

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, February 5, 2013 - 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, LONDON BREED, DAVID CAMPOS, CARMEN CHU, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Government Audit and Oversight Committee Supervisors Chu, Cohen, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Public Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

121194 [Administrative Code - Water Enterprise Capital Cost Recovery Payment Surcharge Fund]

Sponsors: Mayor; Chu

Ordinance amending the Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Capital Cost Recovery Payment Surcharge Fund.
(Fiscal Impact)

Ordinance No. 018-13

FINALLY PASSED

121195 [Appropriating \$2,566,145 of General Fund Reserve to the Treasurer/Tax Collector - FY2012-2013]

Sponsors: Mayor; Chiu, Farrell and Avalos

Ordinance appropriating \$2,566,145 from the General Fund Reserve to the Treasurer/Tax Collector for Gross Receipts Tax Implementation Planning for FY2012-2013.

Ordinance No. 019-13

FINALLY PASSED

121197 [Public Employment - Amending the Annual Salary Ordinance for Implementation of Proposition E and the Gross Receipts Tax]**Sponsors: Mayor; Chiu, Farrell and Avalos**

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance, FYs 2012-2013 and 2013-2014) to reflect the addition of 5 positions (2.2 FTE) in the Office of the Treasurer/Tax Collector for the implementation of Proposition E and the Gross Receipts Tax.

Ordinance No. 020-13**FINALLY PASSED****Recommendation of the Land Use and Economic Development Committee****120959 [Building Code - Fees and Permit Extensions]**

Ordinance amending the Building Code, Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4, to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L, of Section 110A, to modify various fees; and making environmental findings. (Building Inspection Department)

Ordinance No. 016-13**FINALLY PASSED****Recommendations of the Rules Committee****121190 [Settlement of Lawsuit - Bryan Vestal - \$420,000]**

Ordinance authorizing settlement of the lawsuit filed by Bryan Vestal against the City and County of San Francisco for \$420,000; the lawsuit was filed on February 3, 2011, in San Francisco Superior Court, Case No. CGC-11-507921; entitled Bryan Vestal v. City and County of San Francisco, et al.; another material term of said settlement is the waiver of the San Francisco General Hospital medical lien in the amount of \$110,098.30. (City Attorney)

Ordinance No. 017-13**FINALLY PASSED****121226 [Settlement of Lawsuit - Sandra Ramos - \$60,000]**

Ordinance authorizing settlement of the lawsuit filed by Sandra Ramos against the City and County of San Francisco for \$60,000; the lawsuit was filed on October 12, 2011, in the United States District Court for the Northern District of California, Case No. C-11-5033 WHA, entitled Sandra Ramos v. City and County of San Francisco; other material terms of said settlement are reimbursement to Plaintiff of up to \$2,500 for services of an organizational consultant. (City Attorney)

Ordinance No. 021-13**FINALLY PASSED**

121227 [Settlement of Lawsuit - Health Net - City to Receive \$800,000 and Future Payments]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco City Attorney's Office, acting on behalf of the People of the State of California, against (among other Defendants) Health Net of California, Inc., for the payment by Health Net of \$800,000 for under reimbursing San Francisco General Hospital for emergency medical care provided to Health Net's insureds prior to January 1, 2012, and for the payment of an additional amount, to be determined, for such claims rising between January 1, 2012, and June 30, 2014; the lawsuit was filed on May 24, 2011, in the San Francisco Superior Court, Case No. 11-511181; entitled People of the State of California v. Health Net, et al.; other material terms of said settlement are that Health Net and San Francisco will enter into a prompt payment agreement under which Health Net agrees to pay San Francisco General Hospital certain specified rates for treatment provided to its insureds for emergency medical services rendered from January 1, 2012, through at least June 30, 2014. (City Attorney)

Ordinance No. 022-13

FINALLY PASSED

121228 [Settlement of Lawsuit - Brendan Cadam - \$42,500]

Ordinance authorizing settlement of the lawsuit filed by Brendan Cadam against the City and County of San Francisco for \$42,500; the lawsuit was filed on July 3, 2012, in San Francisco Superior Court, Case No. CGC-12-522047; entitled Brendan Cadam, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 023-13

FINALLY PASSED

121229 [Settlement of Lawsuit - Maya Vlanin - \$95,000]

Ordinance authorizing settlement of the lawsuit filed by Maya Vlanin against the City and County of San Francisco for \$95,000; the lawsuit was filed on June 29, 2010, in San Francisco Superior Court, Case No. CGC-10-501138; entitled Maya Vlanin v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 024-13

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130015 [Appropriating \$507,880,000 of Certificate of Participation Proceeds - Moscone Center Expansion Project - FY2012-2013]

Sponsors: Mayor; Kim and Chu

Ordinance appropriating \$507,880,000 of Certificate of Participation (COPs) proceeds to fund the Moscone Center Expansion Project in the General Services Agency, Office of the City Administrator, for FY2012-2013 and placing these funds on Controller's reserve pending issuance of the COPs or associated commercial paper used for cash flow purposes in FY2012-2013. (Economic Impact)

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

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130016 [Authorizing Certificates of Participation and Assessment Notes - Moscone Expansion Project - Not to Exceed \$507,880,000]**Sponsors: Mayor; Kim**

Ordinance authorizing the execution and delivery of Certificates of Participation evidencing and representing an aggregate principal amount of not to exceed \$507,880,000 to finance the costs of additions and improvements to the George R. Moscone Convention Center; approving the form of Trust Agreement between the City and County of San Francisco and the Trustee (including certain indemnities contained therein); authorizing the selection of the Trustee by the Director of Public Finance; approving respective forms of a Property Lease and a Project Lease, each between the City and the Trustee for the lease and lease back of all or a portion of the Moscone Center, including the Moscone Expansion Project, to be constructed thereon; authorizing the execution and delivery of Assessment Notes payable from Moscone Expansion District assessments to further secure principal, premium, if any, and interest evidenced and represented by the Certificates; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the Certificates and the Assessment Notes; approving modifications to documents and agreements; and ratifying previous actions taken in connection therewith.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED on Page 3, Lines 10-13, by adding 'WHEREAS The City will undertake environmental review of the Moscone Expansion project as project components are better defined and will work with all interested parties, City staff, experts and the public to develop a thorough environmental analysis that will inform the design, development and operation of the Moscone Expansion Project; and'; on Page 12, Lines 3-15, by adding 'Section 18. CEQA Findings. Approval of this Ordinance by the Board shall not be construed as approval of the Moscone Expansion Project. The City will conduct environmental review of the proposed Moscone Expansion Project, following further design development and study, under any approvals or facilities for the Moscone Expansion Project, or grants any entitlements to the Trustee. The City retains absolute discretion to: (1) modify the Moscone Expansion Project to mitigate significant adverse environmental impacts, (2) select feasible alternatives which avoid significant adverse impacts of the Moscone Expansion Project, (3) require the implementation of specific measures to mitigate the significant adverse environmental impacts of the Moscone Expansion Project, (4) reject the Moscone Expansion Project as proposed if the economic and social benefits of the Project do not outweigh otherwise unavoidable significant adverse impacts of the project, or (5) approve the Moscone Expansion Project upon a finding that the economic and social benefits of the Moscone Expansion Project outweigh otherwise unavoidable significant adverse impacts.'; Line 16, by changing '18' to '19'; on Page 13, Line 4, by changing '19' to '20'; Line 12, by changing '20' to '21'; Line 15, by changing '21' to '22'; and Line 16, by changing '22' to '23'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

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

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121201 [Finding of Fiscal Feasibility - Moscone Center Expansion Project]**Sponsors: Mayor; Chu**

Resolution finding that a project proposed by the City to expand and renovate the North and South exhibit halls of the Moscone Convention Center, including reconfiguring the North and South exhibit halls to create additional contiguous exhibit space, a new ballroom, new loading and building service space, and improvements to the landscaping, urban design, and public realm, within and adjacent to the North and South exhibit halls, is fiscally feasible and responsible under Administrative Code, Chapter 29.
(Fiscal Impact)

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

Resolution No. 023-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130024 [Accept and Expend Grant - Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B - \$300,000]**Sponsors: Wiener; Campos**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$300,000 from Centers for Disease Control and Prevention to participate in a program entitled "Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B in San Francisco" for the period of September 30, 2012, through September 29, 2013.

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

Resolution No. 024-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130025 [Accept and Expend Grant - Active, Enhanced Surveillance for Viral Hepatitis - \$519,945]**Sponsors: Wiener; Campos**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$519,945 from Centers for Disease Control and Prevention to participate in a program entitled "Active, Enhanced Surveillance for Viral Hepatitis in San Francisco, California" for the period of November 1, 2012, through October 31, 2013.

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

Resolution No. 025-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130045 [Accept and Expend Grant - Randall Museum Renovation - \$5,477,193]**Sponsor: Wiener**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a Nature Education Facilities Grant from the California State Department of Parks and Recreation in the amount of \$5,477,193 for the Randall Museum Renovation, for the period of July 1, 2009, through June 30, 2017.

Resolution No. 027-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130047 [Accept In-Kind Gift - Randall Museum Project Management Services - \$130,000]**Sponsors: Wiener; Campos**

Resolution authorizing the Recreation and Park Department to retroactively accept an in-kind gift of project management services valued at \$130,000 from the Randall Museum Friends for the Randall Museum Renovation Project, for the period of October 24, 2012, through June 30, 2017.

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

Resolution No. 028-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee**121200 [Administrative Code - Contractor Prompt Payment for Public Works Construction and Professional Services Contracts]****Sponsors: Chu; Chiu, Campos and Cohen**

Ordinance amending the Administrative Code, by adding Sections 6.22(Q) and 6.42(F), to require all public works contractors to pay subcontractors within seven days of receipt of payment from the City.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

121207 [Performance Audit - San Francisco Housing Authority]**Sponsors: Campos; Avalos, Kim and Mar**

Motion directing the Budget and Legislative Analyst to conduct a performance audit of the San Francisco Housing Authority as a priority.

Motion No. M13-023**APPROVED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Yee, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the San Francisco Unified School District Early Education Department in recognition of their accomplishments and on the occasion of their 70th Anniversary.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

121231 [Public Hearing - Establishing the Moscone Expansion Business Improvement District]

Hearing of persons interested in or objecting to the proposed Resolution to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings. (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 File No. 130043. Supervisors Kim and Farrell made some opening remarks relating to the proposed Moscone Expansion District. Lisa Pagan (Mayor's Office of Economic and Workforce Development) provided an overview of the proposed Moscone Expansion District and levying of assessments. Larry Edmund; Jon Ballesteros; Kevin Carroll; Charley Lavery; Dave Truhaden; Randy Bryson; Ignacio Bastillo; spoke in support of the proposed business-based business improvement district. There were no speakers in opposition to the proposed business-based business improvement district. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130043 [Resolution to Establish - Moscone Expansion Business Improvement District]**Sponsors: Mayor; Kim and Chu**

Resolution of formation to establish a business-based business improvement district to be known as the "Moscone Expansion District;" levying assessments against defined hotel businesses located in that district for 32 years; providing for the determination, imposition, collection, and enforcement of the assessments; and making environmental findings.
(Economic Impact)

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

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that in relation to a majority protest for the Moscone Expansion District the total proposed Assessments in the Moscone Expansion District for year one is \$18,140,651.77. The total weighted votes on whether to form the Moscone Expansion District and levy the assessments were as follows: Yes: \$14,361,568.18 or 79.2% of the total proposed assessments; No: \$537,352.38 or 3% of total proposed assessments. There is not a majority protest. In relation to the majority participation for the Moscone Expansion District, the total weighted ballots cast combined were as follows: \$14,898,920.56 or 82.1% of total proposed assessments in the District representing 50% or more of the total proposed assessments. There is majority participation. In relation to the two-thirds support to form the Moscone Expansion District and levy the assessments, the total weighted votes were as follows: Yes: \$14,361,568.18 or 96.4% of the total proposed assessments; No: \$537,352.38 or 3.6% of total proposed assessments. There is at least two-thirds support. Ms. Calvillo concluded by indicating that the results of the ballot vote satisfy the required criteria for the Board to proceed and consider whether to establish the Moscone Expansion District and levy the assessments.

Resolution No. 026-13**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

Male Speaker; spoke relating to high crime communities and Black History Month.

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

Ray Hartz; expressed concerns relating to open government. (See additional information submitted on Page 14.)

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

Bob Cohen; shared in poem certain concerns with the Board.

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

Douglas Yep; expressed various concerns.

Francisco Da Costa; expressed concerns relating to investments and infrastructure.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**130089 [Supporting Local Government Greenhouse Gas Reduction Efforts]****Sponsors: Chiu; Mar and Campos**

Resolution supporting the distribution of carbon cap-and-trade auction and Clean Energy Jobs Act revenues to local governments for support of greenhouse gas reduction programs.

Supervisors Mar and Campos requested to be added as a co-sponsor.

Resolution No. 030-13

ADOPTED

130090 [One Billion Rising Day - February 14, 2013]**Sponsors: Chiu; Mar and Campos**

Resolution declaring February 14, 2013, as One Billion Rising Day in the City and County of San Francisco and joining the global call to action opposing violence against women.

Supervisors Mar and Campos requested to be added as a co-sponsor.

Resolution No. 031-13

ADOPTED

130092 [Celebrating Rosa Parks' 100th Birthday - Rosa Parks Day - February 4, 2013]**Sponsors: Cohen; Breed and Campos**

Resolution celebrating the 100th Birthday of Rosa Parks and commemorating the Modern Civil Rights Leader for her courage and declaring February 4, 2013, Rosa Parks Day in the City and County of San Francisco.

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

Resolution No. 032-13

ADOPTED

130093 [Approval of a 60 Day Extension for Planning Code - Polk Street Alcohol and Tobacco Paraphernalia Restrictions (File No. 121065)]**Sponsor: Chiu**

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 121065) amending the Planning Code, Section 723, to extend the restriction on Tobacco Paraphernalia Establishments in the Polk Street Neighborhood Commercial District (NCD) for an additional three years and apply it to an area within one-quarter mile of the boundaries of the NCD; adding Section 788, to establish the Lower Polk Street Alcohol Restricted Use District for the properties located on Polk Street between California and O'Farrell Streets, and Polk Street's side streets between California Street, Larkin Street, O'Farrell Street, and Van Ness Avenue; amending the Zoning Map, Map Sheet ZN-02, to designate the Lower Polk Street Alcohol Restricted Use District; and 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.

Resolution No. 029-13

ADOPTED

130096 [Financial Aid Awareness Week - February 4-10, 2013]**Sponsors: Campos; Avalos, Breed, Chu, Farrell, Kim, Mar and Wiener**

Resolution declaring February 4, 2013, through February 10, 2013, Financial Aid Awareness Week in the City and County of San Francisco.

Resolution No. 033-13**ADOPTED****130109 [Supporting Constitutional Amendment to Limit Campaign Spending and End Artificial Corporate Rights in Response to the Passage of Measure G in November 2012]****Sponsors: Avalos; Chiu and Campos**

Resolution responding to the passage of Measure G by San Francisco voters on November 6, 2012, by urging members of San Francisco's Congressional delegation to pass a constitutional amendment to limit campaign contributions and spending and end artificial corporate rights.

*Supervisor Campos requested to be added as a co-sponsor.***Resolution No. 034-13****ADOPTED****The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

IMPERATIVE AGENDA*[Purely Commendatory Finding]**Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.***Supervisor Mar, seconded by Supervisor Kim, moved ADOPTION of the commendatory finding. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

*[Brown Act Finding]**Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.***Supervisor Mar, seconded by Supervisor Kim, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

130116 [SFUSD Early Education Day - February 9, 2013]**Sponsors: Mar; Yee**

Resolution commending the 70th anniversary of the San Francisco Unified School District (SFUSD) Early Education Department and declaring February 9, 2013, as SFUSD Early Education Department Day in the City and County of San Francisco.

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

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130116. There were no speakers. The President declared public comment closed.

Resolution No. 035-13

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener, Yee

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

130086 [Administrative Code - Dissolving Neighborhood Community Justice Task Force]**Sponsor: Chiu**

Ordinance amending the Administrative Code, by repealing Article VIII, to dissolve the Neighborhood Community Justice Task Force.

02/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130087 [Administrative Code - Dissolving Energy Efficiency Steering Committee]

Ordinance amending the Administrative Code, by repealing Article IX, to dissolve the Energy Efficiency Steering Committee. (Clerk of the Board)

02/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130117 [Appropriating \$2,774,224 of Fee Revenue for the Planning Department - FY2012-2013]**Sponsor: Mayor**

Ordinance appropriating \$3,194,677 of fee revenue for the Planning Department in FY2012-2013 to reduce the backlog of planning cases and building permits requiring review, and funding the Permit and Project Tracking System, and Central Corridor Environmental Impact Report, including \$2,092,677 to fund staff positions, \$807,000 to fund office space reconfiguration, records and information technology improvements, and updated guidelines and procedures, \$45,000 to fund training and configuration needs of the Permit and Project Tracking System, and \$250,000 to fund the Central Corridor Environmental Impact Report.

(Fiscal Impact)

02/05/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/7/2013.

130118 [Public Employment - Amendment to the Annual Salary Ordinance for Planning Department - FY2012-2013]**Sponsor: Mayor**

Ordinance amending Ordinance No. 165-12 (Annual Salary Ordinance FY2012-2013) to reflect the addition of 10 positions (10.00 FTEs) Class 1404 (Clerk), 5277 (Planner I), 5278 (Planner II), 5291 (Planner III), and 5298 (Planner III - Environmental Review) in the Planning Department to focus on reducing the backlog of planning cases and building permits requiring review.

02/05/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/7/2013.

130119 [Building Code - Mandatory Seismic Retrofit Program - Wood-Frame Buildings; Optional Evaluation Form Fee]**Sponsors: Mayor; Chiu, Wiener, Yee, Farrell, Breed, Mar and Tang**

Ordinance amending the Building Code, to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories and containing five or more dwelling units where the permit to construct was applied for prior to January 1, 1978, and the building has not been seismically strengthened; establishing a fee for administering the program; adopting environmental findings, and findings of local conditions under California Health and Safety Code, Section 17958.7; establishing an operative date; and directing the Clerk of the Board to forward the legislation to specified State agencies.

02/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/7/2013.

Resolutions**130097 [Dissolving Area Plan Infrastructure Finance Committee]**

Resolution repealing Resolution No. 432-10 to dissolve the Area Plan Infrastructure Finance Committee. (Clerk of the Board)

02/05/13; RECEIVED AND ASSIGNED to Rules Committee.

130120 [Accept and Expend Grant - Streetscape and Circulation Improvements - Folsom and Howard Streets - \$200,000]**Sponsor: Mayor**

Resolution authorizing the Planning Department to retroactively accept and expend a grant in the amount of \$200,000 from the Metropolitan Transportation Commission for the inclusion of streetscape and circulation improvements on Folsom and Howard Streets between Second and Fifth Streets in the Central Corridor Draft Plan environmental analysis for the period of February 8, 2012, through July 31, 2014.

(Fiscal Impact)

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130121 [Lease - Los Altos Hotel Associates, LLC - Hotel Parking and Recreation Purposes - \$52,324 Annually Plus Adjustments]**Sponsor: Mayor**

Resolution authorizing the General Manager of the Public Utilities Commission to execute a 20 year lease, for \$52,324 annually with an annual increase of four percent, with Los Altos Hotel Associates, LLC, for approximately 47,916 square feet of land known as Bay Division Pipelines 3 and 4, Parcel No. 232A, located in the City of Los Altos, Santa Clara County, California, for hotel parking and recreation purposes.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130122 [Accept and Expend Grant - Boeddeker and Promontory Parks Projects - \$776,500]**Sponsors: Mayor; Cohen and Kim**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in the amount of \$776,500 from the California Department of Housing and Community Development for the Recreation and Park Department's Boeddeker Park Project (\$450,000) and the Mayor's Office of Housing Promontory Park Project (\$326,500) for the period of November 28, 2012, through June 30, 2016.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130123 [Urging the Retirement Board to Divest from Fossil Fuel Companies]**Sponsors: Avalos; Mar and Breed**

Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly traded fossil fuel companies.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130124 [Correcting the Accept and Expend Grant Amount in Resolution No. 384-12 - Compensation for Crime Victims - \$2,142,414]**Sponsor: Avalos**

Resolution correcting the not to exceed amount in Resolution No. 384-12, a resolution retroactively authorizing the Office of the District Attorney to accept a grant from the California Victim Compensation and Government Claims Board for a project entitled "Joint Powers Agreement," from \$714,138 to \$2,142,414 for the period of July 1, 2012, through June 30, 2015.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130125 [Urging the Retirement Board to Divest from Firearm and Ammunition Manufacturers]**Sponsors: Avalos; Mar, Campos, Yee, Breed and Chiu**

Resolution urging the Retirement Board of the Employees' Retirement System to divest from publicly traded firearm and ammunition manufacturers.

02/05/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**130126 [Hearing - Budget Updates]****Sponsor: Farrell**

Hearing on the budget updates from the Mayor, Controller, Budget and Legislative Analyst, and City Departments, including balance, shortfalls, strengths, and additional revenues.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130127 [Hearing - Storm Preparedness and Responsiveness]**Sponsor: Mar**

Hearing on the City's storm preparedness and responsiveness.

02/05/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

130128 [Hearing - Street Furniture Clutter]**Sponsor: Wiener**

Hearing to review the efforts and strategies of the Department of Public Works, Municipal Transportation Agency, and Planning Department to reduce clutter on sidewalks, specifically focused on news racks, large kiosks, and Muni bus shelters, including improving pedestrian access, and ensuring that City contractors install and maintain these structures in a manner that respects the needs of neighborhoods.

02/05/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

130130 [Hearing - Annual Approval of the Board of Supervisors Budget - FY2013-2014 and FY2014-2015]

Hearing to consider and approve the proposed Board of Supervisors Budget for FY2013-2014 and FY2014-2015. (Clerk of the Board)

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, 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.

PROPOSED ORDINANCE**130070 [Planning Code - Duboce Park Historic District]****Sponsor: Wiener**

Ordinance amending the Planning Code, by adding a new Appendix N to Article 10, Preservation of Historical, Architectural, and Aesthetic Landmarks, to create the Duboce Park Historic District; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).

01/18/13; RECEIVED FROM DEPARTMENT.

02/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/7/2013.

PROPOSED RESOLUTIONS**121225 [Contract Amendment - Xtech - \$90,580,000]**

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle) in which the amendment shall increase the contract amount from \$60,490,000 to \$90,580,000 for the period of January 1, 2009, through December 31, 2013. (Office of Contract Administration)
(Fiscal Impact)

12/21/12; RECEIVED FROM DEPARTMENT.

01/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

01/28/13; RECEIVED FROM DEPARTMENT.

02/05/13; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

130056 [California Environmental Quality Act Findings - Calaveras Dam Replacement Project]

Resolution adopting findings under the California Environmental Quality Act related to modifications to the San Francisco Public Utilities Commission Water System Improvement Program Calaveras Dam Replacement Project, located in Alameda and Santa Clara Counties, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

01/28/13; RECEIVED FROM DEPARTMENT.

02/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Farrell

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the condition of the MUNI transit vehicles and the steps being taken to ensure safety for riders while in transit.

Supervisor Farrell's office has recently been confronted with constituent concerns relating to the conditions of the SFMTA MUNI fleet. As public transportation is an integral part of the San Francisco community, the Supervisor requests that the SFMTA report back regarding the overall condition of San Francisco's transit vehicles.

One of the concerns is a lack of nylon holding straps and rails on MUNI transit vehicles, making it difficult to hold on during transit, thus, increasing the risk of injury. While this is merely an example of a current safety concern, simple issues such as this are especially problematic for seniors and disabled individuals. What steps are being taken by the SFMTA to ensure the safety of seniors, disabled individuals, and the general public while the riders are in transit? What procedures are in place to replace nylon straps on the MUNI transit vehicles when they deteriorate, or fall off completely? Additionally, is there a project timeline in place where constituents can expect these repairs to be made? Are there any other impending safety changes on MUNI expected?

Furthermore, please describe MUNI's process of repair? How long does it typically take to remedy safety concerns and what is the general procedure involved? The goal is to ensure that those riding MUNI, particularly seniors and disabled individuals, have the ability to benefit from San Francisco's public transit without jeopardizing their safety.

In Memoriams

Dr. Arlene Ackerman - Full Board

Norman John Borchman - Supervisor Yee

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:46 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 March 12, 2013.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors. Ray Hartz submitted the following additional information during Public Comment as follows: This Board of Supervisors attitude toward public participation in government is such that I have no problem whatsoever in labeling it "openly Hostile!" Look at the scheduling of public comment. In January, at one meeting, it took four hours for the public to get a chance to speak. At a second meeting, in the same month, public comment came after one hour. So, members of the public who wish to speak to you have to make a minimum half day commitment. People should also notice that you place public comment after commendations. We wouldn't want all those "nice people" to be here while "dissenting opinions" are expressed. And then there are those restrictions you place on constitutionally protected free speech! At no time in the handling of any matter do members of the public get to speak meaningfully to this full BOS regarding any matter before you take final action.