designation of the Office of Economic and Workforce Development (OEWD) as the lead negotiator of the proposed transaction, in coordination with Port staff and subject to the Port Commission's direction; 3) urging OEWD and the Port to engage in outreach to affected and interested neighbors, community members and other stakeholders to ensure that the proposed project is designed with maximum public input; 4) urging OEWD and the Port to work closely with State agencies having jurisdiction over any of the site, including the State Lands Commission and the Bay Conservation and Development Commission, to develop the project description; 5) urging the OEWD Director, the Port Director and other City officials to make evaluation of the proposed project among their highest priorities and take all appropriate steps to negotiate an exclusive negotiation agreement with GSW; and 6) acknowledging that the City may commence environmental review of the proposed project under CEQA if and when the Board of Supervisors makes the required findings of fiscal feasibility and responsibility under Administrative Code Chapter 29.

The President inquired as to whether any member of the public wished to address the Board related to File No. 120629. There were no speakers.

Motion No. M12-073

APPROVED by the following vote:

[play video](#)

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

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

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

Ordinances

120631 [Business and Tax Regulations Code, Police Code, and Planning Code - Parking Tax Simplification for Residential Properties]

Sponsor: Wiener

Ordinance: 1) amending the San Francisco Business and Tax Regulations Code by adding Section 609 to establish Parking Tax Simplification for Residential Properties to relieve residential property owners and managers renting five or fewer parking spaces in Parking Stations physically attached to or otherwise associated with the building from the requirement to: (a) obtain a certificate of authority, (b) make monthly tax prepayments, (c) obtain a parking tax bond, and (d) providing amnesty from parking taxes, interest, penalties and fees owed for tax periods more than 24 months prior to the effective date of the Ordinance; 2) amending the Business and Tax Regulations Code Section 2219.7 to exempt property owners and managers registered pursuant to Section 609 from the requirement to pay the Revenue Control Equipment compliance fee; 3) amending the Planning Code Section 204.5 to allow as an accessory use up to five dwelling unit parking spaces to be leased to persons living off-site anywhere in the City; 4) amending the Police Code Section 1215 to eliminate the requirement to hold a commercial parking permit for property owners and managers registered pursuant to Section 609 of the Business and Tax Regulations Code; and 5) making environmental findings and findings of consistency with the General Plan.

06/05/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/5/2012.

06/12/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

120665 [Planning Code - Transit Center District Plan]

Sponsors: Mayor; Kim and Olague

Ordinance: 1) amending the San Francisco Planning Code by amending and adding sections consistent with the Transit Center District Plan, including the establishment of the Transit Center District Plan open space and transportation fees and the expansion and renaming of the New Montgomery-Mission-Second Street Conservation District; and 2) making findings, including environmental findings and findings of consistency with the General Plan, as proposed for amendment, and Planning Code Section 101.1.

(Economic Impact)

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

120666 [Zoning Map - Transit Center District Plan]**Sponsors: Mayor; Kim and Olague**

Ordinance: 1) amending City and County of San Francisco Zoning Map Sheets ZN01, HT01, SU01, and PD01 to revise use districts and height and bulk districts within the Transit Center District Plan Area, to place certain properties in the Transit Center C-3-O(SD) Commercial Special Use District, and to add properties into the New Montgomery-Mission-Second Street Conservation District; and 2) making environmental findings and findings of consistency with the General Plan as proposed for amendment and Planning Code Section 101.1.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

120667 [Administrative Code - Transit Center District Plan Monitoring and Interagency Planning and Implementation Committee]**Sponsors: Mayor; Kim and Olague**

Ordinance: 1) amending the San Francisco Administrative Code Section 10E.1 and Sections 36.1 and 36.3 to address Plan monitoring and the Interagency Planning and Implementation Committee role in the Transit Center District Plan public improvements; and 2) making environmental findings.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

120668 [Health Code - Reauthorizing Food Security Task Force]**Sponsor: Mar**

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2 to: 1) to reauthorize the Food Security Task Force, which had expired on January 30, 2012; 2) create sunset provisions for the Food Security Task Force expiring on July 1, 2015, subject to extension; 3) identify the agencies and organizations from which members are appointed; and 4) set the number of members, and making findings, including environmental findings.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/12/2012.

120669 [Subdivision Code - Condominium Conversion Impact Fee]**Sponsors: Farrell; Wiener**

Ordinance: 1) amending the Subdivision Code by adding Section 1396.4 to adopt a condominium conversion impact fee applicable to buildings qualifying for but not being selected or participating in the 2012 condominium conversion lottery only, subject to specified requirements, including lifetime leases for non-purchasing tenants; and 2) adopting environmental findings.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

120670 [Street Vacation Order - San Francisco Wholesale Produce Market - Portions of Jerrold and Kirkwood Avenues, Selby, Rankin, and Milton I. Ross Streets, and Lettuce Lane]

Sponsor: Cohen

Ordinance: 1) ordering the vacation of Jerrold Avenue between Rankin Street and Toland Street, Milton I. Ross Street between Innes Avenue and Kirkwood Avenue, Kirkwood Avenue between Rankin Street and the proposed boundary of the San Francisco Wholesale Produce Market, Lettuce Lane between Jerrold Avenue and Kirkwood Avenue, portions of Selby Street between Innes Avenue and Kirkwood Avenue, and a portion of Rankin Street between Jerrold Avenue and Innes Avenue, collectively for purposes of the San Francisco Wholesale Produce Market Retention and Expansion, subject to certain conditions; 2) accepting Department of Public Works Order No. 180308; 3) approving an interdepartmental transfer of the area to be vacated from the Department of Public Works to the Real Estate Division at the time the vacation is final and effective; 4) making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.

06/12/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120671 [Police Code - Repeal Secondhand Dealer and Antique Dealer Permit Requirements]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279, 1279.1, 1279.2, 1280, 1280.1, 1281, and 1282; and 2) amending Sections 2.26 and 2.27 to eliminate the permit requirement and other local regulation of secondhand dealers and antique dealers.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/12/2012.

120672 [Police Code - Allowing Dogs to be Fastened to Lamp Post, Hydrant, or Tree; Repealing Outdated Code Provisions]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 875, 876, 924 through 929, 973, 1500, and 1501; and 2) amending Section 585 to exempt dogs on a leash from the prohibition against fastening an animal to a lamp post, hydrant or growing tree.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/12/2012.

Resolutions

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

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

(Fiscal Impact)

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

06/12/12; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

120673 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]**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 service: custodial services (General Services Agency - City Administrator).

06/12/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120674 [Accept and Expend Resolution - Archstone Grant to the San Francisco Arts Commission - \$300,000]**Sponsor: Cohen**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$300,000 from Archstone for the commissioning of public artwork for Daggett Park in Showplace Square neighborhood.

06/12/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120675 [Lease of Real Property - Emergency Management and Assessor-Recorder - 711 Van Ness Avenue]**Sponsor: Chiu**

Resolution authorizing the lease of 9,800 sq. ft. at 711 Van Ness Avenue for twenty-one months for the Department of Emergency Management and the Office of the Assessor-Recorder.

(Fiscal Impact)

06/12/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120676 [Resolution of Intent - Street Vacation - San Francisco Wholesale Produce Market - Portions of Jerrold and Kirkwood Avenues, Selby, Rankin, and Milton I. Ross Streets, and Lettuce Lane]

Sponsors: Cohen; Mayor

Resolution: 1) declaring the intention of the Board of Supervisors to vacate Jerrold Avenue between Rankin Street and Toland Street, Milton I. Ross Street between Innes Avenue and Kirkwood Avenue, Kirkwood Avenue between Rankin Street and the proposed boundary of the San Francisco Wholesale Produce Market, Lettuce Lane between Jerrold Avenue and Kirkwood Avenue, portions of Selby Street between Innes Avenue and Kirkwood Avenue, and a portion of Rankin Street between Jerrold Avenue and Innes Avenue for purposes of the San Francisco Wholesale Produce Market Retention and Expansion, subject to certain conditions; and 2) setting the hearing date for all persons interested in the proposed vacation of said public right-of-way.

06/12/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120677 [Public Safety Realignment and Post-Release Community Supervision 2012 Implementation Plan]

Sponsors: Mar; Avalos and Olague

Resolution approving the City and County of San Francisco Public Safety Realignment and Post-Release Community Supervision 2012 Implementation Plan.

06/12/12; RECEIVED AND ASSIGNED to Public Safety Committee.

120678 [Preservation and Display of First Responder Artifacts and Facilities by Guardians of the City]

Sponsor: Farrell

Resolution urging the San Francisco Fire Department (SFFD), Police Department (SFPD), Sheriff, and Department of Emergency Management (DEM), in consultation with the City Attorney's Office, the Purchaser, the Department of Real Estate, and any other agencies with jurisdiction over former Fire, Police, or Sheriff's Department artifacts and facilities, to consider: 1) preparing an agreement for possible loan of historical artifacts and surplus property from SFFD, SFPD, Sheriff, and DEM ("First Responder Artifacts") to a nonprofit 501(c)(3) organization known as Guardians of the City (GOTC) for management, research, care, conservation, and public display; 2) entering into a lease or other agreements regarding GOTC's use of space in SFFD or other City facilities for GOTC's public exhibitions and related administrative activities, and possible preservation of historic facilities; and 3) the development of other methods of supporting and encouraging the collection, preservation, protection, and public display of important First Responder Artifacts and facilities for the benefit of current and future generations.

06/12/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120679 [Accept and Expend Grant - Ten and Under Tennis - \$30,300]

Sponsor: Mar

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend an in-kind grant from the United States Tennis Association (USTA) NorCAL, valued at \$30,300 to equip and line 71 tennis courts city-wide for Ten and Under Tennis.

06/12/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

120680 [Supporting Senate Bill 1172 - Banning Sexual Orientation Change Efforts for Minors]**Sponsors: Wiener; Campos and Olague**

Resolution supporting California Senate Bill 1172, which bans sexual orientation change efforts for minors in the State of California.

06/12/12; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**120681 [Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]****Sponsors: Mayor; Chiu**

Motion ordering submitted to the voters an: "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and a gross expense tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and gross expenses and amend the current business registration fees to generate \$13 million in additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance) and establish penalties for non-filing, amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012. (Economic Impact)

06/12/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/12/2012.

120682 [Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]**Sponsors: Avalos; Campos, Kim, Mar and Olague**

Motion ordering submitted to the voters an: "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and a gross expense tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and gross expenses and amend the current business registration fees to generate \$40 million in additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance) and establish penalties for non-filing, amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/12/2012.

120683 [Declaration of Policy - Repealing Corporate Personhood]**Sponsors: Avalos; Campos and Olague**

Motion ordering submitted to the voters a policy declaration that supports limits on political campaign contributions and spending; and opposes artificial corporate rights, and giving corporations the same rights entitled to human beings, at an election to be held on November 6, 2012.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/12/2012.

Introduced by the President at the Request of a Department

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

PROPOSED ORDINANCES**120614 [Establishing an Infrastructure Financing District and Adopting an Infrastructure Financing Plan]**

Ordinance establishing an Infrastructure Financing District and adopting an Infrastructure Financing Plan for the City and County of San Francisco Infrastructure Financing District No. 2 (Port of San Francisco). (Port)
(Fiscal Impact)

06/04/12; RECEIVED FROM DEPARTMENT.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

120615 [Settlement of Lawsuit - Waterfront Watch - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Waterfront Watch against the City and County of San Francisco for \$225,000; the lawsuit was filed on February 23, 2012, in San Francisco Superior Court, Case No. CPF-12-511968; entitled Waterfront Watch, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are establishing a process for review of Pier 29 rehabilitation work, Port technical assistance to reduce air emissions at Pier 27, agreement not to place a Jumbotron on the water in Aquatic Park Lagoon. (City Attorney)

06/01/12; RECEIVED FROM DEPARTMENT.

06/12/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**120610 [Declaration of Emergency Contract - South Fork Adit - Not to Exceed \$319,000]**

Resolution approving Declaration of Emergency Construction Contract of an amount not-to-exceed \$319,000 to address a rockslide near South Fork Adit. (Public Utilities Commission)
(Fiscal Impact)

06/04/12; RECEIVED FROM DEPARTMENT.

06/12/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120611 [Funding Agreement to Fund Acquisition of Nolan Ranch Conservation Easement and Endowment Agreement to Fund Compliance Monitoring of the Conservation Easement]

Resolution: 1) authorizing, pursuant to Charter Section 9.118(b)(i), a Funding Agreement with The Nature Conservancy and Santa Clara County under which the City would contribute one third of the funds, up to \$900,000, for Santa Clara County to acquire the Nolan Ranch and create a conservation easement of which the City would be a third-party beneficiary, and (ii) an Endowment Agreement under which the City would provide a permanent endowment of \$125,000 to fund The Nature Conservancy's monitoring of compliance with the conservation easement; and 2) authorizing the General Manager of the Public Utilities Commission to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission)

06/04/12; RECEIVED FROM DEPARTMENT.

06/12/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

120612 [Outreach Advertising and Neighborhood Outreach Advertising, FY2012-2013]

Resolution designating San Francisco Bay View and Small Business Exchange to be the outreach newspapers of the City and County for the African American community; Sing Tao Daily, World Journal, and Small Business Exchange to be the outreach newspapers of the City and County of San Francisco for the Chinese community; El Reportero and Small Business Exchange to be the outreach newspapers of the City and County for the Hispanic community; Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual and Transgender community; Central City Extra to be the neighborhood outreach newspaper of the City and County for the Central City neighborhood; Marina Times/Northside Publications to be the neighborhood outreach newspaper of the City and County for the Northern San Francisco neighborhood; Potrero View to be the neighborhood outreach newspaper of the City and County for the Potrero Hill, Bayview, Mission Bay, and South of Market neighborhoods; West Portal Monthly to be the neighborhood outreach newspaper of the City and County for the West Portal neighborhood; and The Western Edition to be the neighborhood outreach newspaper for the City and County for the Western Addition neighborhood; to provide outreach advertising for FY2012-2013. (Office of Contract Administration)

06/04/12; RECEIVED FROM DEPARTMENT.

06/12/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

120613 [Guidelines for Port Infrastructure Financing Districts]

Resolution adopting guidelines for the establishment and use of Infrastructure Finance Districts on Port property. (Port)

06/04/12; RECEIVED FROM DEPARTMENT.

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

In Memoriams

Thomas Louis Roche – Supervisor Chu

Jacqueline Reed – Supervisors Campos and Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:43 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 July 17, 2012.

Angela Calvillo, Clerk of the Board