

**EXHIBIT “I”**



# City and County of San Francisco

TUESDAY, SEPTEMBER 27, 2011

pl

chufechufe good afternoon.

welcome to the sprn board of supervisor miguel of tuesday, September 27,. Call the roll.

>> avalos present, campos present. Chiu present.

Chu present.

Cohen present.

elsbernd present.

Farrell present. Kim present.

Mar present.

Mirkarimi present. Wiener present.

Mr. President, all members are present.

**Supervisor chiu:** thank you. Ladies and gentlemen, could you please join me in the pledge of allegiance?

**Supervisor chiu:** Madam Clerk, are there any communications?

>> there are no communications.

**Supervisor chiu:** let's go to our consent agenda. >> items 1 will have 22 come price the concept agenda.

These items will be acted on by a single roll call vote.

**Supervisor chiu:** I understand our deputy city attorney would like us to receiver out item number one.

are there any other items to receiver out? >> item 8, please.

**Supervisor chiu:** if we could take a roll call vote on its 1-2 without 1 and 8.

>> campos, eye. chiu eye. Chu eye.

Cohen eye. Elsbernd eye. Farrell aye. Kim aye.

Mar aye.

Mirkarimi aye.

Wiener aye. Avalos aye.

there are 11 ayes.

**Supervisor chiu:** those ordinances are finally passed. Item 1.

>> ordinance amending the strnls administrative code to

create a recreation and parks gift fund.

Update the medicare emergency

relief fund, changing the administering agency. >>

**supervisor chiu:** I under we

have a small technical item we

need to deal with from the

deputy city attorney?

Do you have a mic?

[Inaudible]

**Supervisor chiu:** let's try that one more time. >> there should be a codification note indicating that the new section being added is 10.100 -- 257 on the first page.

**Supervisor chiu:** supervisor

elsbernd will make the motion to amend. Seconded by mirkarimi. Without objection, that amendment will take place. Colleagues, can we take this item, same house, same call?

>> as amended, Mr. President.

**Supervisor chiu:** this ordinance

is now back to a first read,

right?

Deputy city attorney it is back to a first read.

Item 8, please.

>> resolution approving the jurisdictional transfer of city

hall located at 17th and folsom

streets, to the mayor's office

of housing and the parks department.

**Supervisor kim:** I am very

excited to support the

jurisdictional change to build a park project here in the

mission neighborhood today.

I know some of the members that worked on this for the past several years are here to see the vote on this. I want to thank the families

and organizers in the mission that have spent countless hours on bringing the community together to support the development of the park at the

former san francisco P.U.C. Parking lot site. This project has come out of almost a 10-year community

planning process, and I want to

thank in particular pmp odjar,

and the anti-December placement

coalition for putting families front and center. The park will bring recreation, education and housing opportunities as well to an under served area in the norton mission.

As many as of you know, mission

is one of the city's deniest neighborhood. Nearly 60,000 families with

children and single households

make this this community their home.

The mission has less than 1% of

all park land for the city.

Surrounding housing area has

the second largest number of single occupancy hotels, and

the affordable housing crisis

has forced families to live in

10 by 10 rooms without notice access to kitchen or yard space. I am excited to move forward on this. You would have thought this would have been an easy task,

but a lot of folks had to come together to work on this transfer.

I want to recognize all the departments and commissions

that are involved.

Including planning, the

public utility commission,

mayor's office on housing, the staff.

Linda Robertson, Karen, Jay,

Juliet, John Updike and John

McIn Mayora.

**Supervisor Chiu:** Can we take

this house same house same call? Supervisor Wiener. Sorry. Didn't see you.

**Supervisor Wiener:** Thank you. I am very supportive of this,

and I want to congratulate Supervisor Kim and the

community for really moving an incredibly important project forward.

This is not in my district but

about three blocks outside my district. I know first hand how much open space we need in the greater Mission area.

If you look at Delor Parker,

Mission playground, and how crowded they get. There are two points I wanted to make, and they were both discussed at the land use committee. First, I know there were folks who were concerned about the

loss of parking, including

O.K.C. And some other -- O.D.C.

And some other non-profits.

I know Rec and Park and O.T.A.

Are going to work closely to better manage the street

parking in the area. The other issue that I just

want to flag -- and it is not really specific to this project. This is just an example. We are dedicating public land

to much needed affordable housing. I just really want to keep on the radar that we as a city

have done a really poor job of

providing moderate income housing. We have provided a fair amount

of low income houses, which is very necessary, but we need to do more.

We do a great job of market rate housing. But we provide almost no moderate income housing, and that is a problem in terms of

keeping the diversity of our communities, making sure that

we do not become a city of just

rich and poor, that we keep our

middle-class and, woulding class.

I just -- as we are moving

forward on these kinds of projects where public land is involved, that we keep moderate income housing in mind.

It is a key to our economy. I will be supporting this, thank you.

**Supervisor kim:** I left out a very important office involved in this prior to our office working it.

Supervisor david campos' office

has been working with it and

convening meetings along with

our office. Thank you.

**Supervisor chiu:** supervisor campos?

**Supervisor campos:** thank you, Mr. President. I don't want to belabor the point and repeat what has been said.

I want to thank supervisor kim and her staff and all the community members who have been working on this for quite some time. it has been a long time coming, and I know there's a lot of excitement around this, and I

think this really shows how a

community working closely with government can really move

something very positive forward. I also want to thank my staff

for their work in making this happen and look forward to

continuing to work with supervisor kim, supervisor wiener and his office. Again, thank you to the community for coming together around this very important

project.

**Supervisor chiu:** supervisor avalos?

**Supervisor avalos:** thank you. I would just like to echo the comments of all of our colleagues who have spoken.

I want to reiterate a congratulations to the community for the work they have done on this. This is actually the second park that was established in the mission district.

There was another on 23rd and

folsom, which is a great addition.

It gets well utilized because there are so many families there.

there is also a garpped -- a garden there. Congratulations. We are going to see wonderful things coming out of this

public space and I am very

grateful, and I would like to co-sponsor.

**Supervisor chiu:** we will add

supervisor avalos is added as a co-sponsor.

And supervisor mirkarimi, and others.

Colleagues, any further discussion? If we could take this item without objection, same house, same call.

This resolution is adopted.

Let's now move to item 23.

>> item 23 is from the land use

and economic develop committee.

An ordinance to establish the city district.

**Supervisor chiu:** supervisor farrell?

**Supervisor farre!:** thank you. A reminder, on its last reading today, this is the legislation

that will allow target to come

into the old city center district.

It is the site of the old toys

for us, sears row buck and mervyns.

**Supervisor chiu:** without objection this ordinance is passed. Item 24? >> item 24, ordinance amending

the administrative code,

decreasing film fees for smaller budget productions pertaining to the film rebate program.

**Supervisor chiu:** supervisor farrell?

**Supervisor farrell:** thank you. Colleagues, this legislation is

going to bolster our current

film rebate program by including documentaries and reality programs to the program. In the past, reality shows used to be fairly low budget productions.

Now we are seeing many more of these shows with more substantial budgets to work

with, and we would like to attract them here to have them

spend their production dollars here in san francisco and hire local crews. This is going to apply to documentary films as well. Since introducing this legislation over a month ago, my office, the film office and

the staff of the film commission has received

numerous inquiries from different reality shows and documentaries that want to take advantage of this coming into san francisco.

Secondly, this legislation will

also decrease the fees for low

budget productions of under

\$500,000 from \$300 a day to

\$100 a day here in san francisco. Currently many small independent film makers bypass the permitting process here in san francisco because it is cost prohibitive for their low income productions.

Right now all feature films and

stuncheon series pay through 300 a day for their permits, and that is higher than anywhere else in the country. New york city has a permit fee

of \$300 for a whole production no matter how many days they film for all budgets.

In vancouver, permits cost \$100 per day.

New mexico, \$25 per day. in louisiana they are free.

These are states already offering incentives we can't compete with. This legislation will make our permits more affordable and continue to make it as attractive as possible. This has always been and

continues to be about jobs here

in san francisco.

Our film rebate program has

been successful, bringing in

series such as milk and trauma. We have talked about a committee commanding this and looking at the stats of the

film rebate program over the past few years.

Later in role call we will be introducing a request to make

sure we analyze all competing jurisdictions throughout the country and in canada in terms of what they offer film production crews to come into town not just in the form of rebates, but other incentives that we will be able to provide here in san francisco to have a competitive environment.

I would like to mention that if

anyone has any questions, suzanna robbins is here to answer any questions you might have, and I would thank you for your support.

**supervisor chiu:** supervisor avalos?

**Supervisor avalos:** thank you, President Chiu.

I am actually curious about the

extension of the rebate program to reality shows in san francisco. I think we have a pretty good reality show going on right now.

It is the mayor's race with the voting. It is like a game of survivor. I am actually going to be supportive of this legislation, and I want to differentiate my vote on this compared to the vote against the twitter tax break.

The twitter tax break, there

wasn't actually a fund that we covered the rebate program in. It was more like deficit spending we did in providing that tax break.

But with the rebate program having a fund we are tapping

into to reimburse expenses for film productions gives me the

ok to approve this legislation. So I will be voting in favor of it and want to congratulate you on your effort.

**Supervisor chiu:** supervisor farrell?

**Supervisor farrell:** and just to be clear, this is not increasing the amount of money that we have already allocated for the rebate program. This is not going to cost a

cent more for the city of san francisco, just attract additional productions that could avail themselves of the existing rebate programs and the dollars we have left from

the original inactment a number of years ago.

We are going to be asking for a study to be done in advance of the rebate program expiring in June of next year, whether it makes sense in terms of investment dollars from san francisco and city hall to continue this program, expand it, drop it or what have you.

That is what we will be doing.

**Supervisor chiu:** can we take

this item same house symptom saug? Pass on the first reading.

>> item 25, ordinance amending environment code to update the green building requirement of design, construction and

operation of city buildings.

**Supervisor chiu:** supervisor mar?

**Supervisor mar:** thank you, President Chiu.

Colleagues on your desks are a minor amendment to the green

building requirements for city buildings ordinance.

I want to thank joe anna from the mayor's office and others

for bringing this ordinance forward with my office.

The minor amendment I believe

is non-substantive.

At page 16, line 21, the

legislation provide that the

new lead gold certification

projects will apply to projects where the initial appropriation request is submitted to the

board of supervisors after September 1st, 2011. I am nearly changing the date

to November 1st, 2011 so that

the ordinance is not retroactive. Thank you, and I encourage your support of this important measure.

**Supervisor chiu:** supervisor mar

has made a motion as he has suggested. Seconded. It passes.

Colleagues, can we do this same house.

>> as amended Mr. President.

**Supervisor chiu:** this is passed

on first reading as amended. >> item 26. Ordinance amending the administrative company regarding the adult probations department and their post release supervision program. Supervisor chiu: supermirkarimi?

**Supervisor mirkarimi:** thank you, Mr. President. Colleagues, for months we have been hearing about state prisoner realignment.

The committee from the board of supervisors and this body has advanced pieces of legislation in installments that presents a challenge for what will be an unprecedented event October 1. Every county in California will be severing back state prisoners to its jurisdiction.

42,000 prisoners are being returned from the state.

San Francisco's allotment

per-capita will be one of the smallest. The number we are receiving is approximately 650. It starts October 1st.

San Francisco is in a better position than most counties because of the realignment plans and steps for preparation that have been underway.

We are one of the few counties

in the state that is experiencing under crowding.

So that gives us a leg up compared to many counties.

We are in a position that we

must advocate vociferously and vigorously for more funding because the money coming with

the prisoners is about half of what we need. It is the point of this

legislation that we assign the adult probation department to take lead with the sheriff's

department taking second in the receiving and process of those prisoners that are returning. The criteria for the prisoners that are returning are those

that are low-level offenders, felons, non-violent and non-severe offenders.

There has to be a case by case risk assessment for every prisoner that takes place. Also what is accompanied in

this ordinance is greater

discretion approved because of prisoner realignment in allowing the sheriff's

department and adult probation

to exercise various forms of home

monitoring, discretions they have not had before.

there is a pecking order of cost. Incarceration is the highest of

that cost, versus diversion or

home electronic monitoring or a hybrid there of. Many months have gone into the preparation for this.

I don't think many counties are quite prepared or braced in the way we are trying to. But since October 1 is just a

few days away, the first installment of prisoners coming for San Francisco is approximately 30 for October. Then they will be staggered in different amounts, and there

will be a significant ebb and flow. While we seem to have our ducks

in order for the coming year, it is undetermined what it will look like in years after.

We have to stay vigilant.



if our rehabilitation or realignment is not on top of

its game, that will create blow-back in a public safety kind of way, forcing more of a police response instead of the kind of response we hope is satisfied through adult probation through the sheriff's

department and the fleet of non-profits, who are assigned for re-entry and rehabilitation.

Many of these factors are intertwined, and they all campos down to economics. While we are hoping that everything goes according to plan on the front end, we must be prepared for what could go wrong on the back. That is important, especially

to any one of us who represent

areas that have been highly

distressed in public safety.

In typical, those populations in our neighborhoods are the

host to the greatest amount of probationers and parolees.

This some -- something we need to be on stand by and work

together with juvenile adult

probation, police department, board of supervisors, sheriff and others involved as well.

This is the final piece of

legislation in five astatements

of ordinances that officiate san francisco beginning of realignment. We are not sure when it ends, but we know this is now the way things are going to be with the state.

That puts city government and our county jail system in a place where it has never been before.

This is a task that has yet to have been challenged.

With that, your support is appreciated and thanks to

supervisor cohen for her co-sponsorship.

**Supervisor chiu:** without objection this ordinance is passed on the first reading. Item 27.

>> ordinance amending the police code requiring a handgun to be kept in a locked

container or disabled with a trigger lock and prohibiting

the sale of enhanced am nation. Supervisor chiu: supermirkarimi?

**Supervisor mirkarimi:** this is timely because yesterday the federal court heard san francisco and dismissed us in

our attempt to fortify our gun safety laws.

The city had made a motion to

dismiss the case based on gun advocates related to the N.R.A. And others. The purpose of this legislation

is to add support in the way of

findings by two sprra existing

city laws, one which

the most common of which are hollow point bullets.

These laws have become all the more important because we have

seen escalating gun violence in san francisco especial of this past summer.

Just recently a 5-year-old girl

in the bay view was shot in the leg.

i visited the young girl who was shot by a word bullet from the

western edition.

A man was wounded at the 49ers game.

We saw the chief talking about how they were insufficiently

staffed to contend with the tailgate parties.

Some maystadt in the back in north beach.

The gun-control laws are under

attack from the gun lobby which

is usually -- using the supreme court ruling.

Since then, gun advocates have been challenging local gun laws across the nation. San francisco is in the bull' s- eye.

I have invited the deputy city

attorney, if the deputy city is here who has been working with us.

It is based on the federal court weighing in on this.

If deputy city attorney kaiser

could speak to what occurred through the chair.

>> there are two lawsuits

against the city brought by advocates.

both lawsuits challenge the ordinances that are being

amended to include legislative findings. The reason this is necessary is

because in light of the court' s

ruling and how supervisor mirkarimi explained, these are

more likely to be subject to judicial scrutiny and constitutional review.

In this case the court took into consideration the board of supervisors considered and

adopted in support of continuing these ordinances. It gives the court something to look at.

Supervisor

**mirkarimi:** the

influence of events especially with our public safety challenge

and the gun advocate lobby going

after modest gun safety laws,

the dreadlocks and the ban on

lethal ammunition, enhancing lethality like hollow point bullets, the conclusions of those events weighing in

yesterday only justifies that

much more wide this legislation

and these findings are deemed that much more necessary. Thank you.

**President Chiu:** any further discussion?

I would like to be added as a co-sponsor. Can we take this same house,

same call?

without objection, this ordinance is passed on the first reading. Item 28.

>> from the rules committee. An ordinance authorizing settlement of lawsuits involving mitchell engineering and

authorizing bonds and the preparation of funds not to exceed 15.7 \$5 million.

-- \$15.7 5 million.

**President Chiu:** without

objection this ordinances passed in the first reading. Let'

s skip over the 3:00 special order. And our four-o' clock special order which will be continued. why don'

t we move to roll call for introductions.

>> supervisor campos, you are first on roll-call for introductions.

Supervisor

**campos:** I have a couple of items.

This is the oversight committee for the general obligation bond.

This is their annual report for 2010.

I have requested that matter be

sent to the government audit and oversight committee.

The second is also a hearing

request on the budget and legislative analyst' s performance audit.

Again, we have asked this be

sent to the government audit and oversight committee.

The final item is I have requested the city attorney to

draft an ordinance that would

require that the meetings of the

san francisco ethics commission

be televised on sfgtv and that ordinances being drafted as we

speak and will be introduced in hopefully by the next meeting. The rest I submit. >> thank you. Supervisor avalos?

**Supervisor avalos:** I had

requested analysts to do an assessment before the summer

break, looking at how we could

leverage or local revenue and

tax dollars and two financial

institutions that could do community development type work and also to support our local economy and small businesses.

They have drafted the report and is available. I am submitting a request to overview that.

In requesting that be heard in

the city operations and services committee. the rest I shall submit. >> thank you. Supervisor mar?

**Supervisor mar:** I have a number of items.

The first is regarding the

negotiations with the california pacific medical center.

Recently I and many of our

communities have experienced a lack of transparency and

adequate communications.

C

I am requesting a hearing to

provide the mayor' s office with an opportunity to update the board of supervisors and also

the workforce development to refresh and update us where the negotiations are around the community benefit and where they stand.

secondly, I am joining , I am

introducing an ordinance that amends the planning code to prohibit the use of customer

operated checkout systems in

stores where alcoholic beverages are sold.

I would like to thank supervisor

john avalos and david chiu for being co-sponsors as well.

this is a common-sense measure

that requires anyone to a new purchases alcohol to buy face- to-face. It is a simple step which is

required of tobacco, spray paint, and some cold medicine. It will make it harder for miers'

-- minors --

minors and intoxicated persons to get alcohol.

This protects the public health.

Recent studies by ucla and san

diego state show that self checkout machines make it easier

for minors and intoxicated persons to get alcohol.

a study showed machines used in

stores that have self check out failed to stop one transaction in five. That is 20% failure rate. The machines are easily fooled

by customers and I know young

people can game the system. That is apparent.

Minors are sharing methods to beat checkout machines. Scanning one item and bagging

the alcohol or holding a non

alcoholic item so the alcohol is not scan.

People will cover the bar codes or replace it with something

else as well from my

understanding of how the system can be manipulated.

One cashier can be forced to

monitor up to a dozen machines allowing the machines to be easily been when the worker is no

busy. Public safety groups are strongly supportive of our

measure because they know the

tragic consequences of alcohol ending up in the wrong hands. That is why our ordinance and

others are supported by mothers against drunk driving.

the california police chiefs association, california council on alcohol problems, and many others.

Also, I am calling for a hearing

on an issue I have been working

on with many senior and disabled people' s organizations and housing access groups. I am calling for a special hearing on issues affecting some

of our most vulnerable residents, seniors and people

with disabilities who live in sro hotels.

The official policy is to

support seniors to a giant place. San francisco has no comprehensive strategy for sows

-- serving those who live in residential hotels. While it is relatively affordable and generally close to transit, presents its own sets of challenges to tenants.

The city needs to develop

creative strategies to reduce the isolation, make the building

safer, and aging friendly and provide the elderly and disabled greater access to community resources.

Those are our recommendations from a number of organizations that have been working on the issue.

I have been working with the senior action network, the mission, central city, and chinatown sro collaborative.

The in home support services consortium and others.

We will share the information at the meeting and from these problems and begin to provide solutions from the bottom up with grass-roots community based

organizations centrally involved

in policy development with the rest of us.

I hope from this hearing there will emerge strategies for meeting the needs of residents

who are aging in place in

housing systems that May be inadequate or unsafe for them.

I am also introducing an ordinance today that has to do

with the richmond district'

s

george washington high school which is 75 years old and celebrating its many accomplishments.

I would like to also point out

that george washington first

opened on August 25, 1936 and is among the finest, prince of high schools in the nation.

In addition for -- to a full

range of classes for students,

the school also offers many

extracurricular and athletic opportunities.

I am proud that -- for this

coming year, we hold the crown

not just for football, baseball, and basketball, but also for the wrestling. The principal and the staff and

counselors and the teachers are

proud of the accomplishments of washington high school.

Washington is open to families in san francisco panter of the city. It has been a model community for ethnic diversity. The schools illustrious alumni,

we often hear from other schools

but I would like to brag about the richmond district' s high school.

Lee merriwe

ather, gilman I

ui

do looked -- developed tetris.

One of my favorite

actors, and

betty ong are from washington high school.

the ordinance will declare washington high school day.

Also I will be honoring along

with supervisor jane kim one of our city labor and community

leaders, karen bishop, the  
President Of san francisco  
unified school district chapter  
of sci you -- seiu.

**president chiu:** I will be introducing legislation to help our city small businesses comply with our americans with disabilities act.

When I served on the small business commission I heard from  
hundreds of small businesses as we have around our districts in the city that have been sued  
allegedly for ada violations.

Since 2005, there have been five  
dozen lawsuits in california,

and over 300 businesses in san francisco have been sued, some  
of the multiple times and some have closed their doors because of the suits. The proposal I am putting forth  
is about ensuring that we are encouraging full compliance with our accessibility laws in doing  
this in a way that is

transparent, fair, and hopefully bring about more cooperation between small- business is and landlords and building owners. This proposal does  
four things.

It prioritizes building permit  
applications that involve work  
on accessibility complaints -- compliance.

It requires landlords to bring ground-floor entrances and exits into compliance with pre- existing access laws before a  
new lease or renewal is signed. We'  
re not creating any new 80  
obligations, only insuring the improvements that are required be done around our entrances and exits.

thirdly, they legislation  
requires commercial landlords to inform small business tenants  
they have potential ada obligations and -- on other parts of the property and to  
include provisions that address

these respective obligations. The fourth thing this proposal  
does is it allows small coffee shops and self-service restaurants to exclude square  
footage for disabled access from the calculation of the maximum allowable square footage.

This will hopefully ensure that  
we move beyond a time when small business tenants and owners were  
pitted against disability activists. What we' re trying to do is ensure that we' re bringing in  
all stakeholders to use money on?

The bill -- access ability --  
accessibility improvements.

I am pleased to be joining a  
number of colleagues to

introduce a resolution to reform our support for the central subway project and for replacement housing for the tenants displaced by that project.  
We all know the benefits in  
terms of transit ridership, this

is why the board of supervisors has cast some of the unanimous votes. Our city is committed to

replacement housing for the 19 households that will be relocated for this public benefit and we know that great cities and our regret building subways.

Great cities regret not building subways. The rest of my items I will submit. >> thank you. Supervisor mirkarimi.

**Supervisor mirkarimi:** I have one item. I would like to ask the city

attorney to resuscitate a piece of wood solution that we sponsored nearly two years ago

and that was to call for moving the san francisco police

department crime lab under the

cao so it would be in independent jurisdiction. Considering this spate of stories about scandals that have

compromised the integrity of the crime lab and the drug lab, and the fact that the national academy of sciences has come up with a report recommending to

all metropolitan government' s they' d move to crime labs to an

independent jurisdiction, I had

decided because of the disinterest and the resistance

in different corners of the city government to revive that legislation.

I am making a public request of the city attorney.

>> thank you. Supervisor elsbernd?

Supervisor cohen?

supervisor cohen: thank you.

I am proud to

co-sponsor with supervisor wiener legislation

that would establish a commission to review practices and make recommendation to the board of supervisors on changes. This is important in light of

the realignment that supervisor

mirkarimi has been taking

leadership fund and put the

public -- and create the public safety committee. We need to make sure we are

utilizing innovative approaches

to decrease the rate of recidivism.

in addition, I am very excited to introduce a supplemental appropriation that will appropriate \$1 million of city

funds the city received as part of a settlement agreement that closed the referral power plant. That settlement was the result

of a decade of negotiations

that -- resulting in the plant pose a closure last year.

After a robust public process,

led by the asthma and powerplant task force, we identify programs that the fund will be used to continue to support.

These programs are focused on

promoting public health in the neighborhood surrounding the

plan and include funding for retrofitting homes and air

quality -- in here quality -- air quality hot spots for its support for committed the guards

and projects and bending for an asthma educator to assist the community in understanding,

preventing, and treating asthma.

The preparation is a significant step forward in combating the decades of impact from the power plant. Although it has closed, our obligation to ensure the public health and well-being of those communities who were disproportionately impacted has not ended. I also would like to say on a closing note, I would like to think many members who were active in the southeastern neighborhoods. Those folks in bayview n potrero hill. I would like to thank the leadership of city staff that put numerous hours into helping shut down this power plant. I would like to thank our city attorney for his leadership and also ensuring that this toxic power plant has been shut down. Looks like justice has prevailed. I am very excited to introduce the supplemental appropriation. The rest I submit. >> thank you. supervisor kim.

**Supervisor kim:** thank you.

In light of supervisor mirkarimi' s comments about the increased shooting and the increased need for gun control, our district also experienced a recent shooting this past saturday morning.

It 15-year-old girl and a 42-year-old woman who were struck in the legs and the torso. Both are in the hospital.

It is a continued tragedy of violence, particularly because of the reason spate of shootings that have occurred on sixth street.

many of the neighborhood -- much of the neighborhood has come together and meeting monthly to see what we can do about reducing violence.

This incident was a damper on a lot of the efforts of folks are making to make this a safer place for everybody.

I am also proud to co-sponsor President To pose a resolution in support of central subway project and the replacement of demolished rent-controlled units in chinatown. In recent weeks, we have seen this project, under scrutiny again despite a thoroughly vetted expansion. And we have seen --

republicans are using this project as a target to cut funding for the city of san francisco.

Though this resolution is non-binding I believe it will send an important message to the obama administration.

As well as to our city residents of san francisco, we stand with them in supporting this project and of our replacement housing. We have been engaged in this discussion many times but this



is a promise we made to recommend these.

Communities of color have often

been left behind in the economic

development and also transit first projects. As you know this will connect

the bayview and alley to the south of market on mission bay, chinatown, and union square.

Those who have dismissed this project as a subway to know

where this regard the important neighborhoods these -- this project will connect.

Also I am dismayed by the continued targeting that has

become fashionable among those

in our circles and the media to target nonprofits.

i think we start to see that in budget discussions over the last couple years as we have been

fighting over service dollars

and other things about the

supposed waste the nonprofits produced in the city. While there May be some, the

vast majority of our nonprofits

work with incredible dignity and with incredible respect and commitment and dedication to improving the city of san

francisco and also improving the lives of our low-income

communities by providing and stretching every single public dollar we give them to provide housing and other services.

I am also dismayed by the

disregard that several folks have for the decades of

community planning and meetings

that our marriage -- residents have been involved with.

10 years ago I started attending meetings in support of central

subway and watched as seniors and used demanded to see this type of improvement come to their neighborhood.

90% of residents in chinatown do

not own cars and depend on muni to get around the city.

I am happy to co-sponsor this legislation with President Chiu:

and supervisor cohen and other supervisors. Thank you.

>> thank you. Supervisor farrell?

>>." I am asking the budget and

legislative advisers to conduct a study to compare and analyze how a number of other cities and

states provide incentives for

local film production either by rebates or other incentives

offered to encourage local production. Asking to review these incentives that are being

offered, the law enforcement

costs, permitting fees, how

much -- how many television

shows feature films -- and whether or not there is the incentive for commercials and how many jobs have been secured by the rebate offer.

Secondly I want to thank in a

particular the marina

association and the impetus

behind this for a great family festival. We had hundreds of families come out and it was a great time.

i wish the weather would have cooperated but we will have it again next year and it will be bigger and better.

We want to thank the mca for their hard work in putting it together. I would like to thank the members of the california league of cities that came to our town -- town for their annual conference.

i served on the california director and I was appointed by mayor ed lee.

I want to congratulate our

treasurer for being elected second vice President Of the california league of cities which means in two years he will be the President Of the organization.

he will do was proud in the city and I want to -- to do was proud

in the city and I want to congratulate him.

We have one in memoriam

, a

beloved and long term President.

He was born in 1922 in colorado,

he was a proud U.S. Navy combat

veteran of world war ii and

served from north africa to or canola.

He was featured in the "san francisco chronicle."

the library of congress was

making an effort to get their recollections of veterans to the collection.

He is quoted as saying, "we were a part of history/ .

It is not neat and clean like in the movies.

It is long periods of boredom

followed by short periods of actual terror.

People did not understand what a

horrible experience work can be."

he wrote on his computer which is now part of the project.

He was a retired vice President By -- of bank of america. He was married for 67 years.

he and his wife lived by example

and mentored couples. Their advice was basic.

Have fun, left, and do not take things seriously. There were adored by the young

adult group and those they mentored and gave new meaning --

meaning to the phrase, young at heart. He is survived by his loving

daughter who was a great grammar school teacher of mine a number of years ago.

Her husband and their son, there

will be a mass at st. Vincent de paul church.

Where jerry spent years as a usher.

We will Miss Him in district 2

and he will be missed by so many san franciscans. Thank you.

Supervisor wiener: I would like

to have my name added as a co- sponsor to the resolution supporting central subway.

We have this

unfortunate habit in san francisco if you have a

project that moves forward, that

will create a lot of benefit and

as it nears completion or gets

down the road, all of a sudden, barriers are thrown up or people start questioning it.

Any major transit or infrastructure project to the

bay bridge or bart, or the central subway, there will always be some controversy.

There will be folks who think it can be done better.

We have to extend our transit system, this is an area that needs transit.

I am confident we will extend it further north.

No major project is going to be

100% when you want out of the gate. This is a project that will make

it up to the no. One day. I want to co-sponsor that.

I also want to elaborate on the

legislation I am introducing

today with supervisor cohen and supervisor farrell.

the district attorney has been

spearheading this and I want to compliment him for his work

here and anticipating one of the

effects of realignment, namely,

we need to be smarter about how we sentence people. We will have a much heavier

burden in san francisco not just

with the current prisoners but with future prisoners who in the past we could said tuesday President, but if we sentence

them, a

in making sure that the police -- people who go to jill go to jail.

We have to make sure that they do not concern the rest of the budget.

We have seen what happens in

california when we are not smart with sentencing.

We have a state budget that is

higher than our state education budget.

I do not want to see that happen

in san francisco, so this will be composed of the district

attorney, the public defender,

adult probation, the reentry

council, a number of other representatives, so we have a complete group of stakeholders that can go about it in that way, and I am proud to be sponsoring it.

Clerk calvillo: thank you,

supervisor wiener.

supervisor chu?

Supervisor

**chu:** in terms of connectivity, thinking about how

not only connects some, but how it connects the outskirts of san francisco to the central part of our city.

So many residents of the sunset,

richmond, the valley, they do

make their way to chinatown and the downtown for work, for shopping, to connect with

community, and to the extent

that we do this, it is not just an economic magnet and something

that helps the state economy overall, but it is something

that helps improve the connectivity and transportation for our existing residents, so I

do want to be added as a co- sponsor of that legislation, as well.

**Clerk calvillo:** thank you, supervisor chu.

president chiu: ok.

Supervisor avalos?

**Supervisor avalos:** banks that have been bailed out but who have not been doing their part

to support local communities,

banks like bank of america,

wells fargo, they received bailout from the federal government and yet have not been

doing their part to create jobs and to ensure that households across the state and the country

have recourse to prevent

foreclosure and default, modifications of loans with these banks not as strong as

they can be, and it is when residents demand that there is action and accountability that

we know we can create change, so my hearing request, looking at

how we can leverage our dollars,

that is this week, a proposal to these actions.

Also, it just so there is no

doubt about my position on the central subway, I would like to add my name as a co-sponsor for

the resolution affirming the

central subway, and I have actually been kind of alarmed about have a sense of what has been criticized by some of the

various people who have been supporters over the past several

years, so I think it is important that there be no doubt

that could perhaps jeopardize funding that is going to need --

we needed for the build up, funding that will be openly approved at the federal level, where there is a great deal of change going on in terms of transportation projects being

approved, and I think the board of supervisors making this statement will be important to

assure that there is support for this, and I hope it is unanimous, which it think it is,

because we all voted on

different aspects of this at the transportation authority.

**Clerk calvillo:** thank you,

supervisor avalos.

**Supervisor campos:** I do not want to be long. I just want to add my name to it.

Clerk calvillo: that is the end of the roll call.

President Chiu: ok, it is just a little after 3:00. Can we go back? Madam Clerk, could you please call items number 29 and 30?

a hit -- 29 and 30?

clerk calvillo: this is a resolution to establish the westboro community benefit.

President Chiu: this is to be

named the west portal community benefit districts.

This hearing is held pursuant to the board of supervisors resolution that was adopted, on

August 2, 2011, which sets today' s hearing date and also

approved a plan an engineering

report from 2011 as well as the form of ballot for property owners.

Supervisor elsbernd, this is in

his district, and I understand he May have some amendments.

**supervisor elsbernd:** yes.

There are some amendments in relation to this. It is minor.

We are proposing to remove two parcels from the total parcels that would be covered, dropping

us down from 84 parcels them 82 parcels. One is an apartment building, and the other is a professional building.

they are located in an area that would not have produced a great

deal of money, I think a grand

total of \$4,700 out of the \$2,000 that would be generated.

This just reflects the deletion

of those two parcels and the technical amendments that need to be made to assure the completion of the benefit districts.

I am not sure, Madam City attorney. Should we adopt this minutes before the hearing, or should we adopt them after?

I think most folks know we are going to do this, so I would make the motion to adopt those amendments now.

**President Chiu:** supervisor

elsbernd has made a motion to

amend, seconded by supervisor mirkarimi.

Colleagues, if we can take those amendments without objection? That shall be the case.

So at this time, we are going to hear from any speakers who wish to speak in support or in opposition of this disaster.

we will first hear from speakers in support, and then we will

hear from individuals who oppose it. After today' s public hearing is closed, the department of

elections will count all of the ballots, including those ballots received during today' s hearing and some of the tabulation to the board.

Members of the public May choose to view these on the basement

level of the building in room 59.

If there are too many ballots to accurately tabulate them today,

we can recess this meeting to a

later date to obtain a final tabulation.

If the tabulation of the ballots

shows a majority protest, the board of supervisors will not approve the establishment of the district or the assessments,

but if there is not a majority

protest, the board May choose to impose the assessments.

A majority protest exists if the

weighted balance exceed the

ballot of those in favor of the assessment districts.

the ballots are weighed according to the obligation of

each of the affected properties.

So with that, at this time, why do we not open up a public hearing on this issue for anyone who wishes to testify on the

proposed establishment of the

west portal district and on the

proposed plan an engineer' s report from September 2011?

That forced ask if there are members of the public that supports the establishment of

this district, if you could please step up.

Police stepped up, and if you want to line up on the right- hand side, that would be great.

each member of the public shall have up to two minutes to speak.

>> that afternoon, supervisors. Thank you for letting as the year. I have a business.

I have been active on this

street with a merchant' s organization for well over 20 years, which is how long I have had my business.

i have also been probably the key member in seeing this through.

This started in 2009 sort of out

of frustration of the volunteer-

based merchant organization.

We looked at the aspects of the

cbd and talked to property

owners, and we formed a plan.

The aspect was discussed in merchant meetings, and

eventually, we hired a consultant and drew up a management plan, after which we had several neighborhood

meetings aimed at property owners and merchants and set up a website to get out the word of what we were proposing.

in setting up this plan, we researched other districts, including a valid one, because we thought it was very similar

in the make up to west portal, and we learned a lot from things they did right and things they

May have missed stepped, and we adopted two important lessons that we learned, the budget amount.

We learned a lot of districts

are too shy, so we went for a

high amount, and then the

length, the term, we figured it should be significant, so we went for what we thought was a reasonable amount.

The assessments are fair,

especially less than one phone bill for a business owner like myself. I pay about \$80 per month.

And it said that the formation of a clean and green district, so we are going to clean the

streets, green the streets, and put up some small parks.

This is a well thought out plan.

I encourage you to support it, and we have a lot of supporters here. Thank you.

President Chiu: next speaker, please. >> good afternoon, supervisors.

I am an owner, and one of the locations I have is on west portal. I have had that business for 12 years. i have also grown up there. My family and child a home is still there. Growing up there, I have seen it go both ways. It is one of those avenues that is nice, quiet, charming, and sleepy, but it needs revitalization. In the past years, it has always been voluntary, and all too often, it was way too few people doing way too much for people who probably did not deserve it. This is a great unifier. Everybody gets skin in the game. We have a functioning infrastructure. Everyone is committed. I feel that wants everybody starts to pay into the system, they tend to be more committed, and they tend to be more involved, which I look wholeheartedly forward to. I am currently President Of the west portal avenue association, and once again, it is way too few people doing way too much. I support this. There are some that had objections to them. i have looked at some of the videos of some of the other conflicts. West portal is not as diverse lead discrepant s some of the others, which at that questions and conflicts. I think we are all on the same boat, headed for the same island. It is just a matter of having something to get us there. Thank you.

**President Chiu:** thank you. Next speaker.

>> good afternoon, supervisors. My name is james robinson. I have and big business on westboro avenue for the last five years along with my wife, who will be speaking shortly after. the cbd' s have a tremendous track record, where they go in and help improve the neighborhoods and to manage with the existing organizations, and I urge you to wholeheartedly support this, as I do. Thank you.

**President Chiu:** next speaker.

>> below, my name is gail. My husband and I have owned a business for five years. We are very excited about this. We believe it will bring continuity and unity, and it will elevate the business district, which is so sorely needed. Thank you.

**President Chiu:** next speaker.

>> good afternoon. My name is bob presley. I am neither an owner or a merchant. I live a couple blocks away. I have been around there for 10 years. We have enjoyed watching the good things on west portal. We have done a lot of shopping there. There are restaurants. we eat out a lot there. There are a fair number of new people moving in. There are five new families on our block with kids. We hope this was portal area will continue to grow and be the center it can be.

This would be one of the stops on the way to the suburbs.

**We have more muni lines:** through west portal then I think

anywhere else in the city, so it has the advantage of being able

to handle more people, and the

growth in west portal is growth without necessarily having more cars. That should be a positive thing for the city.

I support this very much.

i see or do people -- I see

older people in jointness, taking a walk in and join the local stores. I support the type of distress you are setting up, and I hope

that you vote for it, because it

is important for the board of supervisors to lead in things like this, so thank you very much.

president chiu: thank you. Next speaker.

>> good afternoon, supervisors.

My name is auburn shepard, and I am with the greater neighborhood association. I have lived in san francisco

all of my life, and I have grown

up and have spent a long time -- a lot of time in westport.

My uncle used to take me down when I was younger than you.

I am here to support the community benefits district.

I think it will welcome west portal into the current world.

People go to places now. They go to restaurants. They could to shops.

they expect to see something bright and shiny, and this is a

great way to make a place bright and shiny.

The assessment that the merchants and property owners

will get is so small that they

will not even feel it, but they will feel the benefits of it.

i have experience in with the

benefits district and a small town in the san joaquin valley

that has added benefits district

for over 15 years, and I have seen their downtown area go from

a ghost town to a thriving

place where everybody within to

wonder miles comes to visit, so

I urge you to support this benefits district. Thank you.

**President Chiu:** next speaker. >> good afternoon.

I am the owner of a carpet store, and a property owner.

I urge you to support this.

West portal is one of the best family oriented neighborhoods in

san francisco, and this is a catalyst that can make this community even better. It is a little village.

This is something that has been needed for a long, long time, and I urge you to approve it. Thank you.

**president chiu:** next speaker. >>

well, I look to the east,



and I look to the west, and west portal is the place I like best  
they fix your abilities and your  
shoes, and they have movies , and  
for elsbernd,  
they have foodies.  
they fix your shoes, and they  
have food for foodies, and  
supervisor elsbernd'  
s favorite restaurant for foodies yes, they know how to help you,  
yes, indeed, and I know they are going to take the lead.

They have got ice cream.

they have got

free -- fruit ies,

fix it up, and I think you --

thank you

**president chiu:** thank you.

Are there any other speakers in support of the establishment of this district?

Now, if there are any individuals who wish to speak in opposition of this assessment district, this is the time for you to speak. Police stepped up.

>> my name is mark,

and I am over on the boulevard.

I have nothing against this community benefit districts

program

in its inception, but I

do have a problem with the 13- year trial period that it has.

I thing -- thing that is entirely too long.

I think a 4 or 5-year trial period would be more apropos. There are issues.

parking.

When people come to shop in west portal, if they do not live by

to what to it, they start putting quarters in there, and

after about \$2, if they are in a shop having something done or

eating, they come back and get

that, what is it, a \$60 ticket? I fortune to have not gotten one and a long time because I do not

drive much anymore, but anyway, the only opposition I have is the 13-year trial period.

But basically, it is a very good idea. Thank you.

president chiu: thank you. Next speaker. Sir, if you could please speak into the microphone. >> I am definitely opposed.

Number one, I own a residential building on west portal and a 35-year member.

I live just around the corner, so I have seen everything happen on that block.

number one, I was never notified at the inception of this thing,

so I felt very insulting.

Number two, as the gentleman

said, 13 years or 15 years is

too darn long. Three or five years makes sense.

the amount of money seems exceptionally high. They say it is low. I say it is high.

If you take the complete 13

years added up at a 3% per annum increase, it is over \$3 million,

and that is -- the thing I

oppose is the increase each

year, according to the records

they gave me, 3% or there about.

Well, if we put a bunch of trees or benches or what ever you do the first second or third year,

why is the cost going to be that high the fourth or fifth year?

it just does not make sense.

Having run a billing for over 40 years, it just does not make sense.

One year, high expense. Six or seven years. You put in trees. You print it.

Not every year, three to five years.

I do not know if I am getting to

you, but the whole thing, and

leaving a lot of us out, and I

have spoken to at least four

merchants, never even heard about it.

Of course, it goes to the owner. I am an odor.

Had my neighbor not clued me

and, I would not know -- I am and owner. I do not care for computers.

My white candles in all, so I do not always ask her to get this

stuff, and a lot of information,

I know this gentleman back here, I consider friends. [Bell]

That is it, I guess. i am outnumbered.

President Chiu: thank you. Are there any other members of the public who wish to speak on this item? Police stepped up.

>> hi, I am elliot wagner. i have a store on west portal. I have been there about 30

years, and I am really strongly opposed to this current version

of the west portal dbd.

I can think about my opposition.

One, I believe it was developed with insufficient community outreach.

to the local merchants, property owners, and residents.

Basically, west portal had one landlord meeting and one merchant meeting, and it was

presented to us almost like a

fennel -- final document, not

really with input to either of those cribs at that time.

the othercbd' s

had five, six, or seven meetings.

The others did multiple surveys

of both merchants, people on the street, and lambeau boards.

I believe the yearly costs are

really disproportional compared to the size of others.

the number of blocks and number

of parcels, the valley is twice

the size of west portal, and

yet its budget is only 17% or 18% greater.

I have asked numerous times, i

came up with a magical figure of to wonder thousand dollars, but we have not been able to do it.

I am in favor of this. I think it could be great.

I do not believe in this one, and I pledge no matter which way it goes that I will work towards

getting one that is successful, be it this one or a better version. Thank you.

**President Chiu:** thank you. Any other members of the public wish to speak on this? Please step up.

Ok, it seems that there are no other members of the public who wish to speak on this, speaking

on the topic of the westport a community benefit districts.

we will have general public, and

later, so if you wish -- you have been listening to it.

If you want to speak to the

westboro community benefit districts, otherwise we will have a general comment, and you can speak then. >> I disagree.

**President Chiu:** thank you. Any others?

supervisor cohen?

Supervisor coehn:

-- **cohen:** I have a question.

Who pays into this, and how is the budget derived?

>> well, in the west portal, the property owners are assessed.

Lisa pagan, and the property owners are assessed. The assessments go out on the

property tax bill, and they are due at the same time the property tax is due.

In other districts, not this

one, businesses could be directly assessed.

We do have one in the fisherman' s wharf area on the port side, but this is a

property based district, some

property owners are assessed, so --

**supervisor cohen:** all property owners, whether you are a commercial space or in residential >> within the boundaries of the management plan, yes.

>> but just to clarify, alisa, some of the tenants have

passthroughs, and the property owners will be passing through their costs.

that is not a universal thing.

Some of the leases prohibit a pastor, but in many cases, it will be the retailers who will be paying the cost.

**Supervisor cohen:** ok, lisa, could you describe the outreach?

>> lisa, if I could take that one?

This mini benefit district has been discussed at pretty much

every community meeting in emergency meeting I have attended since 2009.

I think even the concept of it was discussed prior to that.

More importantly, and I do not want to put too much on this on

one individual, but the first speaker we had, matt rodgers, I

think he has spent more time

talking to merchants over the past year note -- two years than running his own business. There has been a tremendous

amount of outreach, far

surpassing our which I have seen on just about every other issue.

A lot of community discussion, important not just with the emergence but with the neighbors, and that is why you see neighbors here who are speaking out on behalf of the issue.

Supervisor cohen: thank you. No further questions.

**President Chiu:** thank you.

Any further? This is closed. It will begin.

the board will continue with our

agenda, and we will await the department of elections for the tabulation of the ballot, and

when that ballot is tabulated, we will call that item and announce what the results are,

so at this time, it is 3:30, and

I would like to go to our 3:30 special orders with regards to commendations. We have several today. The first two will be presented by supervisor chu.

Supervisor chu: thank you,

President Chiu.

If I can ask Mr. Scott -- to show up?

I have served with him on a

board as a board appointee to

that body, but today, I just want to recognize scott for all of his work on the health service board.

He has taught me a thing or two about the work there.

In addition to those accomplishments, I do want to speak a little bit about the

person behind that.

In addition to his role there,

he also served formally as the council and general for the republic of rwanda.

He was a board member of a company, the director of the nasdaq insurance group, a managing partner, a former

director, with several other

companies he was at, and he has

served on the health service board as an appointee.

He has served under many

mayoral administrations, under mayor jordan, brown, mayor

newsom, and mayor lee, and, of

course, he served on that board wellcome as not only vice chair but as chair in many years.

He brought with him a significant business experience and really understood what it meant to have to deal with significant budget challenges over the years, and, of course, the one thing I always like to

say about scott, even though he

had such business acumen, and

people thought he could vote a certain way, he always found consensus, worked with members of the board, and always cared for the health service system members, so I do want to take time to recognize his contribution to the health service's board and to say thank you on behalf of the board of supervisors for your many years of service, and we hope you will serve the city again in a different capacity.

I know it supervisor elsbernd, who also served on the board, would also like to say something.

**Supervisor elsbernd:** we have served together.

It may be appropriate that we are redoing this up here.

You know it can sometimes be a pain to be a providing officer -- presiding officer with me in the body.

He handed me perfectly.

You are a fantastic share.

You handled all of us well.

You handled the issue well.

I really learned a great deal

from working with you, and you

really epitomized for me what a public servant is. It was a true honor to serve with you, and I hope I get that opportunity again, and truly on behalf of all of the members of the system and all the residents of San Francisco, thank you for all of the great work you did for the city on the health service board.

**Supervisor chu:** thank you, supervisor elsbernd. /

-- another one into the year, but she is stuck on another board, but she wanted to say something.

Would you like to say something?

>> I will say a few words, knowing how time is spread out and that we look down from the podium.

My kids should be sitting here, listening to their ears burned about their dad. [Laughter]

One thing I encourage every citizen to do is to take time

out of whenever they are doing to work in the place they live. They can think globally, but

they have to act locally, so it

was just a pleasure to do that,

and I recommend it.

Thank you very much.

President Chiu: I do seem ms.

dodd here.

Did you want to say something? >> catherine.. Health services.

I am so pleased that this formal city and county body is recognizing scots service.

Scott stands out in my memory as

having been around politics for

a long time as someone who works

with all sides to make sure they

get things done for the people

of san francisco and for the employees and retirees. I could always count on his advice, his honesty, and on him working with the other members of the board. I'm just grateful he is being acknowledged for his years of service, and I hope we can count on him serving on other important boards and commissions in the city and county. Thank you.

[Applause]

>> I am going to add one thing, that the best thing I did was to hire her.

[Laughter]

**President Chiu:** I know that

supervisor chu has another commendation, which she is rushing here to present. >> thank you. I would like to invite someone from the recreation and parks department.

As a district four supervisor, I

have had such pleasure to work with terry. Terry has been with the

recreation and parks department

since 1971, in nearly all of his 40 years of service with our sunset district parks.

He started out at an ocean beach. He spent some time at golden gate park.

Then another place.

For the last 17 years, he has been working at the playground

area as a groundskeeper, and he made sure to keep that area always very well maintained, not

only the soccer field but also the baseball diamond, and we have seen from many of our residents and the different little leagues that have come out to play, they have always

had such satisfaction playing on those fields. He used to have the assistance

of many other gardeners, but over the many mean years of the recreation and parks department, he has actually been single-

handedly keeping an area well maintained, and I do want to

thank him, because war is not for his dedication and all of

his work, we really would not see that quality that we have for all of our kids.

I do want to say thank you for all of your years. I know you are retiring.

It is a big loss to the sunset district, but we hope that you'll come out and cheer on the

teams that they play, and I do want to it knowledge that his brother eddie is your of the way from new jersey, and there are also a number of supporters here who have worked with him over the years.

thank you very much for all of

your service, and the sunset district will definitely Miss You. [Applause]

>> hi, I would just like to say

thanks very much for this show of appreciation.

I feel I have to accept on

behalf of a lot of people, a lot

of co-workers, members, but the carpenters, plumbers,

ironworkers, teamsters, electricians, you name it.

All of those guys help a person

like me keep a site functional

and up to snuff some people can

appreciate it, and I am definitely going to Miss It.

It was a great privilege to work

for the parks, and I have been through about eight mayors, about 14 general managers.

We have been reorganized about 22 times, but it seems that day today, it is pretty much the same, and the one thing I would ask as a small favor in your future deliberations of the budget, please slice off a little bit for the parks, because we need it. Some of us dogs need to get out of the way. That is so we can keep things function. Thank you.

[Applause]

president chiu: our next accommodation will be from our colleague, supervisor avalos.

**Supervisor avalos:** from the excelsior district, please come forward to the podium, with your loved one, as well.

collings, we have seen some really great changes and civic participation in this district under the action group, and a lot of the people you see before us have been working with the action group neighborhood

beautification, and is not just looking at our streetscapes and landscaping, but we have artists that have done wonderful work on our commercial corridor.

altogether about 12 murals, and now we actually have a walking tour of this district, which, I

confess, I have not taken yet, so part of this accommodation is setting a date for me to come and have a walking tour.

I have seen a lot of murals, but I have not seen all of them like I would like to with your explanation.

They have done wonderful work in really beautifying our neighborhoods.

These have made a huge difference in preventing graffiti but also showcasing the talents that we have in our midst.

We have a wonderful portal over

the 280 overpass, which

showcases different cultures of

our district, and there are many cultures from all over the

world, represented by the number

of streets and cities that we have, the names in the district,

and these artists we have before us, I will list some of their

names, and I hope I have this for everyone here.

If I call your name, please raise your name.

Gabriel and ryan.

Gabriel has just raised his hand. Ryan is not here.

They have been americorps

volunteers and basically single-handedly have been running this act -- action group over the past few months.

i want to thank you for your work.

Because a new holding it down, so many involved in the work you

are doing, and bringing in

volunteers to do the mural work,

all ages have been taking part.

These are americorps volunteers.

There are also used volunteers and muralists. Thank you for your work. max.

A native art teacher for several

years, and he has designed and worked on several murals and the

district, with oversight of 100 volunteers. And I see him out there.

It is amazing have been gets people involved and shows them how to work.

he designed something for the

upcoming festival, which I see he is wearing.

We have another him as merrill' s in san francisco and in tokyo, japan.

She is the director of a department. Thank you for your work in our district.

another person is here.

I am sorry if I did not get your name right.

Your project is on the corner of mission street.

Del then, a painter and muralist. Thank you for your work.

He creates socially conscious works.

i love the mural on the corner of francis and michigan' s street.

I just noticed it for the first

time -- at the corner of one street. Thank you for that. It is really a wonderful testament to what our neighborhood is about.

eric, who I do not seen here with us, who has done an amazing

work over the years across san francisco.

He is a native of this area and has been a resident for many years. He highlights people' s struggles and raising awareness for social consciousness.

Daron, thanks for being here.

he has roots in social activism.

He is a muralist and teacher,

currently a lead instructor at a youth based arts program in the mission.

He has nearly all of the way throughout california and down into mexico.

also, folks we May not have won four. Dan, he worked on another project.

Nico, your children? Great. He has merrill' s all over the

world, including in gonna and west africa.

There is an avid skateboarder and designer. thank you for your work in our

district, and ethan is also a contributor to the project. I just want to say thank you so much for your work. We' ll be showcasing many of

these artists in my office today

after the board meeting, and thank you so much for your work.

If any of you want to have a few

words with us, please come forward to the microphone.



[Applause]

>> well, hello, everybody. My name is gabriel.

I just want to thank you, john,

for giving us this opportunity today and to get some acknowledgement from the community and also citywide.

I also wanted to thank the office of economic work force development for providing the funding to be able to do a lot of these murals and the action group also for imploringly for

one year and basically giving me artistic freedom to put this

project together and contact and work with all of these great people. Thank you also for being here today. That is about it.

Supervisor avalos: I does want to add.

it is just me talking at the microphone, but there are so

many people who are grateful for your work and for what you have done, and that is something you can take with you wherever you go. Thank you so much. [Applause]

if we can get a picture? It is kind of tight, but --

I will be on the end.

president chiu: our last commendation of the day will be from our colleague from district

1, supervisor mar.

supervisor mar: please come forward.

It is really an honor to

recognize one of the leaders,

the chapter President, karen bishop. She has been a mentor to me and

many other community in justice movements in the city.

She has been a leader of the san francisco unified school district staff.

When I think of her, I think of

compassion to empowerment and dignity. Those are the words that come to my mind when I think of Ms. Bishop.

She began working in the san francisco unified school district, and I know that

supervisors campos and kim and a number of other colleagues know

karen well, but Ms. Bishop was a library technical assistant

when she began in the school

district in 1968, and she was a

co-founder of the technical association in the district and served as its President For several years.

She became the vice president of the san francisco unified

school district chapter of

local 791 local 400 merged with

local 390 in 1982, and that was quite a while ago, karen.

She has also been the chair of a civil rights committee and a number of other positions, too.

She was on the working committee

that gave workers pay equity and

served on the local city-wide

negotiations in 1988 and continuously through 2006.

She also became President Of  
the s&p nine you local in 1992  
-- of the seiu local in 1992, and they went through the merger and transition in 2007.

That has been four years now.

Karen was awarded an award and officially retired. Congratulations from the san  
francisco city and county, 2011,  
concluding her term as the chapter President And as a  
member of the seiu executive  
board on August 27, 2011. We' re going to be voting on the comparative agenda in a few  
minutes, declaring September 27,  
2011, karen bishop stay in san francisco. It has been a pleasure to work with you.

i have learned so much from you.

Thank you for letting us honor you today, and I just want to ask if the other supervisors would like to say some words, as well?

**President Chiu:** supervisor camera?

Supervisor kim:

it is a good to see you today.

I remember you explaining to me

when you first came to the library years ago that the books

were put in order by color, and you came in, and I think just by yourself, you had to order all of your book -- all of the  
books, and our school district

had for many of our important elements in our schools, it is

really because we defunded our schools since we passed proposition 13 in california.

I have incredible respect and admiration for you.

you have been a thoughtful

mentors, patiently educating me

on a variety of labor and public education issues, a dedicated leader, someone who truly cares

about your team and everyone

that you serve and represent an just a compassionate individual,

and one thing I always respect about your leadership as the president was really the

independence, that you have always never been scared to display, and I have always

respected the endorsements you have made. I have never been endorsed by the school chapter or the s e iou, but when the endorsements

would come out, I knew they had based their endorsements not on who they thought would -- who

would win or on politics.

I always had a tremendous amount of respect for your leadership and your team because of that, and over the years, I have stood

with seiu on all of my votes

because I respect to prospective

so much, not just as someone who cares about labor but someone who deeply cares about our

children, and you work with my

former news program and several others.

Going back to the days where we

used to cook meals for our students on school site, something I would love to see  
come back again when we're able to fully fund our public  
schools, as well, so thank you,  
ms. Bishop, for all of the work you have done.

I am one of your admirers, and I hope we keep in touch. Thank you. [Applause]

President Chiu:

supervisor campos?

supervisor campos:

it is hard to

imagine us with at you and all that you have done.

One of the toughest jobs you can

have in government, and because a supervisor kim was saying,

funding for that system has been

going down since proposition 13, and I'

ve always appreciated the

way in which, and a very fair

mindful way, you always advocated to make sure that that system always did right by the children, by kids, and also by

its workers, and I do not know that you're going to find a stronger advocate for making

sure that kids and workers were

protected by that system, and

like I said, it is going to be

really hard to see how sentences for unified is going to function

going forward, but your legacy

remains, and I want to thank you

for everything you have done to

advance the education of so many

children here in san francisco and for your commitment to protecting and for serving the dignity of every worker who was working at san francisco

unified, not just because they are well paid. They could be making a lot more money somewhere else, but

because they believe in public education. thank you very much. It has been an honor for me to work with you. >> thank you. [Applause]

**President Chiu:** Ms. Bishop? >> yes.

I would like to thank you for this acknowledgment. I really appreciate it.

i actually started working for this city and county when I was

16, and I am now 63, so I have been working for the city my

whole life, and I was very much satisfied and taking pleasure in being able to provide the services for the citizens of san

francisco and the students of san francisco school districts,

and I appreciate very much your acknowledgments today. Thank you.

[Applause]

>> thank you. >> thinking.

President Chiu: that concludes our accommodations for today.

I want to thank all of our awardees, and with that, why do we not move to general public comment?

**Clerk calvillo:** the next item is the ability of the public to

address the board for up to two minutes, including those not on the reference portion of the agenda and excluding items which have been considered by the board committee.

Speakers using translation assistance will be allowed twice the amount of time.

If there is a document to be displayed on the projector, please remain it when it should return to live coverage of the meeting.

President Chiu: please proceed.

>> [Speaking foreign language]

david chiu.

[Speaking foreign language]

hosni mubarak.

[Speaking foreign language]

hosni mubarak.

[Speaking foreign language]

Mr. President, our supervisors,

as you know, my name -- as a

community activist, I would like

to tell you I was, enjoyed it

last sunday the program for the

gentleman use a and the lady of the united states michelle obama.

for Mrs. Barbara marshall.

The woman he used to be -- and she made a service to her

community to feed the homeless

who are coming from the war and found themselves on the street. 15 years.

Our supervisor, guess what? I come with a good idea.

Great supervisor, if each one of

you decided to build a house in

your district to help the

veteran, then we are never going to see homeless.

Supervisor, do not be scared.

I do not like to be shared.

I give you a chance to be sure of. But on one condition.

Prove it that you can do something before you leave.

Building a house for the people

in your district to help the veteran people. We do not need to waste the money for the drug dealer, for the drug addict.

you know that, and I know that,

but I give you a chance, and you have a chance to do something

else before you leave your office to go to the sheriff' s office.

I wish you good luck, and a promise to support you and be beside you.

president chiu: thank you. Next speaker.

>> good afternoon, supervisors.

Stop the rape of the public library.

Do not give money to the friends or accept money from them.

I apologize for that, but it May be a blessing in disguise because I did not quite get to the point.

When I get up and talk about the library, the point is it is not really about the library.

It is about what happens to our institutions when they are run

by our increasingly private ownership.

The public library is interesting because it is presumed to be the most democratic of our institutions.

the right of the public to be informed is essential to any exercise of democracy.

For that reason, it is crucial but the public library has

become the worst example of what happens to institutions when the purpose becomes to maintain

class barriers and to promote the interest of private money.

there is no accountability for the public money that is spent on the library. There is no accountability for the private money that is raised. There is no accountability of

where that private money goes,

even though little is used for the public benefit. A matter of record.

most of all, there is no

accountability for the sunshine and ethics violations that allow them to operate with impunity and in secret.

The church is, we are being enslaved with private money.

Are you prepared for a city hall

where the citizens cannot criticize corporations because

corporations paid for the chairs?

not only is that what they do in san francisco public library, but they will tell it to your face.

It is all about their fund- raising, and it is an open

secret that there is the influence it buys in city hall.

If you do not care about the

library, the point is still what they have done to the library is something they can do to whatever else do care about. The lies cost more than the money.

**President Chiu:** thank you. Next speaker.

>> thank you.

Overhead please.

Tom, south beach marina apartments.

Let' s see what we have got here.

We are stepping out of my neighborhood.

i do not get around to much --

too much, as much as I would like. That looks more like san francisco and south beach.

Victorians and what we have got

here is

it could be the haze, could be west portal.

What we have got here are three fans.

These are industrial fans.

There is a yellow bar up top. It is to a garage.

the driveway goes south.

Here is a better idea of it.

Those industrial fans, if you want to hear what an aircraft

carrier sounds like or if you

know of a punk band that once

music for their crashing guitars

to go in and out of, those fans do a wonderful job.

They work during operating hours during the daytime.

This is mission street, where the driveway comes out of. This is across the street.

that is what it bounces into.

It must come up to near 70 decibels.

It goes up the block to lexington.

It is at 18th in the mission.

It takes the noise of the

mission and makes

more noise, throwing it up to san carlos. Then it goes up to lexington.

Who is making the noise , who is

spreading the noise, who gets to digest it?

**president chiu:** excuse me. Thank you for your time.

Thank you. Next speaker.

>> thank you. I am from the fillmore

neighborhood.

I came here to check in with

supervisor mirkarimi about the

2011 sra enforceable operation payment schedule.

This is the document and it is

really hard to see.

Basically, over September,

October, November, December,

there will be \$1.8 million into

the fillmore neighborhood totaling \$7.5 million.

This ordinance is 3106a that was

put out by ross.

What I want to do is , according

to this ordinance, the

redevelopment has continued in this neighborhood around

housing and to existing

covenants, contrast, obligations.

Also, to redress the demolition

of a substantial number of

residential dwelling units for moderate to low income. To the greatest extent possible.

I wanted to check in with

supervisor mirkarimi -- we have a unique situation where the redevelopment in this city is

both in the neighborhoods -- I

do not see the impact in terms of african american people,

people with certificate holders.

I do not see the impact. I want to make sure that these funds are being utilized to the very maximum they can.

They are being doled out as we speak.

i think this is the perfect opportunity. Thank you.

**President Chiu:** thank you. Next speaker.

>> good day, supervisors. I am going to put this on the overhead.

Today is a case on the sunshine organists task force.

i saw -- I hope some of the supervisors who are on this list are involved in this issue.

Supervisor:, supervisor wiener, supervisor chu, I hope they will speak on this.

In the key is the 14 amendments the were added on to the agreement that should not have been allowed.

They should have notified the tenants properly. this is critical when you are talking about housing and issues of housing in the city.

We have not seen significant action by this board on the

issue of creating rental housing throughout the city.

When you see news houses -- when you see news articles about schools not discussing where they are going to be located and

how they will be assigned to a district.

i think this is the redlining occurring again.

A process of eliminating diversity in the city is creeping up again.

If we are going to be a city of only millionaires, that is going to be a problem. If we have to have housing for the working class.

We have yet to see something in its scope or of the same scale that would help to develop housing for working class is in the city.

I think that is part of the key

issue here and why this tenant filed her complaint.

Four tenants

have filed formal complaints. Something is wrong with this board, over half of which approved.

This is a deeply concerning issue that you should take to

heart in terms of the election, the lack of discussion in terms of people running for mayor. That is the key issue.

Transit-oriented development is not the only issue.

you have got to connect the dots and be able to develop housing.

You need rental housing in westport, nothing else.

>> my interests in the city are personal, direct from my experience.

I think change has to be made.

People have to take seriously

that we have thugs running and harming people.

Not sufficient education and protection for our future and for the children of the city.

when I have come over and over

to mayors or supervisors or

people running for mayor, I said

it is a good idea to give me some protection.

Instead, I cannot even get so

much as a respite.

i get 10 hours of sleep in five

days after a broken arm, concussion, anything else. When I came to you, I was promised health and respite.

I have been asking -- I sing happy songs for kids. I have no convictions.

Yet 75 times, I have been

illegally tortured, I have come to you with torture. I have come to you to protect

women new respect.

I want change that is sufficient and helpful and I want to be

able to be a part, maybe even a paid participant.

I had a genius iq.

i care and see whats wrong.

No one will protect my campaign. I do not have a campaign now. I have nothing. Zero. A life preserver.

A bone was good.

I at least got a pay your fair

share that was on the buses.

How about stop the graffiti that

is dragged into our brains on a

regular basis on these buses. We do not need that.

If I were here, the people who

have the filth of the automobiles would be refunded. It would be getting free bus

service that works.

I cannot get a platform together.

**President Chiu:** thank you very much. The next speaker.

>> my name is larry. I have a little experience.

I did run for mayor in 1999.

i did get eight votes.

I am here today to say welcome to this new room you are all in.

Today is the anniversary, 48 years ago they had a rebellion.

I want to invite the supervisors and the community to come out

this friday to city hall from 5:00-9:00.

They are going to have President

Barack obama rolled to a national a top.

They need you to come and give out information. Some people will not be able to be here because it is payday.

but san francisco will be the

first city in the 15 -- in the

50 states to develop a national

policy for President Obama in 2012. I have been using medical

marijuana and it has promoted racism.





**President Chiu:** thank you very much. Thank you very much.

Next speaker.

>> I am here for a third time.

I have some handwritten notes that I wanted to give to your clerk. Perhaps you can hand them over to the supervisors, each a copy for them.

Today I want to speak about what

i call the ark.

In memory of a doctor who practiced here in san francisco.

I would like to recommend that the city of san francisco

engraved the stone sculpture

that sits on polk st.

on the far left by mcalester and

with the following words, "let him kiss me with the kisses of

his mouth for your love is more beautiful than mine."

I have a few words I would like to share.

"I believe in justice and mercy.

I believe in the bible and the charter of the united nations. I believe in the oath of office.

Therefore, the people of the state of california are hereby

accuse, the 44th President Of the united states of america, of

high crimes and misdemeanors.

Specifically, the murder of Dr.

Robert c. Scott."

thank you.

**President Chiu:** thank you.

Any other members of the general public who would like to comment?

Seeing none, public, is closed. why don' t we go to our four- o' clock special order? Items 31-34.

**Clerk calvillo:** this comprises a

special order at 4:00.

Persons on the special interests

of the planning commission

conditional use authorization to install a wireless telecommunications facility consisting of nine antennas on the roof of a five-story publicly used structure located

at 4141 geary boulevard and 46 ave.

Item 32

-- the motion approving the planning commission decision.

Item 33 -- a motion disapproving the planning commission decision related to a conditional use.

Item 34 -- a preparation of the findings.

Supervisor mar: i moved to suspend this so that the sponsor can spend time meeting with the

of pellets -- the

appellates, angeles children' s center so they can work out an agreement.

I am doing my best to work between them to come up with an agreement.

i make a motion to continue this

until October 25, 2011.

**President Chiu:** supervisor mar

has made a motion to continue to October 25. Seconded by supervisor mirkarimi.

Are there any members of the public who wish to speak on whether or not we should

continue this item to the 25th? Seeing none, public, is closed.

On a motion to continue, any objection? These items will be continued to the 25th of October. Why don'

t we move to hour closed session.

Could you please call items 35 and 36?

**Clerk calvillo:** item 35 is the

board of the supervisors to convene in a closed session today to consult with legal

counsel regarding anticipated litigation regarding the public financing law.

Item 36 is from the rules -- Mr.

President, you asked me to read item 36 as well?

it is on the rules committee on the campaign and governmental conduct code.

Capping the amount of public matching funds.

**President Chiu:** at this time, members of the public, I would like you to step outside while we consider these items.

as soon as folks have cleared out of the room, we will start the proceedings.

president chiu:

colleagues, we are back in open session.

Welcome to the board of supervisors meeting for the 27 of September.

There was a motion supervisor

kim had made the was seconded by supervisor campos. He clerk reminded me we need to make sure there is no objection to going into closed session.

there was not and we were in closed session.

Now that we have come out, could I ask for a motion that we do

not disclose information we

discussed in closed session?

Motion passes.

That is item 35. Why don' t we move to item 36, which has already been read?

Item 36 is the legislation proposed by supervisor farrell

around tapping of the amount of

public matching funds -- capping

the amount of public of matching

funds.

**Supervisor kim:** this was a very important case that we need to understand. It was important we have the discussion today.

For members of the public, three months ago the supreme court

issued a ruling striking down the financing law which allows publicly funded candidates to

receive additional dollars of of an enumerated expenditure

ceiling when a privately funded candid that exceeded that ceiling.

The majority opinion was clear that it was not the amount of financing dollars but how it was provided.

they argued this "shilled 1st

amendment rights"

and allowed the pocketed kennetts to benefit.

the court held that the

presidential public financing system was constitutional.

In that stated the policy was created to reduce the deleterious influence of contributions to our electoral process and to facilitate

communication by canada' s to the electorate.

The court recognize that large, private contributions May result

in political quid pro quo and weaken confidence in our political system.

The court declared that it does not infringe upon first amendment values.

The justice clearly stated in her dissent that the majority holds that the sec and the state system, the system that produces honest government, working on

behalf of all honest people, clashes with the constitution.

It seems the we have this very case coming to us in san francisco.

questioning and a weakening of the public financing laws that we have put into place. While I understand my

colleagues who put this forward in to avoid litigation and pay attorneys' fees, they want to further weaken democracy.

I feel we did not fully examine our more comprehensive amended which would eliminate the trigger element of our public financing laws.

But also make reforms that would

strengthen our original intent in trading public financing laws.

Which is to decrease public perception of opportunities of

abuse for deep pocketed

contributors and insure the integrity of our electoral process.

Supervisor farrell: colleagues and members of the public, to

read it -- to reiterate for last week. This has to do with the supreme court' s recent decision

regarding arizona as public financing laws. I would like to thank Mr. St.

Croix for advising us on this matter.

Earlier this summer, the U.S. Supreme court struck down part of arizona as public financing laws.

that part is very analogous, virtually identical, to san francisco'

s laws.

The purpose of this legislation

was to make sure we were in compliance with the supreme court.

I appreciate supervisor kim'

s

objection, but this is to -- but this has been decided by the supreme court.

We are not here to decide it.

It is that President We have

when we say idyllic -- when we say ideology is more important.

We are being reactive to the U.S. Supreme court.

that applies to us here at the board of supervisors as it does everywhere else in this country.

Scores of other jurisdictions

are amending their laws and,

just to reiterate for the  
public, arizona, connecticut, florida, hawaii, maine,  
nebraska, north carolina, west  
virginia, wisconsin,  
albuquerque, and particularly in new haven connecticut.

These jurisdictions all amended their finances and had them struck down by a court of law.  
we need to too to avoid a lawsuit.

We are playing roulette with taxpayer dollars. I appreciate supervisor kim  
enter comments, but I strongly disagree and urge my colleagues to support this.

We can support any future  
law as we would like to, but right now let' s make the change. Let' s get in line with what the U.S. Supreme court has already decided.

Supervisor wiener: I am a strong  
supporter of public financing.

I supported the extension of  
public financing to make oral campaigns. At the time, there were those who were against them.

I support the supreme court decision.

My personal view is terrible and representative of a terrible trend of the decade and this court. With that said, we are faced with a choice.

I know that we will come up with  
a good way to amend our public finance law in the future to try  
to address the challenge that the supreme court has thrown our way.

Now our choice is, what course to we take in terms of  
protecting taxpayer dollars from being socked away in attorneys' fees?

We have gone down this path before.

Our general fund is so depleted and funds are so scarce and we have so many services that we  
are dramatically underfunding, I cannot vote to keep this aspect of the system in place.

I will be supporting this amendment as proposed.

Supervisor cohen: thank you.

As many of you know, I was  
elected with a publicly financed campaign.

i believe the spirit of this and  
the intent of public finance -- of publicly financing candidates is to help candidates such as  
myself.

They have a dream and an aspiration to serve, but they do  
not come with big pockets, big  
friends and come from an economically disadvantaged position to the table.

I understand and respect the spirit and intent of this  
legislation.

It is very hard to cast a vote today. I am going to be voting in favor  
of this item that supervisor farrell has put before us.

But begrudgingly.

Because it is the law and the supreme court has issued a statement.

It would be

very selfish of us and irresponsible for us not to take this into consideration.

I do not believe that we are in

the right financial climate to

challenge the supreme court, even if that -- if that is even possible.

It would be irresponsible of us

to hemorrhage good public dollars to fight this case.

It is an interesting dilemma we are in.

I will be supporting this legislation.

Thank you, supervisor farrell and supervisor elsbernd for putting this forward. It is difficult for some of our other members on the board to

submit because you understand the intent as to why public financing was created.

But thank you for your leadership on this important issue and protecting our city and finances.

President Chiu: supervisor wiener, did you have another comment?

Supervisor campos.

**supervisor campos:** I do not want to delve into the specifics of what is a very complicated issue. It is important for us to make

sure we are in full compliance with the U.S. Supreme court and san francisco will make sure that happens.

It is not about whether or not we are going to do that.

It is about the best way to do that.

for me, it is about making sure we proceed expeditiously but

proceed in a way that ensures the we have considered all

options that are legally liable. For that reason, I will be

voting no to that.

--

I will be voting no today.

**Supervisor kim:** I want to clarify my position.

I concur with supervisor campos.

I wanted a little more time and wanted to come up with a more comprehensive amendment that would abide by the supreme court ruling and would be constitutional, but would also

further our intent of protecting the integrity of our electoral process.

I am not here to stand up to the supreme court.

I disagree with the ruling, but I understand that we need to

bring our laws in line with

what the supreme court has deemed constitutional.

I think we could have had a different set of reforms in front of us today.

**Supervisor farre!:** I appreciate that. That clarity.

But are you saying we are going

to delay or gamble with taxpayer dollars? That is something I'm

fundamentally unwilling to do in

the face of the supreme court having decided that our laws

are not in line with their decision. I appreciate the banks this has caused.

We have a rich history of public financing that has benefited a lot of us on the board.

However, it is gambling tax payer money. Especially in light of our budget, hundreds of millions of dollars in deficit for the next year' s s.

To me, this is an egregious

mistake if we go against this.

**President Chiu:** I am going to reluctantly be voting in favor of this legislation. the supreme court has spoken. While I disagree with that decision, it is the law of the land. That is the basis for my vote.

That being said, I will and many of my colleagues will join in asking the ethics commission to

expeditiously consider, advise, promote other options to help strengthen our public financing system in the wake of this decision. To make sure we can strengthen

the system in ways that we know will absolutely pass constitutional muster.

I look forward to working with Mr. St. Croix and others.

Any other discussion?

is there a motion being made to continue?

Are we taking an up and down vote on this?

Why don' t we take an up or down vote on this?

**Supervisor campos:** no.

**president chiu:** aye.

**Supervisor chu:** aye.

**Supervisor cohen:** aye.

**Supervisor elsbernd:** aye.

**Supervisor farrell:** aye.

Supervisor kim:ano.

**Supervisor mar:** aye

-- no.

**Supervisor wiener:** aye .

Supervisor avalos: aye.

**Clerk calvillo:** there are 7 aye'

s and 3 no' s.

**President Chiu:** this required eight votes. The motion does not pass.

**Supervisor elsbernd:** to those

who voted no, I would like to continue the item for a couple of weeks to give you that opportunity.

supervisor kim has sat through three hearings in the last couple of weeks ago we have yet

to steer -- yet to see any actual options.

I would like to see that move forward so we can save the city some money.

If we let this die, it would be

very derelict in your duties. Why don'

t we move to continue

the vote until two weeks?

You can come up with the elixir that every other city in the country has been unable to come up with.

But at least you can try to save us some money.

president chiu: there is a motion to continue.

**Clerk calvillo:** we would have to continue this for three weeks.

Supervisor elsbernd: do you think you can come up with the magical elixir in three weeks?

**supervisor kim:** I appreciate the motion.

I actually looked at Mr. St. Croix to see if that would be enough time.

Supervisor elsbernd: I will just withdraw and hope you can come up with something on your own.

president chiu: is there a

motion to rescind?

I would certainly make one, but I want to -- where are we?

Supervisor elsbernd, have you withdraw your motion?

I am sure the naysayers know what they' re doing.

i will leave it to them.

Supervisor wiener: we all know this will not be fixed in two or three weeks. It has to go through the ethics process, through the committee, through this board. It is a lengthy process and not something you' re going to want

to rush. You want to do it the right way.

Supervisor elsbernd: supervisor mirkarimi was not here.

There were only three people who voted no. Perhaps supervisor mirkarimi will vote yes.

if he votes yes, we will not

have to have this, so I vote to continue it for one week.

**President Chiu:** I have one question for our attorney. Could be a menace to include other aspects of the public financing?

Or does anything have to go back to the ethics commission?

maybe we could ask our outside

counsel.

I think I know the answer to

that, I think it is no.

>> if there is a substantial change, it has to go back to --

**President Chiu:** supervisor farrell has introduced this in response to the supreme court case. We have legislation to deal with that. If we are making a change under

the same subject matter, to make our system as constitutionally tight as possible, would that fall under a change we can make

your at the board without going back to ethics?

>> I do not have the exact

text, but I understand it has to start at the ethics commission.

perhaps you could make a suggestion to the ethics

commission and then it comes back to you.

>> if you' re going to make

changes, it has got to be

adopted by a super majorities of both committees.

It does have to go back to ethics.

The way the wording is, ethics

is suppose to acts -- act first, but there is nothing to keep both bodies from acting simultaneously. The only thing that would have

to happen in ethics, is a final vote by ethics before it goes to the board.

President Chiu: when is the next meeting of your commission?

>> October 19, which is a special day because our normal day is --



**supervisor avalos:** any way to have a special meeting?

>> I would work to pull a special meeting together if it were necessary. I am sure the ethics commissioners would be as cooperative as possible.

Just a caveat, they are 5 busy people scheduling meetings.

Supervisor wiener: I am not

going to fight this, but I have

not heard what the proposal is. This has been percolating

around since June

with a huge process.

i would think that if someone

had the great idea for how we change the system, that would have come of already and probably would have been packaged with this already.

I do not think anyone wanted to amend this without a

replacement, if a replacement existed.

has the ethics commission come

up with a day -- I have not heard any of my colleagues or anyone say that there is some sort of great idea.

>> of all of the solutions we

analyzed, this was the one that maintained the integrity of the three purposes of public

financing and also addressed the

issue of the trigger.

**Supervisor wiener:** supervisor farrell'

s proposal? >> right. The other solutions did not work. There were rumblings that something else would come up.

I have not seen anything yet.

it is still possible.

Supervisor campos said maine is working on something that will fit within the framework. They are not done yet.

**Supervisor wiener:** I do not know.

This is a little perplexing to me. There is literally nothing on

the table in terms of this is something you can substitute it with.

If that might happen in three

months or six months, who knows?

I guess we are not making a plea to the three of my colleagues who voted against this.

I just do not understand why we

would reject this, given what we

know of the state of the law,

the lack of a current alternative.

There are a lot of smart people involved in this process who

will think of one if one exists.

We know what is before us right

now and what is facing us right now and the severe risks that are facing us.

I just do not understand.

Supervisor farrell:

to add to that point, no other jurisdictions, and there are a lot of other jurisdictions, have come up with a solution.

This has been around since the summer.

No other jurisdictions have come up with a solution. To think we are going to

implement something in one week

that will stymie a lawsuit and

save our taxpayer dollars is a dream.

I am all for finding a long-term solution to this, but right now it is fixing the problem at hand.

**President Chiu:** supervisor cohen.

Supervisor cohen: nothing.

**President Chiu:** there is no motion in front of us to rescind this vote.

**supervisor elsbernd:** I will make

the motion to rescind or one week and hear from supervisor mirkarimi.

**President Chiu:** seconded by supervisor campos.

Any objection to the motion to rescind?

Without objection, this motion passes.

we will continue this meeting to October 4.

**Supervisor elsbernd:** would it be advisable from the city attorney to continue the closed session

item to next week so he can get whatever briefing he might need?

**president chiu:** we ended the closed session.

He was with us during a good portion of it.

He had chapter duties and had to leave.

**Supervisor wiener:** there was a

fire with about 25 units or something like that.

**president chiu:** the motion to continue has been passed for one week. Thank you to our outside counsel and the head of our ethics commission. Why don't we move back to the four-o'clock special order with regards to west portal'

s

community benefits meeting.

clerk calvillo: the return for

the voting was 48.92% and the

balance voting against it was

51.08%.

There is a majority protest.

**president chiu:** the opponents have prevailed and it would be

in order for us to entertain a motion to table.

**Supervisor elsbernd:** I will make that motion, but before I do I want to say a few things.

Unfortunately, matt rodgers had to leave. I would like to publicly congratulate him for showing real leadership in the corridor. Leadership that had not been seen in decades.

A really great job in public service. I am very disappointed for him and all the merchants who supported this because this did not happen.

I would say to the naysayers, a lot of misinformation was put

out there and I really hope those who said they opposed it but actually support the concept do not sit back and run away from the issue.

I hope they step forward and try to make this happen.

This is absolutely critical to the future of that corridor. It needs to happen.

With that, I make the motion to table.

**president chiu:** is there a second to that? Seconded by supervisor campos.

If we could take that motion without objection, the item is tabled.

Onto our reference counter. Items 37-47.

**Clerk calvillo:** these are being

considered for immediate and unanimous adoption.

They will be enacted by a single roll call vote.

Unless a commissioner -- unless a supervisor request discussion.

**President Chiu:** would anyone

like to supervise -- separate any items?

Rollcall vote.

**supervisor campos:** aye.

**President Chiu:** aye.

**Supervisor chu:** aye.

**Supervisor elsbernd:** aye.

**Supervisor kim:** aye.

**Supervisor farrell:** aye.

**Supervisor mar:** aye.

**Supervisor wiener:** aye.

**supervisor avalos:** aye.

**Clerk calvillo:** there are ten ayes.

There is

an imperative item declaring September 27, 2011 to

be karen bishop day in san francisco.

**President Chiu:** supervisor mar has made a motion to adopt.

Seconded by supervisor avalos. Any public comment on this item?

With regard to motions of the

commendatory of finding, could we do that without objection?

those motions are made.

Could we take the underlined item and to do that same house,

same call?

Without objection, this is passed.

**Clerk calvillo:** today' s meeting

will be adjourned in memory of

mr. Jerry palsman.

**President Chiu:** is there any other business in front of this body?

**Clerk calvillo:** that concludes the business for today.

**President Chiu:** ladies and gentlemen, we are adjourned.