

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Tuesday, April 2, 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, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos, Breed, Wiener	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and 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, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

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AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of February 26, 2013. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

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CONSENT AGENDA

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Recommendations of the Land Use and Economic Development Committee

121104 [Planning Code - Landmark Designation - 320-326 Judah Street (the Doelger Building)]

Sponsor: Wiener

Ordinance designating 320-326 Judah Street (the Doelger Building), Assessor's Block No. 1763, Lot Nos. 020 and 021, as a Landmark under Planning Code, Article 10; and adopting General Plan, Planning Code, Section 101.1, and environmental findings.

Ordinance No. 061-13

FINALLY PASSED

121162 [Planning Code - Inclusionary Affordable Housing Program, Updates, and Clarifications]**Sponsor: Mayor**

Ordinance amending the Planning Code, Section 401, and provisions of the Inclusionary Affordable Housing Ordinance, Sections 415 et seq., to update and clarify provisions of the Inclusionary Affordable Housing Program (Program) by reducing certain on-site requirements under Charter, Section 16.110; providing a cap on rent increases; clarifying the timing of off-site developments; requiring rental units that convert to ownership to sell at less than the price for ownership units under certain circumstance; establishing pricing for affordable Single Room Occupancy units; changing the status of projects using California Debt Limit Allocation Committee tax exempt bonds so that such projects are subject to the Program, but that units may qualify as on- or off-site units under certain circumstances; allowing income levels of qualifying households to exceed those specified in certain situations; clarifying that the threshold application of the Program to projects of 10 units or more applies to the South of Market Youth and Family Special Use District and all other areas of the City; making technical clarifications and corrections; and making environmental findings and findings of consistency with the General Plan.

Ordinance No. 062-13**FINALLY PASSED****130042 [Planning Code - Medical Service Use - Sacramento Neighborhood Commercial District]****Sponsor: Farrell**

Ordinance amending the Planning Code, Section 724.1, and related portions of Table 724, to permit a change of use from a business or professional service use to medical service use on the first floor or below in the Sacramento Neighborhood Commercial District; and making environmental findings, Planning Code, Section 101.1, findings, and findings of consistency with the General Plan.

Ordinance No. 063-13**FINALLY PASSED****121084 [Freeway Agreement - California Department of Transportation - State Highway Route 101, South Van Ness Avenue to Golden Gate Avenue]**

Resolution adopting a freeway agreement with the California Department of Transportation (Caltrans) for a portion of State Highway Route 101 from South Van Ness Avenue to Golden Gate Avenue; and authorizing official acts related thereto. (Public Works Department)

Resolution No. 094-13**ADOPTED****Recommendations of the Rules Committee****130144 [Appointments, Citizens' General Obligation Bond Oversight Committee - Minneola Ingersoll and Jonathan Alloy]**

Motion appointing Minneola Ingersoll and Jonathan Alloy, terms ending November 21, 2014, to the Citizens' General Obligation Bond Oversight Committee. (Clerk of the Board)

Motion No. M13-049**APPROVED**

130145 [Appointment, Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force - Moli Steinert]

Motion appointing Moli Steinert, for an indefinite term, to the Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)

Motion No. M13-050

APPROVED

130250 [Appointments, Urban Forestry Council - John Hillan, Dan Flanagan, Sandy Sherwin, William Brock Most, and Rose Hillson]

Motion appointing John Hillan, Dan Flanagan, Sandy Sherwin, William Brock Most, and Rose Hillson, terms ending November 18, 2014, to the Urban Forestry Council. (Clerk of the Board)

Motion No. M13-051

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130185 [Appropriation - \$656,958 of General Fund Reserve to the Public Defender for Salary Expenditures - FY2012-2013]

Sponsors: Campos; Avalos and Mar

Ordinance appropriating \$656,958 from the General Fund Reserve to the Public Defender for salary expenditures in FY2012-2013, pursuant to Charter Section 9.113, this appropriation is subject to a two-thirds affirmative vote of all members of the Board of Supervisors.

(Fiscal Impact)

Supervisor Campos, seconded by Supervisor Cohen, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

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

130229 [5-Year Financial Plan - FY2013-2014 through FY2017-2018]**Sponsors: Mayor; Farrell, Chiu and Cohen**

Resolution adopting the City's 5-Year Financial Plan for FY2013-2014 through FY2017-2018 pursuant to Charter, Section 9.119.

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

Resolution No. 101-13**ADOPTED by the following vote:**

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

Recommendations of the Budget and Finance Sub-Committee**130177 [Multifamily Housing Revenue Bonds - Broadway Sansome Apartments - Not to Exceed \$23,900,000]****Sponsor: Chiu**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$23,900,000 for the purpose of providing financing for the acquisition and construction of a 75-unit multifamily rental housing project known as Broadway Sansome Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the forms of and authorizing the execution of certain loan documents; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

Resolution No. 096-13**ADOPTED by the following vote:**

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

130234 [Ground Lease Amendment - 255 Broadway]**Sponsor: Chiu**

Resolution approving and authorizing the Mayor's Office of Housing, as Successor Housing Agency to the Redevelopment Agency, to amend an existing term ground lease with Broadway Sansome Associates, L.P., a California limited partnership, for the development and operation of affordable housing on certain real property located at 255 Broadway and making findings that the amendments are in conformance with California Environmental Quality Act, the City's General Plan, and the priority policies of Planning Code, Section 101.1.

Resolution No. 098-13**ADOPTED by the following vote:**

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

130254 [Lease Financing for Improvements - Moscone Convention Center]**Sponsor: Kim**

Resolution providing for the sale of certificates of participation evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City and County of San Francisco under a Lease Agreement to finance capital projects at the Moscone Convention Center; providing for the sale of the Certificates by competitive sale; approving the form and publication of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of a Preliminary Official Statement and the form and execution of an Official Statement relating to the sale of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the execution, sale, and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact)

Resolution No. 093-13**ADOPTED by the following vote:**[play video](#)

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

130227 [Lease - Van Ness Post Center, LLC - Law Library - 1200 Van Ness Avenue]**Sponsor: Mayor**

Resolution finding that 20,000 net rentable square feet is suitable and sufficient for the Law Library; authorizing the Director of Property to enter into a lease with Van Ness Post Center, LLC, for the Law Library at 1200 Van Ness Avenue; finding that the proposed relocation of the Law Library to such space is in conformance with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing the Director of Property to find alternative comparable space if a lease with Van Ness Post Center, LLC, cannot be finalized.

Privilege of the floor was granted to John Updike, Director of Real Estate, and Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.

Resolution No. 097-13**ADOPTED by the following vote:**[play video](#)

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Noes: 1 - Campos

Recommendations of the Land Use and Economic Development Committee

121004 [Planning Code - Market Street Masonry Historic District]**Sponsors: Kim; Breed and Campos**

Ordinance amending the Planning Code, by adding a new Appendix M to Article 10 (Preservation of Historical, Architectural, and Aesthetic Landmarks), to create the Market Street Masonry Historic District, a discontinuous landmark historic district; and making findings, including environmental findings, and findings of consistency with the General Plan, and Planning Code, Section 101.1(b).

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

PASSED, ON FIRST READING by the following vote:

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

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

Ordinance amending the Building Code to establish a Mandatory Seismic Retrofit Program for wood-frame buildings of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, 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.

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

Privilege of the floor was granted to Jason Elliott (Mayor's Office) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

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

Recommendations of the Neighborhood Services and Safety Committee**121159 [Liquor License - 34 Mason Street]**

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Mark E. Rennie for Good Oel, Inc., dba The Beer Cafe, located at 34 Mason Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Resolution No. 095-13

ADOPTED by the following vote:

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Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Yee

Noes: 1 - Wiener

130033 [Liquor License - 555 Howard Street, #102]

Resolution determining that the issuance of Type 42 on-sale beer and wine license to Steven Chen for SharChen Golf, Inc., dba Eagle Club Indoor Golf, located at 555 Howard Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

Supervisor Kim, seconded by Supervisor Yee, moved that this Resolution be CONTINUED to April 16, 2013. The motion carried by the following vote:

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

Recommendation of the Rules Committee

130249 [Appointments, Mental Health Board - Errol Wishom, Melody Daniel, Ellis Joseph, Lena Miller, and Marlene Flores]

Motion appointing Errol Wishom, term ending January 31, 2015, and Melody Daniel, Ellis Joseph, Lena Miller, and Marlene Flores, terms ending January 31, 2016, to the Mental Health Board.
(Clerk of the Board)

Motion No. M13-052

APPROVED by the following vote:

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

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

There were none.

COMMITTEE REPORT

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Recommendation of the Land Use and Economic Development Committee

130018 [Planning Code - Deleting the Sunset Provision of the Excelsior Alcohol Restricted Use District]

Sponsor: Avalos

Ordinance amending the Planning Code, Section 785, to delete the sunset provision of the Excelsior Alcohol Restricted Use District; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

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Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, 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.

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PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

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

Ray Hartz; expressed concerns relating to open government and public records. (See additional information submitted on Page 11.)

Ace Washington; expressed various concerns

Eugene Gordon, Jr.; expressed various concerns.

Katy Hawkins-O'Coury; expressed concerns relating to gun violence.

Jane Kennedy; expressed concerns relating to underground utilities.

Carla; shared in poem certain concerns with the Board.

Darrell Bonapart; expressed concerns relating to upcoming housing event.

Douglas Yep; expressed various concerns.

John DiDonna; shared in poem certain concerns with the Board.

Male Speaker; expressed various religious concerns.

Charlie Walker; expressed concerns relating to public comment, municipal railway on Third Street, and parking.

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FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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130288 [Supporting San Francisco Applicants for the Deferred Action for Childhood Arrivals Program]

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

Resolution urging the San Francisco Unified School District to coordinate efforts with City Departments to support student participation in the Deferred Action for Childhood Arrivals Program and create a centralized system to facilitate transcript requests and enrollment history verification for undocumented students and transitional aged youth.

Resolution No. 100-13

ADOPTED

130289 [Accept and Expend Grant - Beach Water Quality and Monitoring - \$25,000]

Sponsor: Tang

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$25,000 from the State Water Resource Control Board to participate in a program entitled "Beach Water Quality and Monitoring" for the period of October 1, 2012, through September 30, 2013, waiving indirect costs.

Resolution No. 099-13

ADOPTED

The foregoing items were acted upon by the following vote:

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

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

120488 [Environment Code - Bottle Filling Stations]

Sponsor: Chiu

Ordinance amending the Environment Code, by adding Chapter 23, to require new buildings that have drinking fountains to provide bottle filling stations; setting an operative date; and making environmental and other findings.

06/26/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/26/2012.

07/11/12; REFERRED TO DEPARTMENT.

07/13/12; RESPONSE RECEIVED.

04/02/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

121019 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]**Sponsor: Wiener**

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act (CEQA) and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; providing for the Board of Supervisors (Board) to make the final CEQA decision on projects requiring Board legislative action, negating the need to file formal CEQA appeals; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

10/16/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2012.

10/29/12; REFERRED TO DEPARTMENT.

11/13/12; RESPONSE RECEIVED.

11/20/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/03/12; RESPONSE RECEIVED.

01/29/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

02/06/13; REFERRED TO DEPARTMENT.

03/18/13; RESPONSE RECEIVED.

03/27/13; RESPONSE RECEIVED.

04/02/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

130299 [Appropriation and De-Appropriation - \$4,072,764 for Overtime - FY2012-2013]**Sponsor: Mayor**

Ordinance appropriating \$4,539,012 to overtime and de-appropriating \$4,539,012 consisting of \$3,647,539 in permanent salaries and \$891,473 in fringe benefits in the Fire Department's operating budget in order to support the department's projected increases in overtime as required per Ordinance No. 194-11.

(Fiscal Impact)

04/02/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/2/2013.

130300 [Administrative Code - Child Care Centers for City and City-Funded Projects; Feasibility Studies]**Sponsor: Yee**

Ordinance amending the Administrative Code, Sections 29B.4 and 29B.5, to transfer responsibility for Child Care Feasibility Studies from the City Administrator and the Department of Children, Youth and Their Families to the Office of Early Care and Education in the Human Services Agency, and the Child Care Facilities Interagency Committee; and making environmental findings.

04/02/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 5/2/2013.

Resolutions

130301 [Approval to Grant Subsurface Easement for Tiebacks in the City and County of San Francisco required for the Chinese Hospital Replacement Project – Assessor's Parcel Number Block 192, Lot 035]

Sponsor: Chiu

Resolution approving the grant of a Tieback Subsurface Easement on Assessor's Parcel Block No. 192, Lot No. 035, to the Chinese Hospital Association required for the Chinese Hospital Replacement Project; adopting findings that the grant of subsurface easement is consistent with the General Plan and the priority policies of Planning Code, Section 101.1, and environmental findings; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

04/02/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130302 [Supporting Assembly Bills 218 and 870 - Expansion of California's Fair Hiring Policies to Cities, Counties, State Agencies, Special Districts, and Private Employers That Contract with State Agencies]

Sponsors: Kim; Avalos, Campos, Cohen and Mar

Resolution supporting Assembly Bill 218, which expands California's existing fair hiring policies for state and public employees to city and county workers statewide, and Assembly Bill 870, which expands California's existing fair hiring policies to private employers that contract with the State.

04/02/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130303 [Urging City College of San Francisco to Preserve the Quality and Diversity of the School's Education and the City to Consider New Support]

Sponsors: Mar; Cohen

Resolution urging the City College of San Francisco (CCSF) Board of Trustees and administration to utilize Proposition A Funds to preserve the quality and diversity of education that has served San Francisco well; and for the City to consider additional support for CCSF by evaluating the fees currently charged by the City to CCSF, the possibility of providing more in-kind services, and exploring long-term local support structures.

04/02/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130304 [Urging City Departments to Release Data to Help Prevent Towing]

Sponsors: Chiu; Mar and Campos

Resolution urging City departments to release data that would enable the development of applications and other tools to help San Francisco residents and visitors avoid getting towed.

04/02/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

130305 [Equal Pay Day - April 9, 2013]

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

Resolution declaring April 9, 2013, as Equal Pay Day in the City and County of San Francisco.

04/02/13; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

130306 [Hearing - Recent Violence in the Mission and Response and Prevention Plans of City Departments and Community Organizations]

Sponsor: Campos

Hearing to review violent events in the Mission since the start of 2013, including homicides, gang violence, shootings on Muni and sexual assaults; strategic planning for prevention efforts during the upcoming summer months; and request for presentation and accounting of prevention and response efforts of community policing agencies, law enforcement agencies, and related departments.

04/02/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

Introduced by the President 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 ORDINANCES

130278 [Settlement of Lawsuit - Dadario v. CCSF - \$72,500]

Ordinance authorizing settlement of the lawsuit filed by Marlene Dadario against the City and County of San Francisco for \$72,500; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510516; entitled Marlene Dadario v. City and County of San Francisco, et al. (City Attorney's Office)

03/25/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Rules Committee.

130279 [Settlement of Lawsuit - Willis v. CCSF, et al. - \$210,000]

Ordinance authorizing settlement of the lawsuit filed by Thomas Willis against the City and County of San Francisco for \$210,000; the lawsuit was filed on January 13, 2012, in United States District Court, Northern District of California, Case No. CV 12-0231 JSW; entitled Thomas Willis v. City and County of San Francisco, et al. (City Attorney's Office)

03/25/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

130273 [Accept In Kind Gift - Technical Assistance - \$250,000]

Resolution authorizing the Office of the District Attorney to retroactively accept an in kind gift of technical assistance valued at \$250,000 from the Open Society Foundation for the grant period of January 1, 2013, through June 30, 2015. (District Attorney)

03/19/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130274 [Accept Gift - Design Services and Furniture - \$26,445.43]

Resolution authorizing the Office of the District Attorney to retroactively accept a gift of design services and furniture, valued at a total of \$26,445.43 from various donors. (District Attorney) (Supervisors Mar and Avalos dissented in Committee.)

03/25/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

130277 [Agreement - Engineered Arresting Systems Corporation - Not to Exceed \$40,000,000]

Resolution authorizing the Office of Contract Administration and Purchaser to enter into the Agreement between the Airport Commission and Engineered Arresting Systems Corporation for the not to exceed amount of \$40,000,000 for the purchase of an Engineered Material Arresting System for the San Francisco International Airport Runway Safety Area Program. (Airport Commission)
(Fiscal Impact)

03/19/13; RECEIVED FROM DEPARTMENT.

04/02/13; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriams

*Tanya Joan Madfes - Supervisor Yee
Juan Trasviña - Supervisors Avalos, Campos, Chiu
Pearlie Coleman - Supervisor Breed
Jacob Valdiviezo - Entire Board
Bessie Fong - Entire Board
Alex Fraser Peer - Supervisor Tang*

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:24 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 May 7, 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: On the screen is a referral to this BOS regarding the "Public Library's Failure to Respond to Requests to Identify Expenditure Documents." City Librarian Luis Herrera is specifically identified as the person who failed to comply. Mr. Herrera has used his position to withhold public records and to direct other City employees to do the same. He has violated not only the Sunshine Ordinance but also CPRA and has directed other City employees to act in violation of both laws. At no time did Mr. Herrera even attempt to justify his actions or directions. For 20 months he has simply refused to produce documents he knew he had a legal obligation to produce. The critical paragraph of this referral reads: "The Task Force recommends that the Board of Supervisors investigate the Libraries documentation of its expenditure of Friends' funds." This is the driving force behind all these violations of law.