

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, April 5, 2011 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN  
ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

##### **Budget and Finance Committee**

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Wednesday

1:00 PM

##### **Budget and Finance Sub-Committee**

Supervisors Chu, Mirkarimi, Kim

Wednesday

10:00 AM

##### **City and School District Select Committee**

Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton

2nd and 4th Thursday

3:30 PM

##### **City Operations and Neighborhood Services Committee**

Supervisors Avalos, Mar, Elsbernd

2nd and 4th Monday

10:00 AM

##### **Government Audit and Oversight Committee**

Supervisors Campos, Farrell, Chiu

2nd and 4th Thursday

10:00 AM

##### **Land Use and Economic Development Committee**

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

##### **Public Safety Committee**

Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday

10:30 AM

##### **Rules Committee**

Supervisors Kim, Elsbernd, Farrell

1st and 3rd Thursday

1:30 PM

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

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

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

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of March 1, 2011. The motion carried by the following vote:

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

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendation of the City Operations and Neighborhood Services Committee

#### **110292 [Accept and Expend Grant - Federal Emergency Operations Center - \$800,000]**

**Sponsor: Farrell**

Resolution authorizing the Department of Emergency Management to accept and expend grant funds in the amount of \$800,000 from the California Emergency Management Agency for improvements to the City's Emergency Operations Center.

**Resolution No. 155-11**

**ADOPTED**

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**Recommendations of the Land Use and Economic Development Committee****101053 [Planning Code - Zoning - Establishing Consistent Setback, Street Frontage, Off-Street Parking, and Other Planning Code Requirements and Procedures Across Various Use Districts]****Sponsor: Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 136, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 206.3, 209.8, 210.3, 212, 231, 243, 253, 253.2 and 307, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, 209.10, and 249.26 to: 1) create comprehensive and consistent street frontage controls for residential districts; 2) create consistent ground floor controls for industrial districts; 3) permit certain small corner commercial uses in RM-3 and RM-4 districts; 4) modify floor area ratio controls in the Van Ness Special Use District; 5) modify conditional use requirements for buildings over 40 feet in RM and RC districts; 6) amend the procedure for granting exceptions from off-street parking and loading requirements; 7) allow parking and loading exceptions to preserve historic buildings and landmark trees; 8) make certain Planning Code controls consistent across C-3 Districts; and 9) streamline language and correct out-of-date Code references; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Ordinance No. 63-11****FINALLY PASSED****110010 [Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister Streets]****Sponsor: Mirkarimi**

Ordinance: 1) amending Section 145.4 of the San Francisco Planning Code to require active ground-floor commercial uses in properties fronting on Fillmore Street between Bush and McAllister Streets in the NC-3 District; and 2) adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**Ordinance No. 62-11****FINALLY PASSED****The foregoing items were acted upon by the following vote:**

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

## REGULAR AGENDA

### UNFINISHED BUSINESS

#### Recommendation of the Budget and Finance Committee

**100962 [Appropriating \$1,300,000 of General Fund Reserve - Ethics Commission Public Election Campaign Finance Fund for FY2010-2011]**

**Sponsors: Avalos; Mirkarimi, Campos and Mar**

Ordinance appropriating \$1,300,000 of General Fund Reserve for the Ethics Commission in the Public Election Campaign Finance Fund for FY2010-2011.  
(Fiscal Impact.)

**Ordinance No. 64-11**

**FINALLY PASSED** by the following vote:

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

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

### NEW BUSINESS

#### Recommendation of the Budget and Finance Committee

**110352 [Disproportionate Federal Cuts to the Community Development Block Grant Program]**

**Sponsors: Mayor; Chu, Avalos, Chiu, Mirkarimi, Kim and Mar**

Resolution urging the Federal government to minimize the cuts to the Community Development Block Grant Program proposed by the President and the United States Congress.

*Supervisor Mar requested to be added as a co-sponsor.*

**Resolution No. 157-11**

**ADOPTED** by the following vote:

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

## **Recommendations of the Budget and Finance Sub-Committee**

### **110210 [Airline/Airport Lease and Use Agreements - Various Airlines]**

Resolution approving leases to the terms of eight (8) new Airline/Airport Lease and Use Agreements between the City and various airlines, effective July 1, 2011, to allow such Airlines to conduct domestic and international flight operations at San Francisco International Airport. (Airport Commission)

**Resolution No.** 156-11

**ADOPTED by the following vote:**

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

### **110318 [Accept and Expend Grant - Used Motor Oil Recycling - \$114,138]**

**Sponsor:** Mar

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$114,138 from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

**Resolution No.** 158-11

**ADOPTED by the following vote:**

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

## **From the Budget and Finance Sub-Committee Without Recommendation**

### **110155 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]**

**Sponsors:** Mayor; Kim, Chiu, Farrell, Cohen, Wiener and Chu

Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area and requiring persons with an annual payroll expense of over \$1,000,000 to enter into a Community Benefits Agreement with the Office of Economic and Welfare Development.

(Fiscal Impact; Economic Impact.)

**Supervisor Kim, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

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

Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area and requiring persons with an annual payroll expense of over \$1,000,000 to enter into a Community Benefits Agreement with the City Administrator.

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

Noes: 3 - Avalos, Campos, Mirkarimi

## **Recommendation of the City Operations and Neighborhood Services Committee**

*Supervisor Kim was noted absent at 3:15 p.m.*

### **110255 [Endorsing Community Concerns of Surveillance, Racial, and Religious Profiling]**

**Sponsors: Mirkarimi; Mar, Avalos, Campos and Chiu**

Resolution endorsing "Community Concerns of Surveillance, Racial, and Religious Profiling of Arab, Middle Eastern, Muslim, and South Asian Communities (AMEMSA) and Potential Reactivation of Police Department's Intelligence Gathering," a report published by the San Francisco Human Rights Commission.

*Supervisor Chiu requested to be added as a co-sponsor.*

**Resolution No. 160-11**

**ADOPTED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener  
Absent: 1 - Kim

## **Recommendations of the Land Use and Economic Development Committee**

### **101537 [Planning Code - Urban Agriculture]**

**Sponsors: Mayor; Chiu, Cohen, Mirkarimi and Mar**

Ordinance amending the Planning Code to update controls related to urban agricultural uses by adding Section 102.34 to define urban agriculture, including neighborhood agriculture and large-scale urban agriculture, and amending Sections 204.1, 209.5, 227, 234.1, 234.2, and Articles 7 and 8 to regulate such uses in various zoning districts; and making findings including environmental findings and findings of consistency with General Plan and Section 101.1.

*Supervisors Mirkarimi and Mar requested to be added as co-sponsors.*

**Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener  
Absent: 1 - Kim

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener  
Absent: 1 - Kim

### **110313 [Settlement Agreement and Lease Amendment - Forty Niners, Ltd.]**

**Sponsors: Mayor; Chiu, Cohen and Farrell**

Ordinance authorizing a settlement agreement and related lease amendment with the San Francisco Forty Niners, Ltd. (the 49ers) to settle a claim made by the 49ers on June 18, 2010, against the City and County of San Francisco relating to the condition of Candlestick Stadium; exempting any new City policy requirements that the City's Administrative Code would otherwise require for a material amendment to the lease.

*Supervisor Farrell requested to be added as a co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener  
Absent: 1 - Kim

Supervisor Kim was noted present at 3:24 p.m.

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

*There were none.*

## **COMMITTEE REPORT**

### **Recommendation of the Rules Committee**

#### **110142 [Appointment, Ethics Commission - Dorothy Liu]**

Motion appointing Dorothy Liu, term ending February 1, 2017, to the Ethics Commission. (Clerk of the Board)

Dorothy Liu, seat 1, succeeding Eileen Hansen, term expired, must be broadly representative of the general public, for the unexpired portion of a six-year term ending February 1, 2017.

**Supervisor Mar, seconded by Supervisor Avalos, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion FAILED by the following vote:**

Ayes: 3 - Avalos, Mar, Mirkarimi

Noes: 8 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

**Motion No. M11-50**

**APPROVED by the following vote:**

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

Noes: 1 - Avalos

## **ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

## **PUBLIC COMMENT**

*Abdallah Megahed; expressed various concerns.*

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

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

*Emil Spousa; expressed concerns relating to botanical garden fees.*

*David Eldridge; expressed concerns relating to botanical garden fees.*

*Natesh Daniel; expressed concerns relating to performing arts.*

*Ace Washington; expressed various concerns.*

*Male Speaker; expressed various religious concerns.*

*Edmond Juicye; expressed various concerns.*

## CLOSED SESSION - CONFERENCE WITH CITY ATTORNEY - Existing Litigation

### 110331 [Closed Session – Lawsuit - CTIA v. CCSF – Case No. 10-3224]

**Sponsor: Chiu**

Motion that Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with or receiving advice from the City Attorney regarding a lawsuit entitled CTIA v. City and County of San Francisco, Case No. 10-3224, filed in the Northern District of California, related to an ordinance adopted by the Board often referred to as the "Cell Phone Right to Know" Legislation.

This closed session is held pursuant to Government Code Section 54957.6 and Administrative Code Section 67.10(d)(1). Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit.

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

#### RECONVENED IN CLOSED SESSION

*The Board recessed at the hour of 4:12 p.m. to reconvene in closed session pursuant to the above motion.*

*The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener*

#### *Persons in attendance:*

*Melanie Nutter, Director, Department of the Environment  
Cheryl Adams, Deputy City Attorney  
Vince Chhabria, Deputy City Attorney  
Angela Calvillo, Clerk of the Board  
Rick Caldeira, Legislative Deputy Director*

*Matter was heard and filed.*

#### RECONVENING OF THE BOARD

*The Board at the hour of 5:06 p.m. reconvened.*

*The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener*

#### *[Elect Not to Disclose]*

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

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

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

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### 110341 [Bishop Otis Charles Day - April 24, 2011]

**Sponsor: Wiener**

Resolution honoring Otis Charles and proclaiming April 24, 2011, to be Bishop Otis Charles Day in the City and County of San Francisco.

**Resolution No. 159-11**

**ADOPTED**

### 110371 [Final Map 4343 - Mission Bay]

Motion approving Final Map No. 4343, Mission Bay, a 669 unit residential and 18 unit commercial condominium project within three buildable lots being a subdivision of Assessor's Block No. 8710 Lot No. 4; approving a Public Improvement Agreement related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents. (Public Works Department)

**Motion No. M11-51**

**APPROVED**

**The foregoing items were acted upon by the following vote:**

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

## IMPERATIVE AGENDA

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

#### Charter Amendment

### 110401 [Charter Amendment - Allowing Amendments to or Repeals of Initiative Ordinances and Declarations of Policy]

**Sponsor: Wiener**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 14.101 to allow amendments to or repeals of initiative ordinances and declarations of policy.

04/05/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/5/2011.

**Ordinances****110399 [Business and Tax Regulations Code - Creation of a Citizen Advisory Committee for the Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]****Sponsors: Kim; Chiu, Mar and Campos**

Draft ordinance amending Article 12-A of the Business and Tax Regulations Code by amending Section 906.3 concerning the qualifications for and number of members on the Central Market and Tenderloin Area Citizen Advisory Committee for the Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area.

04/05/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

**110226 [Development Agreement - Treasure Island/Yerba Buena Island]****Sponsor: Mayor**

Ordinance approving a Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, for certain real property located within Treasure Island/Yerba Buena Island; exempting certain sections of Administrative Code Chapter 6, Chapter 14B and Chapter 56; and adopting findings, including findings under the California Environmental Quality Act, findings of consistency with the City's General Plan and with the Eight Priority Policies of Planning Code Section 101.1(b), and findings relating to the formation of infrastructure financing districts.

(Fiscal Impact, Economic Impact.)

03/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110227 [Zoning Map Amendment - Treasure Island/Yerba Buena Island Development Project]****Sponsor: Mayor**

Ordinance amending the Zoning Map of the City and County of San Francisco by adding new Sectional Map ZN14 to show the zoning designations of Treasure Island/Yerba Buena Island; adding new Sectional Map HT14 to establish the Height and Bulk District for Treasure Island/Yerba Buena Island; adding new Sectional Map SU14 to establish the Treasure Island/Yerba Buena Island Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110228 [General Plan Amendments - Treasure Island/Yerba Buena Island Development Project]****Sponsor: Mayor**

Ordinance amending the San Francisco General Plan by amending the Commerce and Industry Element, Community Facilities Element, Housing Element, Recreation and Open Space Element, Transportation Element, Urban Design Element, and Land Use Index, maps and figures in various elements, and by adopting and adding the Treasure Island/Yerba Buena Island Area Plan, in order to facilitate the development of Treasure Island/Yerba Buena Island as endorsed by the Board of Supervisors and the Mayor in 2006 and updated in 2010, in order to facilitate the development of Treasure Island/Yerba Buena Island as envisioned in the Treasure Island/Yerba Buena Island Redevelopment Plan, adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.  
(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.  
4/22/11 - Notice was published, posted, and mailed.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110230 [Subdivision Code - Treasure Island/Yerba Buena Island]****Sponsor: Mayor**

Ordinance amending the San Francisco Subdivision Code to add Division 4 pertaining to the subdivision process applicable to development within the Treasure Island/Yerba Buena Island Project Site described in the Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, relative to Naval Station Treasure Island, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making findings, including General Plan consistency findings and Section 101.1 findings, and environmental findings.  
(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110337 [Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]****Sponsors: Mirkarimi; Campos and Mar**

Ordinance amending Article 12-A of the San Francisco Business and Tax Regulations Code by adding Section 906.4 to establish a payroll expense tax exclusion for that portion of an eligible person's payroll expense that is attributable to stock compensation.  
(Fiscal Impact; Economic Impact.)

03/29/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/28/2011.

04/04/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

## **Resolutions**

### **110402 [Accept and Expend Grant - Community Oriented Policing Services - \$750,000]**

**Sponsor: Cohen**

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2010 Community Oriented Policing Services Grant in the amount of \$750,000 from the United States Department of Justice for the period December 16, 2009, to December 15, 2012.

04/05/11; RECEIVED AND ASSIGNED to Public Safety Committee.

### **110405 [Arelious Walker Drive Stairway Improvements]**

**Sponsor: Cohen**

Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

04/05/11; ASSIGNED to Board of Supervisors.

### **110408 [Redevelopment Improvements to the Bayview Opera House and Plaza]**

**Sponsor: Cohen**

Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

04/05/11; ASSIGNED to Board of Supervisors.

### **110409 [Accept and Expend Grant - GreenFinanceSF - \$372,600]**

**Sponsor: Mar**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$372,600 from the California Energy Commission's State Energy Program through Ecology Action to support GreenFinanceSF.

04/05/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### **110410 [Opposing the Golden Gate National Recreation Area's Currently Proposed Draft Off-Leash Policy and Supporting the On-Going Dialogue between GGNRA and San Francisco]**

**Sponsors: Wiener; Avalos**

Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's preferred alternatives for dog management.

04/05/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110411 [Supporting California Assembly Bill 889 - Domestic Worker Bill of Rights]****Sponsors: Avalos; Mar**

Resolution urging the California legislature and the Governor of California to pass Assembly Bill 889, the "Domestic Worker Bill of Rights," as an expression of respect for the dignity and equality of domestic workers and the importance of the work they perform.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110412 [Fare Schedule for Pedicabs Operated by SF Student Jobs Coalition]****Sponsor: Chiu**

Resolution approving the fare schedule for pedicabs operated by SF Student Jobs Coalition.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110413 [Accept and Expend Grant - Joint Use School Facilities Project - \$23,000]****Sponsors: Chu; Mar**

Resolution authorizing the Department of Children, Youth, and Families to retroactively accept and expend grant funding in the amount of \$23,000 from the California Department of Public Health to fund a collaborative project with the San Francisco Unified School District to develop a policy related to the joint use of school district facilities that will benefit the school district, city, and community by increasing access to space where educational, health, social services, sports, recreation, and other activities can be provided for the period of September 15, 2010, through January 31, 2012.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110414 [Accept and Expend Grant - Forensic Science Improvements - \$35,393]****Sponsor: Elsbernd**

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a Paul Coverdell Forensic Science Improvement Grant in the amount of \$35,393 from the California Emergency Management Agency.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110415 [California Poets in the Schools Day - April 16, 2011]****Sponsors: Mar; Chiu**

Resolution declaring April 16, 2011, as California Poets in the Schools Day in San Francisco.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110416 [Supporting Upward Bound Project]****Sponsors: Mirkarimi; Mar**

Resolution in support of the Upward Bound Project and affirming the City's continuing need for such a program, urging the University of San Francisco (USF) to use its best efforts to maintain the Upward Bound Program on the USF Campus thereby assuring that Upward Bound retains its eligibility to receive Federal funds.

04/05/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**110289 [Homeless Development Initiative Agreement - Treasure Island/Yerba Buena Island]  
Sponsor: Mayor**

Resolution approving the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative; adopting findings that the agreement is consistent with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal Impact, Economic Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110290 [Economic Development Conveyance Memorandum of Agreement - Treasure Island/Yerba Buena Island]  
Sponsor: Mayor**

Resolution approving the Economic Development Conveyance Memorandum of Agreement for the transfer of former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority; adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal Impact, Economic Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110291 [Disposition and Development Agreement and Interagency Cooperation Agreement - Treasure Island/Yerba Buena Island]  
Sponsor: Mayor**

Resolution approving a Disposition and Development Agreement between the Treasure Island Development Authority and Treasure Island Community Development, LLC, for certain real property located on Treasure Island/Yerba Buena Island; approving an Interagency Cooperation Agreement between the City and the Treasure Island Development Authority; and adopting findings that the agreements are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Economic Impact, Fiscal Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110328 [CEQA Findings - Treasure Island/Yerba Buena Island Development Project]****Sponsor: Mayor**

Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations in connection with the development of Treasure Island/Yerba Buena Island, as envisioned in the Development Plan for the Treasure Island/Yerba Buena Island Project Area.

03/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; REFERRED TO DEPARTMENT.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**110340 [Public Trust Exchange Agreement - Treasure Island/Yerba Buena Island]****Sponsor: Mayor**

Resolution approving the Public Trust Exchange Agreement between the Treasure Island Development Authority and the California State Lands Commission in furtherance of the Treasure Island/Yerba Buena Island Project; adopting findings that the Public Trust Exchange Agreement is consistent with the City's General Plan and the Eight Priority Policies of City Planning Code Section 101.1.

03/29/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

04/05/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**Motions****110400 [Campaign and Governmental Conduct Code - Modifying Registration and Disclosure Requirements for Campaign Consultants]****Sponsor: Wiener**

Motion ordering submitted to the voters an ordinance amending Article I, Chapter 5, of the Campaign and Governmental Conduct Code, to modify registration and disclosure requirements for campaign consultants at an election to be held on November 8, 2011.

04/05/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/5/2011.

**110420 [Closed Session - Pension, Health Care, and Retiree Health Care Reform]****Sponsor: Chiu**

Motion for the Board of Supervisors to convene in closed session to consult with the Mayor and City's Labor Relations Negotiators for the purpose of reviewing the City's positions and the Mayor's instructions to the Negotiators relating to: (a) pension, health care, and retiree health care reform proposals, and the meet and confer process regarding wages, hours, benefits, and working conditions currently underway between the City and City employee bargaining units to address the costs associated with providing these benefits; and (b) pending labor negotiations with organizations representing employees in the two MOUs expiring June 30, 2011 (e.g., District Attorney Investigators Association and Committee on Interns and Residents), as well as the Unrepresented Ordinance.

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

04/05/11; RECEIVED AND ASSIGNED to Board of Supervisors.

**Requests for Hearing****110417 [Hearing - Payroll Expense Tax Biotechnology Exclusion]****Sponsor: Campos**

Hearing on whether the payroll expense tax biotechnology exclusion has met its intended goals, including, but not limited to, the goals of helping to revive the local economy, creating jobs, creating an increase in property tax revenue to the city, and generating a biotechnology industry cluster in San Francisco.

04/05/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**110418 [Hearing - Public Health Budget Update for FY2011-2012]****Sponsor: Chu**

Hearing to receive an update on the Department of Public Health's Budget for FY2011-2012.

04/05/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Introduced by the President at the Request of a Department****PROPOSED ORDINANCES****110333 [Settlement of Lawsuit - Michael Pinkston - \$30,000]**

Ordinance authorizing the settlement of lawsuit filed by Michael Pinkston against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 24, 2010, in San Francisco Superior Court, Case No. CGC-10-498074, entitled Michael Pinkston v. City and County of San Francisco, et al. (City Attorney)

03/22/11; RECEIVED AND ASSIGNED to Rules Committee.

**110334 [Transportation Code - Limits for Parking at Inoperable/Broken Meters]**

Ordinance amending San Francisco Transportation Code, Division I, by amending Section 7.2.30 to establish a two hour maximum time limit for parking at inoperable or broken parking meters for on-street parking, and adding Section 7.2.65 to establish a two hour maximum time limit for parking at inoperable or broken parking meters for off-street parking. (Municipal Transportation Agency)

03/28/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/5/2011.

**Requests Granted**

*From: Supervisor Mirkarimi  
To: Director, Department of Public Works  
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property locations:*

*Residential and Commercial Buildings  
79 Haight St.  
798 Haight, on side  
401 Divisadero  
539 Gough  
Approximately 175 Rose  
Approximately 187 Rose  
1772 Market St., on the West side  
Southwest corner of Pine and Fillmore  
Approximately 1630 Fillmore  
1490 Fillmore, on the North side  
625 Fillmore  
Approximately 530 Fillmore  
688 Oak*

*Planter Boxes  
2205 Sutter  
701 Fillmore*

*Parking Lots  
Southeast and Northeast corners of Rose and Octavia  
Southeast and Northeast corner of Haight and Octavia*

*Billboards  
1400 – 9th Avenue*

*From: Supervisor Mirkarimi  
To: Director, Department of Public Works  
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:*

*San Francisco Bay Guardian  
Southwest corner of Carl and Stanyan  
347 Judah  
Northwest corner of O'Farrell and Fillmore  
Northeast corner of Divisadero and Post  
7th Avenue and Irving (near bus stops)  
Northwest corner of Hayes and Fillmore  
Northwest corner of Hayes and Gough  
2435 California  
Southeast corner of Fillmore and Haight*

*San Francisco Chronicle  
Southwest corner of 4th Avenue and Irving  
Southeast corner of Haight and Fillmore  
Irving and 7th Avenue  
347 Judah  
451 Kirkham*

Southwest corner of Irving and 5th Avenue  
1401 9th Avenue  
Southwest corner of Haight and Clayton  
Southeast corner of Haight and Masonic

*Examiner*

Northeast corner of 4th Avenue and Irving  
Southeast corner of Haight and Fillmore  
2435 California  
Northeast corner of O'Farrell and Fillmore  
1401 – 9th Avenue  
Southwest corner of 5th Avenue and Irving

*SF Weekly*

Southwest corner of Carl and Stanyan  
1401 – 9th Avenue  
Southwest corner of Sutter and Fillmore  
Northwest corner of O'Farrell and Fillmore  
Southeast corner of Masonic and Haight  
Southeast corner of Haight and Fillmore

*Advertiser*

Northeast corner of O'Farrell and Fillmore

*Jobs and Careers*

347 Judah  
Southwest corner of 4th Avenue and Parnassus

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:*

*Garbage Cans*

Opposite 1638 Fell along North sidewalk in Panhandle  
600 Stanyan  
Opposite 32 Irving  
Northeast corner of Haight and Octavia  
Northwest corner of Post and Fillmore  
Approximately 710 Fillmore  
500 Fillmore

*Mailboxes*

Southeast corner of Bush and Fillmore  
Southwest corner of Hayes and Fillmore  
2320 Sutter  
2130 Post  
451 Kirkham

*Public Benches*

Opposite 1450 Fell, along North sidewalk in Panhandle  
North of the basketball court in Panhandle  
Opposite 1882 Fell, along North sidewalk in Panhandle  
Opposite 1974 Fell, along North sidewalk in Panhandle  
Opposite 2080 Fell, along North sidewalk in Panhandle

*Street Walls and Overpasses*

*South facing wall in the Fillmore-Turk Mini Park*

*Fire Hydrants*

*Northeast corner of Page and Fillmore*

*Approximately 2030 Post*

*Southeast corner of Divisadero and Oak*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:*

*Utility Boxes*

*Approximately 1136 Oak*

*Opposite 1550 Fell in Panhandle*

*Southeast corner of Haight and Stanyan*

*Northeast corner of Stanyan and Carl*

*Southwest corner of 2nd Avenue and Irving*

*Southwest corner of 4th Avenue and Irving*

*Southeast corner of Octavia and Oak*

*Southeast corner of Octavia and Haight*

*500 Fillmore*

*2201 Post*

*Bus Shelters*

*600 Stanyan*

*Northeast corner of Geary and Webster*

*Approximately 710 Fillmore*

*Emergency Box*

*Northwest corner of Pierce and Sutter*

*Parking Meters*

*Southeast corner of Post and Webster*

*1964 Post*

*Parking and Traffic Signs*

*940 Page*

*1414 – 6th Avenue*

*Southwest corner of Gough and Grove*

*2028 Fillmore*

*Northwest corner of Page and Fillmore*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:*

*Metal Poles*

*Southwest corner of Divisadero and Oak*

*Opposite 32 Irving*

*Approximately 685 Parnassus*

*1462 – 9th Avenue*

*1459 – 9th Avenue*

*Approximately 139 Kirkham*

*1445 – 8th Avenue*

Opposite 1449 – 8th Avenue  
1435 – 7th Avenue  
1440 – 6th Avenue  
1496 – 6th Avenue  
443 Irving  
Southeast corner of Haight and Octavia  
Southeast corner of Eddy and Webster  
Approximately 2475 California  
Throughout parking lot and underneath billboard at 2435 California  
Approximately 830 Fillmore  
Approximately 720 Fillmore  
2183 Sutter  
Approximately 2335 Sutter  
2200 Post  
Approximately 2190 Post  
Approximately 2110 Post  
685 Oak  
Approximately 2090 Post  
Northwest corner of Page and Fillmore  
Approximately 140 Kirkham

Wood Poles  
1350 – 4th Avenue  
624 Fillmore  
450 Fillmore

Concrete Poles  
Approximately 1250 Oak  
Approximately 1280 Oak  
Southwest corner of Baker and Fell  
South of intersection of Fell and Ashbury, along North walk in Panhandle  
213 Carl  
251 Carl  
Opposite 468 Carl  
549 Irving

### **In Memoriams**

*Aimee Polacci – President Chiu, Supervisors Elsbernd and Chu*  
*Michael Robert Roach – Supervisor Elsbernd*  
*Thomas Patrick Brady – Supervisor Chu*

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 5:07 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on May 10, 2011.*

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Angela Calvillo, Clerk of the Board