MEETING MINUTES

Tuesday, April 26, 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

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<th>Committee Membership</th>
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<td>Budget and Finance Committee</td>
<td>Wednesday 1:00 PM</td>
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<td>Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu</td>
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<tr>
<td>Budget and Finance Sub-Committee</td>
<td>Wednesday 10:00 AM</td>
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<td>Supervisors Chu, Mirkarimi, Kim</td>
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<td>City and School District Select Committee</td>
<td>2nd and 4th Thursday</td>
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<td>Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton</td>
<td>3:30 PM</td>
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<td>City Operations and Neighborhood Services Committee</td>
<td>2nd and 4th Monday</td>
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<td>Supervisors Avalos, Mar, Elsbernd</td>
<td>10:00 AM</td>
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<td>Government Audit and Oversight Committee</td>
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<td>Supervisors Campos, Farrell, Chiu</td>
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<td>Land Use and Economic Development Committee</td>
<td>Monday 1:00 PM</td>
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<td>Supervisors Mar, Cohen, Wiener</td>
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<td>Public Safety Committee</td>
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<td>Supervisors Mirkarimi, Cohen, Campos</td>
<td>10:30 AM</td>
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<td>Rules Committee</td>
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<tr>
<td>Supervisors Kim, Elsbernd, Farrell</td>
<td>1:30 PM</td>
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First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.
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 Elsbernd, moved to approve the Board Meeting Minutes of March 22, 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

Recommendations of the Land Use and Economic Development Committee

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.

Resolution No. 181-11
ADOPTED
110153 [Administrative Code - Residential Rent Ordinance - Temporary Good Samaritan Occupancy/Reduced Rent After Emergency Tenant Dislocation, Just Cause Eviction or Higher Rent at End of Period]

Sponsors: Wiener; Farrell and Chiu

Ordinance amending Administrative Code Chapter 37 Residential Rent Arbitration and Stabilization Ordinance, by amending Sections 37.2(a) and 37.9 to provide for temporary Good Samaritan occupancy with reduced rent rate and, upon expiration of the temporary Good Samaritan Status, to provide that the landlord may either evict the tenant for just cause or increase the rent to a previously agreed base rent rate; Section 37.2 by adding Subsection 37.2(a)(1)(D) to permit creation of temporary Good Samaritan Status when a landlord and new tenant agree in writing for the tenant to commence occupancy following an emergency such as fire, earthquake, landslide or similar emergency situation that required unexpected vacation of the tenant's previous unit, and the agreement includes a reduced rent rate for a specified period of time up to twelve (12) months, which may be extended for a combined total of no more than twenty-four (24) months; Good Samaritan Status may be utilized only upon written certification by a specified City Official, that identifies the emergency and the resulting unit vacation on grounds of public health, safety, and habitability; and Section 37.9 by adding Subsection 37.9(a)(16) to permit eviction for just cause upon expiration of the Original Good Samaritan Status period plus any Extended Good Samaritan Status Period.

Ordinance No. 72-11

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 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.

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

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Elsbernd
Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's currently proposed preferred alternatives for dog management and supporting the on-going dialogue between GGNRA and San Francisco to achieve an improved plan.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion FAILED by the following vote:

  Ayes: 2 - Elsbernd, Mirkarimi
  Noes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener

Supervisor Chu moved to divide the question located on Page 3, Lines 24 and 25, through Page 4, Lines 1 through 10.

The question PASSED as divided by the following vote:

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

Resolution No. 183-11

ADOPTED AS AMENDED by the following vote:

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

NEW BUSINESS

Recommendation of the Budget and Finance Sub-Committee

110339  [Lease Renewal - 1449 Webster Street]
Sponsor: Mirkarimi

Resolution authorizing the exercise of an option to extend the lease of 3,900 sq. ft. at 1449 Webster Street for three years for the Office of Economic and Workforce Development Employment Assistance Programs.

Resolution No. 178-11

ADOPTED by the following vote:

  Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Recommendations of the Land Use and Economic Development Committee

110222  [Public Works Code - Declaring Illegal Dumping on Public Property a Nuisance, and Providing a Mechanism for Abating and Enforcing that Nuisance]
Sponsors: Cohen; Chu, Avalos, Campos and Mar
Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1505 to: 1) declare the illegal dumping of debris and waste construction materials or industrial materials, or of more than 100 pounds of any other waste, refuse, or debris, on public property to be a public nuisance; 2) authorize enforcement by the City Attorney in a civil action; and 3) permit the City and County of San Francisco to collect civil penalties, costs of abatement, investigation, and attorneys’ fees against the individuals or entities responsible for the dumping; and making environmental findings.

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

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

Supervisors Chu, Avalos, Campos, and Mar requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

110280  [Public Works Code, Police Code - Posting of Signs on City Property, Increasing Penalty, and Enforcement]
Sponsors: Mirkarimi; Wiener and Mar
Ordinance amending the San Francisco Public Works Code by amending Sections 184.62, 184.63, and 184.65 thereof, to: 1) increase the minimum criminal penalty for violations of Article 5.6 of the Public Works Code from $50 to $100; 2) amend the procedures for administrative enforcement of Article 5.6 of the Public Works Code and specify the amounts of administrative penalties; 3) provide that in any civil action or administrative proceeding to enforce Article 5.6 the City shall have the burden of proof; 4) provide that where an unlawfully posted sign proposes a commercial transaction, the fact that the sign identifies a person or entity may give rise to an inference that person or entity posted or caused the posting of the sign; and 5) amending the Police Code by amending Section 39-1 thereof, to provide that that Section shall not apply to administrative citations issued under Public Works Code Section 184.63.

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

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110404  [Public Hearing - Redevelopment Right-of-Way Improvements - Arelious Walker Drive Stairway]
   Sponsor: Cohen
   Hearing of persons interested in or objecting to proposed 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.

   The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 110405. Lila Hussain (Redevelopment) provided an overview of the improvements. Walter Paulson; shared in song certain concerns with the Board. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

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.

   Resolution No. 179-11
   ADOPTED by the following vote:
       Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110407  [Public Hearing - Redevelopment Improvements - Bayview Opera House and Plaza]
Sponsor: Cohen
Hearing of persons interested in or objecting to proposed 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.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 110408. Vanessa Dandridge (Redevelopment) and Judy Nezcoff (Arts Commission) provided an overview of the improvements. Ace Washington; Barbara Ockel; spoke in support of the improvements. Walter Paulson; shared in song certain concerns with the Board. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

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.

Resolution No. 182-11
ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

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

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

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the Members of the Community Board in recognition of their 35th anniversary, accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.

110344 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - AT&T Network "Lightspeed" Upgrade]
Hearing of persons interested in or objecting to the decision of the Planning Department dated February 22, 2011, Case No. 2010.0944E, that a project located on La Playa Street between Cabrillo and Fulton Streets, is exempt from environmental review under Categorical Exemption, Class 3 (State CEQA Guidelines Section 1503). The proposed project involves placing additional fiber through AT&T's existing copper conduit currently used for telephone lines, and the installation of metal, either tan or light green, 51.7-inches-wide by 26-inches-deep by 48-inches-high communications cabinets in the public right-of-way to house the Lightspeed electronics. (Appellant: Milo Hanke, on behalf of San Francisco Beautiful and the Planning Association for the Richmond)

(Filed March 14, 2011; Companion Measure to File Nos. 110345, 110346, and 110347.)
The President inquired as to whether any member of the public wished to address the Board. Raymond Holland and Susan Brandt-Hawley (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Curt Holzinger; Milo Hanke; Lawrence Rosenfeld; Peter Fortune; Jane Winslow; Jan Blum; Merle Goldstone; Linda Chapman; Rudy Rucker; Dana Sniezko; Eric Honda; Karen Crommie; Gary Weiss; Judith Hoyam; David Troup; David Pilpel; David Crommie; Jake McGoldrick; spoke in support of the appeal. Lisa Gibson (Planning Department) provided an overview of the project and the decision of the Planning Department. John Kwong (Department of Public Works); John Malamut (City Attorney's Office); Cheryl Adams (City Attorney's Office) responded to questions raised throughout the discussion. Ken McNeely, Mark Blake, and Amanda Monchamp (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Matt Regan; Tony Harris; Neil Bardack; Jeff Mondon; Ashley Cheng; Male Speaker; Female Speaker; Robert Longer; Roland Anderson; Male Speaker; Calvin Chan; Anthony Brewster; Brian Webster; Female Speaker; Erik Butler; Rodney Hampton Jr.; Cardell Coleman Sr.; Latasha Beasley; Female Speaker; Female Speaker; Constance Harris; Sharika Loreay; Dennis Tam; Susan Finnegan; Female Speaker; Niema Hawkins; Michael Colaneri; Mary; Eric Batongbacal; Terri Knight; spoke in support of the project and in opposition to the appeal. Susan Brandt-Hawley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING
110345  [Affirming the Exemption Determination - AT&T Network "Lightspeed" Upgrade]
Motion affirming the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

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

110346  [Reversing the Exemption Determination - AT&T Network "Lightspeed" Upgrade]
Motion reversing the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

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

110347  [Preparation of Findings to Reverse the Exemption Determination - AT&T Network "Lightspeed" Upgrade]
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

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

COMMITTEE REPORTS

Recommendations of the Rules Committee

Supervisor Campos Excused from Voting

Supervisor Farrell, seconded by Supervisor Kim, moved that Supervisor Campos be excused from voting on File No. 110276. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Campos
110276  [Appointment, Metropolitan Transportation Commission - Supervisor David Campos]
Motion appointing Supervisor David Campos, term ending February 10, 2015, to the Metropolitan Transportation Commission. (Clerk of the Board)

Motion No. M11-60
APPROVED by the following vote:
   Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
   Excused: 1 - Campos

110394  [Confirming Reappointment, Municipal Transportation Agency Board of Directors - Jerry Lee]
Sponsor: Mayor
Motion confirming the reappointment of Jerry Lee, term ending March 1, 2015, to the Municipal Transportation Agency Board of Directors.

Motion No. M11-61
APPROVED by the following vote:
   Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

110434  [Public Works Code - Waiver of Certain Temporary Street Space Occupancy Fees]
Sponsor: Avalos
Ordinance waiving the San Francisco Public Works Code Section 724.1(b), which imposes temporary street space occupancy fees, on Saturday, May 7, 2011, and Saturday, May 21, 2011, for certain streets in San Francisco, as part of Small Business Week Sidewalk Sales.
PASSED, ON FIRST READING by the following vote:
   Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

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.
Male Speaker; expressed various religious concerns.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to EIR and timeframes.
Ace Washington; expressed various concerns.
FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110466  [Supporting the Creation of the Health Information Exchange]
Sponsors: Chiu; Campos
Resolution supporting the creation of the Health Information Exchange in the City and County of San Francisco.
Supervisor Campos requested to be added as a co-sponsor.
Resolution No. 184-11
ADOPTED

110467  [Accept and Expend Grant - Jefferson Street Redesign - $65,000]
Sponsor: Chiu
Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of $65,000 from the Association of Bay Area Governments for the period April 1, 2011, through January 1, 2012, in order to complete 30% design documents for the redesign of Jefferson Street from Powell Street to Hyde Street.
Resolution No. 180-11
ADOPTED

110469  [Building Safety Month - May 2011]
Sponsor: Wiener
Resolution proclaiming May 2011 as “Building Safety Month” in the City and County of San Francisco.
Resolution No. 185-11
ADOPTED

The foregoing items were acted upon by the following vote:
   Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 110468 be severed so that it may be considered separately.

110468 [Supporting SB 729 - California Homeowner Protection Act]
Sponsors: Mirkarimi; Cohen and Campos
Resolution supporting Senate Bill 729, "The California Homeowner Protection Act."
Supervisor Campos requested to be added as a co-sponsor.

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to May 2, 2011. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Campos, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED to May 3, 2011. The motion carried 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

Ordinances

110501 [Park Code - Japanese Tea Garden Fees]
Sponsor: Avalos
Ordinance amending the San Francisco Park Code, Article 12, Section 12.05, to eliminate the admission fees for San Francisco residents at the Japanese Tea Garden and making environmental findings.
04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.
110502  [Administrative Code - Timeline for Capital Expenditure Plan]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code, Sections 3.20 and 3.21, to provide that the ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors on a biennial basis and that the Mayor and the Board of Supervisors shall review, update, amend, and adopt such plan by resolution on a biennial basis.
04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

110503  [Administrative Code - Regulating Overtime Available for City Employees]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code, Section 18.13.1, to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and requiring monthly written reports regarding critical staffing shortages.
04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

Sponsors: Mirkarimi; Wiener, Mar and Campos
Ordinance amending Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7, 1060.9, 1060.18, 1060.19, 1060.20.4, 1060.24, and 1060.35 of the San Francisco Police Code; adding Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1 to the Police Code; amending Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37 of the San Francisco Planning Code; and amending Section 8 of the San Francisco Business and Tax Regulations Code, to create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; specifying application and license fees and hearing requirements for said permit; and making 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.
04/26/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/26/2011. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission and Youth Commission for review and recommendation; and Entertainment Commission and Police Department for information.

110507  [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2010-2011 - $29,494,813]
Sponsor: Mayor
Ordinance appropriating $31,055,000, including $8,104,000 of General Fund Reserve, $14,851,000 of surplus Laguna Honda Hospital revenues, $1,925,000 of Surplus San Francisco General Hospital revenues, de-appropriating $6,175,000 of non-hospital operations expenditures at San Francisco General Hospital to fund cost overruns in the Department of Public Health including $20,334,000 at San Francisco General Hospital and $10,721,000 at Laguna Honda Hospital for FY2010-2011.
(Fiscal Impact.)
04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.
110023  [Campaign and Governmental Conduct Code - Allowing a Former Appointed Mayor to Obtain City Employment]
Sponsors: Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell
Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow an appointed former Mayor to obtain full-time City employment within one year after leaving office.
01/11/11; RECEIVED AND ASSIGNED to Rules Committee.
04/26/11; SUBSTITUTED AND ASSIGNED to Rules Committee.

110336  [Appropriating General Fund for Loans Supporting Women’s and LGBT Health Services in FY2010-2011 - $150,000]
Sponsors: Mirkarimi; Campos and Wiener
Ordinance appropriating $150,000 from General Fund Reserve to the Department of Public Health for loans to support Women’s and LGBT Health Services in FY2010-2011.
03/29/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.
04/26/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

110462  [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Stock-Based Compensation]
Sponsor: Farrell
Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation and amending Section 902.1 to exclude stock options from the definition of Payroll Expense.
(Fiscal Impact.)
04/19/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/19/2011.
04/26/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

Resolutions

110508  [Accept and Expend Grant - Homeland Security Grant Program - $2,094,667]
Sponsor: Chiu
Resolution authorizing the Department of Emergency Management to retroactively accept and expend a Homeland Security Grant Program Grant in the amount of $2,094,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, for disaster planning.
04/26/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110509  [Accept and Expend Grant - Medical Examiner Accreditation Support - $116,589]
Sponsor: Chu
Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of $116,589 from the Paul Coverdell Forensic Science Improvement Grants Program of the California Emergency Management Association for accreditation support.
04/26/11; RECEIVED AND ASSIGNED to Public Safety Committee.
110512  [Purchase and Sale Agreement - Redevelopment Agency for the Revitalization of the Alice Griffith Public Housing Site - East Side of Arelious Walker Drive at Gilman Avenue]
Sponsor: Cohen
Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to sell land on the east side of Arelious Walker Drive, at Gilman Avenue, adjacent to the Alice Griffith Public Housing Site, Assessor's Block No. 4884, Lot No. 27, to McCormack Baron Salazar, Inc., a Missouri corporation, for the sole purpose of performing predevelopment and development work at the property for the revitalization of the Alice Griffith Public Housing Site, a HOPE SF development program that will provide one-for-one replacement of all Alice Griffith public housing units within a larger mixed-income community.
04/26/11; ASSIGNED to Board of Supervisors.

110513  [Ground Lease - Redevelopment Agency - Carroll Street Senior Community - 5800 Third Street]
Sponsor: Cohen
Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 5800 Third Street, Lot No. 3, northwest corner of the larger 5800 Third Street site, Assessor's Block No. 5431A, Lot No. 042 with Bayview Supportive Housing, LLC, a California limited liability company, for a term of 55 years for the purpose of developing housing for very low-income senior households.
04/26/11; ASSIGNED to Board of Supervisors.

110516  [Ground Lease - Redevelopment Agency Land - 1075 LeConte Avenue, Commonly Known as 6600 Third Street]
Sponsor: Cohen
Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1075 Le Conte Avenue, Assessor's Block No. 009, Lot No. 5476, commonly known as 6600 Third Street with Third and LeConte Associates, LP, a California limited partnership, for a term of 70 years for the purpose of developing housing for formerly homeless individuals and families.
04/26/11; ASSIGNED to Board of Supervisors.

110517  [Treasure Island Transportation Implementation Plan]
Sponsor: Mayor
Resolution approving the Treasure Island Transportation Implementation Plan.
04/26/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110518  [Accept and Expend Grant - Cesar Chavez Sewer System Improvement - $669,000]
Sponsor: Cohen
Resolution authorizing the Public Utilities Commission to accept and expend a grant administered by the U.S. Environmental Protection Agency in the amount of $669,000 for the Cesar Chavez Sewer System Improvement Project.
04/26/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
110519  [Accept and Expend Grant - Brown Grease Recovery and Biofuel Demonstration Project - $951,500]
**Sponsor:** Mar
Resolution authorizing the Public Utilities Commission to retroactively accept and expend a grant administered by the U.S. Department of Energy in the amount of $951,500 to conduct a brown grease recovery and biofuel demonstration project.
04/26/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110520  [Accept and Expend Grant - Electric Vehicle Infrastructure - $100,000]
**Sponsors:** Mayor; Mar
Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant of $100,000 from the Bay Area Air Quality Management District to contribute to the cost of installing 60 publicly available electric vehicle chargers.
04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110521  [Perinatal Depression Awareness Month - May]
**Sponsor:** Chu
Resolution declaring every May as Perinatal Depression Awareness Month in the City and County of San Francisco and encouraging improvements in the screening and treatment of perinatal depression.
04/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Motions**

110522  [Closed Session - Parkmerced Development Project]
**Sponsor:** Elsbernd
Motion that Board of Supervisors convene in closed session on May 3, 2011, with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding threatened litigation, potentially arising out of the proposed Parkmerced Development Project, where City may be either defendant or plaintiff in at least one case in either instance.
This closed session is permitted by Government Code Section 54956.9(b), and Administrative Code Section 67.10(d)(2).
04/26/11; RECEIVED AND ASSIGNED to Board of Supervisors.

110523  [Adding Board Rule 5.9 to Create a Joint City and City College of San Francisco Select Committee]
**Sponsor:** Mirkarimi
Motion amending the Rules of Order of the Board of Supervisors to add Rule 5.9, which creates a Joint City and City College of San Francisco Select Committee.
04/26/11; RECEIVED AND ASSIGNED to Rules Committee.
110422  [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 10, 2011, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)
04/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110504  [Hearing - Relocation for Board Meetings and Legislative Chamber Connectivity]
Hearing to determine relocation of the Board of Supervisors meetings during the Legislative Chamber modification and the Chamber computer connectivity for Board Members. (Clerk of the Board)
04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110524  [Hearing - Performance Audit of Advertising Policies]
Sponsor: Campos
Hearing on the Performance Audit of the City's advertising policies and practices conducted by the Budget and Legislative Analyst.
04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110525  [Hearing - Crisis of Wage Theft]
Sponsors: Campos; Mar
Hearing on how the City and County of San Francisco is working to address the crisis of wage theft.
04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110526  [Hearing - Audit Work Plan for 2011]
Sponsor: Campos
Hearing on the Budget and Legislative Analyst's Audit Work Plan for 2011.
04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110527  [Hearing - A-G Course Requirements for High Schools]
Sponsor: Chu
Hearing on the implementaion of A-G course requirements in San Francisco Unified School District high schools.
04/26/11; RECEIVED AND ASSIGNED to City and School District Select Committee.
Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

110481 [Settlement of Lawsuit - Da Ren Kuang, et al. - $1,556,000]
Ordinance authorizing settlement of the lawsuit filed by Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate of Xiu Fang Huang against the City and County of San Francisco for $1,556,000; the lawsuit was filed on July 30, 2010, in San Francisco Superior Court, Case No. CGC 10-502052; entitled Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang v. City and County of San Francisco, et al. (City Attorney)
04/12/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

110478 [Approval of Expenditure Plan for the Human Services Care Fund for FY2011-2012]
Resolution approving the FY2011-2012 Expenditure Plan for the Human Services Care Fund. (Human Services Department)
04/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110479 [Approval of Modification No. 1 of Lease and Use Agreement - Emirates at San Francisco International Airport]
Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L-10-0084 with Emirates for lounge space in the International Terminal, Boarding Area A, of San Francisco International Airport. (Airport Commission)
04/11/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110480 [Settlement of Unlitigated Claim - Alain Jimenez - $105,000]
Resolution approving the settlement of the unlitigated claim filed by Alain Jimenez against the City and County of San Francisco for $105,000; claim was filed on June 11, 2010. (City Attorney)
04/12/11; RECEIVED AND ASSIGNED to Rules Committee.
Requests Granted

From: Supervisor Chiu
To: Director, Department of Technology
To: Director, Planning Department
Requesting/Inquiring: Requesting the Department of Technology and the Planning Department to provide analysis of possible revenue from leasing radio towers, siren poles and other City and County sites to private telecommunications carriers.

From: Supervisor Chiu
To: Director, Department of Technology
Requesting/Inquiring: Requesting the Department of Technology to provide analysis of possible revenue from leasing unused City and County fiber–optic network capacity.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:

Potholes
1639 Fulton
Northern crosswalk at intersection of Masonic and Fulton
1704 Broderick
1742 Broderick
1760 Broderick
Northbound 1200 and 1300 blocks of 19th Ave.
1379 10th Ave.
1362 3rd Ave.

Sidewalk Dumping
1725 Fulton
Approximately 710 Grove

Dangerous Sidewalks
1640 Eddy
1652 Eddy
Approximately 1565 Turk

Blight
1592 Golden Gate

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 public property located at the following locations:

Utility Boxes
Approximately 1136 Oak
Northwest corner of Grove and Webster
Northwest corner of McAllister and Webster
Southwest corner of Turk and Steiner
Northwest corner of Scott and Ellis
Northeast corner of Post and Broderick
Southeast corner of Bush and Broderick
1639 Fulton
Emergency Boxes
Northeast corner of Steiner and O'Farrell
Southeast corner of Baker and Sutter

Parking and Traffic Signs
2779 Bush

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 private property locations:

Residential and Commercial Buildings
279 Hickory
925 Pierce, on Golden Gate
1511 Golden Gate
1570 Golden Gate
1040 Fillmore
1075 Fillmore
1101 Oak
1594 Golden Gate, on front and on Elm
Approximately 50 Garden
Northwest corner of Post and Broderick
1550 Steiner
1689 Fulton, all sides
1751 Fulton
649 Central

Planter Boxes
1195 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 locations:

Garbage Cans
Southwest corner of Patricia’s Green
Approximately 1170 Divisadero

Mailboxes
2299 Post
2215 Post
Northeast Corner of Baker and Post
Southwest Corner of Fillmore and Golden Gate
Northwest corner of Webster and Fulton

Street Walls and Overpasses
Northeast corner of Hayes and Laguna
Approximately 1560 Golden Gate
Approximately 1980 Geary

Parking Lots
Approximately 30 Garden
Public Benches
Picnic table towards rear (Southside) of Bush St. Mini-Park

Fire Hydrants
1350 Fell
1153 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 newsstands at the following locations:

San Francisco Bay Guardian
Northwest and Southwest corners of Fillmore and Post
Southwest corner of Divisadero and Sutter
347 Judah
Southwest corner of Geary and Divisadero
Northwest corner of Hayes and Laguna
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Northwest corner of Baker and Fulton
Southeast corner of Masonic and Fulton
1750 Fulton
1377 Fell
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
1195 Oak
1750 Fulton
Irving and 7th Avenue
Southeast corner of Geary and Divisadero
Southeast corner of Masonic and Hayes
Northwest corner of Hayes and Laguna
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
1195 Oak
1750 Fulton
1377 Fell
Southwest corner of Geary and Divisadero

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
Southeast corner of Page and Laguna
Southeast corner of Masonic and Hayes
1750 Fulton
1195 Oak

Advertiser
Southwest corner of Geary and Divisadero
1377 Fell
Jobs and Careers  
Southwest corner of Geary and Divisadero  
Southeast corner of Masonic and Fulton  

Real Estate Times  
Southeast corner of Masonic and Fulton  

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 Hayes and Ivy  
765 Grove  
887 Webster  
Approximately 1174 McAllister  
Approximately 1565 Turk  
1179 Scott  
1375 Scott  
1415 Scott  
1101 Oak  
Southeast corner of Garden and Broderick  
1701 Broderick  
1704 Broderick  
Approximately 2030 Geary  
Approximately 2040 Geary  
Approximately 1670 Eddy  
Approximately 1110 Divisadero  
1614 Fulton  
649 Central  

Wood Poles  
Northwest corner of Elm and Pierce  
Approximately 20 Garden  
Approximately 80 Garden  

Concrete Poles  
733 Webster  
1335 Fell  

In Memoriam  
Sandra Rovetti – Supervisor Campos
ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:47 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 June 7, 2011.

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Angela Calvillo, Clerk of the Board