

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, June 21, 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 Kim, Chu, Mirkarimi, 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, Commissioners 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

---

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:14 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 Campos, moved to approve the Board Meeting Minutes of May 10, 2011, and Special Meeting Minutes of May 11, 2011, at the Budget & Finance Committee Meeting (File Nos. 110337 and 110462). 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

#### **110663 [Accept and Expend Grant - 17th and Folsom Street Park Project - \$2,700,000]**

**Sponsor: Kim**

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant administered by the California State Parks and Recreation Department in the amount of \$2,700,000 for the 17th and Folsom Street Park Project.

**Resolution No. 267-11**

**ADOPTED**

**Recommendations of the Land Use and Economic Development Committee****101350 [Planning Code - Zoning - Parking in South of Market and Mission Bay Districts]****Sponsor: Kim**

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 155, 161, 249.1, and 249.23 to: 1) remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts; 2) require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking; and 3) 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. 109-11****FINALLY PASSED****110530 [Changing the Official Sidewalk Width - Harrison Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1589 to change the official sidewalk width on south side of Harrison Street between Fremont and Beale Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

**Ordinance No. 110-11****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

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

#### **110397 [General Plan Amendments - 2009 Housing Element Update]**

Ordinance amending the San Francisco General Plan by adopting the 2009 Housing Element as the Housing Element of the San Francisco General Plan; making findings, including environmental findings and findings of consistency with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

**Ordinance No.** 108-11

**FINALLY PASSED** by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

### From the Land Use and Economic Development Committee Without Recommendation

#### **110658 [Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]**

**Sponsors:** Mirkarimi; Mar and Avalos

Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 55-X; and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District; 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.

**Supervisor Farrell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED to reduce the height from '55' to '45'. The motion FAILED by the following vote:**

Ayes: 4 - Chu, Elsbernd, Farrell, Wiener

Noes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi

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

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Kim, Mar, Mirkarimi, Wiener

Noes: 2 - Chu, Farrell

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**110384 [Interim Annual Salary Ordinance - FYs 2011-2012 and 2012-2013]****Sponsor: Mayor**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2012; FY ending June 30, 2013, for the Airport, Port Commission, and the Public Utilities Commission; and continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

(Fiscal Impact)

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

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

**110385 [Interim Consolidated Budget and Annual Appropriation Ordinance - FYs 2011-2012 and 2012-2013]****Sponsor: Mayor**

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures of the City and County of San Francisco for the FY ending June 30, 2012; and for the FYs ending June 30, 2012, and June 30, 2013, for the Airport Commission, Port Commission, and Public Utilities Commission.

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

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

**110269 [Redevelopment Agency Interim Budget - FY2011-2012]****Sponsor: Mayor**

Resolution approving the Interim Budget of the Redevelopment Agency of the City and County of San Francisco for FY2011-2012.

**Resolution No. 265-11****ADOPTED by the following vote:**

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

**110271 [Treasure Island Development Authority Interim Budget - FY2011-2012]****Sponsor: Mayor**

Resolution approving the Interim Budget of the Treasure Island Development Authority for FY2011-2012.

**Resolution No. 266-11****ADOPTED by the following vote:**

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

**110489 [Five-Year Information and Communication Technology Plan - FYs 2011-2012 through 2015-2016]****Sponsors: Mayor; Chiu**

Resolution adopting the City's Five-Year Information and Communication Technology Plan for FYs 2011-2012 through 2015-2016 pursuant to San Francisco Administrative Code Section 22A.6.

**Resolution No. 271-11****ADOPTED by the following vote:**

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

**110488 [Accept and Expend Grant - Department of Public Health - FY2011-2012]****Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2011-2012.

**Resolution No. 268-11****ADOPTED by the following vote:**

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

**From the Budget and Finance Committee Without Recommendation****110671 [Extension of Deferred Retirement Option Program]**Motion extending the Deferred Retirement Option Program. (Clerk of the Board)  
(Fiscal Impact.)*Privilege of the floor was granted to Captain Al Casciato who responded to questions raised throughout the discussion.***Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Motion be AMENDED to extend the program to June 21, 2012. The motion FAILED by the following vote:**

Ayes: 1 - Mirkarimi

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

**FAILED by the following vote:**

Ayes: 1 - Mirkarimi

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

## **Recommendations of the Government Audit and Oversight Committee**

### **110629 [Memorandum of Understanding, Amendment No. 1 - Multiple Unions (Crafts Coalition)]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by implementing specified terms and conditions of employment for FY2011-2012.

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

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

### **110630 [Memorandum of Understanding, Amendment No. 1 - San Francisco Deputy Probation Officers' Association]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, implementing specified terms and conditions of employment for FY2011-2012.

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

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

## **Supervisor Chu Excused from Voting**

**Supervisor Campos, seconded by Supervisor Kim, moved that Supervisor Chu be excused from voting on File No. 110631. The motion carried by the following vote:**

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

Excused: 1 - Chu

### **110631 [Memorandum of Understanding, Amendment No. 4 - San Francisco Firefighters, Local 798, (Unit 1)]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

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

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

Excused: 1 - Chu

**110632 [Memorandum of Understanding, Amendment No. 4 - San Francisco Firefighters, Local 798, (Unit 2)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

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

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

**110633 [Memorandum of Understanding, Amendment No. 3 - Service Employees International Union, Local 1021 (H-1 Fire Rescue Paramedics)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, H-1 Fire Rescue Paramedics, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

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

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

**110634 [Memorandum of Understanding, Amendment No. 4 - International Federation of Professional and Technical Engineers, Local 21]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 4 to the 2006-2012 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110635 [Memorandum of Understanding, Amendment No. 1 - San Francisco Institutional Police Officers' Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110636 [Memorandum of Understanding, Amendment No. 1 - Municipal Attorneys' Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by implementing specified terms and conditions of employment for FY2011-2012.

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

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



**Supervisor Elsbernd Excused from Voting**

Supervisor Chu, seconded by Supervisor Farrell, moved that Supervisor Elsbernd be excused from voting on File No. 110637. The motion carried by the following vote:

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

**110637 [Memorandum of Understanding, Amendment No. 5 - Municipal Executives' Association]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 5 to the 2006-2012 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110638 [Memorandum of Understanding, Amendment No. 3 - Municipal Executives' Association, Fire]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, Fire, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

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

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

**110639 [Memorandum of Understanding, Amendment No. 3 - Municipal Executives' Association, Police]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, Police, by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

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

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

**110640 [Memorandum of Understanding, Amendment No. 1 - Operating Engineers, Local 3]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110641 [Memorandum of Understanding, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110642 [Memorandum of Understanding, Amendment No. 3 - San Francisco Police Officers' Association (Units P-1 and P-2A)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 and P-2A), by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

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

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

**110643 [Memorandum of Understanding, Amendment No. 3 - San Francisco Police Officers' Association (Unit P-2B)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2007-2013 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B), by implementing specified terms and conditions of employment for FYs 2011-2012 and 2012-2013.

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

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

**110644 [Memorandum of Understanding, Amendment 1 - Service Employees International Union, Local 1021]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110645 [Memorandum of Understanding, Amendment No. 1 - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, Supervising Probation Officers]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110646 [Memorandum of Understanding, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and Teamsters, Local 856 (Multi-Unit), by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110647 [Memorandum of Understanding, Amendment No. 1 - Transport Workers Union of America, Local 200]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110648 [Memorandum of Understanding, Amendment No. 1 - Transport Workers Union of America, Local 250-A (Non-MTA 7410)]**

**Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110649 [Memorandum of Understanding, Amendment No. 1 - Transport Workers Union of America, Local 250-A (Multi-Unit)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 1 to the 2010-2012 Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110650 [Memorandum of Understanding, Amendment No. 5 - Union of American Physicians and Dentists (Unit 8-CC)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 5 to the 2006-2012 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110651 [Memorandum of Understanding, Amendment No. 5 - Union of American Physicians and Dentists (Unit 11-AA)]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 5 to the 2006-2012 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110652 [Memorandum of Understanding, Amendment No. 3 - San Francisco District Attorney Investigators' Association]****Sponsor: Mayor**

Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, by extending the term of the Memorandum of Understanding through June 30, 2012, and implementing specified terms and conditions of employment for FY2011-2012.

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

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

**110653 [Compensation for Unrepresented Employees]****Sponsor: Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment effective July 1, 2011.

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

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

**Recommendation of the Land Use and Economic Development Committee****110482 [Planning Code - Miscellaneous Technical Amendments]**

Ordinance amending the San Francisco Planning Code to: 1) correct clerical errors, make language revisions and update Sections 121.2, 134, 136.1, 142, 185, 201, 204.1, 204.2, 205, 205.1, 205.3, 207.2, 209.3, 217, 243, 303, 309, 311, 312, 317, 602.25, 602.26, 607.1, and various Sections and Tables in Articles 7 and 8; and 2) adopting findings, including findings under the California Environmental Quality Act, Planning Code Section 302 findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

**PASSED, ON FIRST READING 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**

*Supervisor Campos was noted absent at 3:15 p.m. and noted present at 3:43 p.m.*

**Privilege of the Floor**

**Supervisor Mirkarimi, seconded by Supervisor Avalos, 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: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Absent: 1 - Campos

*Supervisor Mirkarimi introduced, welcomed, and presented Certificates of Honor to Senior Deputy Steve Geracimos and Sergeant Coleen Newcomer of the San Francisco Sheriff's Department in recognition of their cumulative 50 years of service, their accomplishments, and continued community support upon their retirement from the Department.*

*Supervisor Campos introduced, welcomed, and presented Certificates of Honor to Arno Hesse and Guillaume Lebleu of Bernal Bucks in recognition of the new Bernal Bucks debit card, their innovative work to get Bernal residents to shop in their neighborhood, and their support of local businesses and community organizations.*

**SPECIAL ORDER 4:00 P.M.**

**110675 [Public Hearing - Certification of a Final Environmental Impact Report Appeal - Booker T. Washington Community Center - 800 Presidio Avenue Mixed-Use Project]**

Hearing of persons interested in or objecting to the Planning Commission's decision, dated April 28, 2011, the Certification of a Final Environmental Impact Report identified as Planning Case No. 2006.0868E, by its Motion No. 18340, for the proposed Booker T. Washington Community Center Mixed-Use Project located at 800 Presidio Avenue. (District 2) (Appellant: Stephen M. Williams). (Filed May 18, 2011; Companion to File Nos. 110676, 110677, 110678.)

*The President inquired as to whether any member of the public wished to address the Board. Stephen Williams (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Peter Alexander; Paul; John Manley; Elaine Buddo; Ron Kardon; Joyce Lively; Kathy Devincenzi; Brent Lewelling; Charles Turner; Kathy Peck; David Denny; John Hoffman; Doug Malar; Marcel Conrad; Rose Hillson; Male Speaker; Andrea; Camala; Nina Edgell; Rob Costa; Calla Winkler; spoke in support of the appeal. Michael Jacinto, AnMarie Rodgers, and Glenn Cabrerros (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Alice Barkley and Steve Perry, Patricia Scott, Julian Davis, and Larry Brooks (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Steve Suzuki; Female Speaker; Regina Davis; Alexander Putten; Arnold Townsend; Andy Thornton; Sam Cutteback; Jenny Pearlman; Male Speaker; Brad Paul; Jeff Kaminsky; Ava Benzra; Leah LaCroix; Jose Luis-Mejia; Josh Zukerman; Deane Pearn; Ruth Clay; Ben Robertson; Shavanti Keaton; Simone Torick; Richard Wu; Phillip Stone; Gayle Goldman; Dan Galloway; James McCree; spoke in support of the project and in opposition to the appeal. Steven Williams (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**

**110676 [Affirming the Certification of the Final Environmental Impact Report - 800 Presidio Avenue Mixed-Use Project]**

Motion affirming the Planning Commission's certification of the Final Environmental Impact Report for the 800 Presidio Avenue (Booker T. Washington Community Center) Mixed-Use Project.

**Motion No. M11-103**

**Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:**

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

**110677 [Reversing the Certification of the Final Environmental Impact Report - 800 Presidio Avenue Mixed-Use Project]**

Motion reversing the Planning Commission's certification of the Final Environmental Impact Report for the 800 Presidio Avenue (Booker T. Washington Community Center) Mixed-Use Project.

**Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**110678 [Preparation of Findings to Reverse the Certification of the Final Environmental Impact Report - 800 Presidio Avenue Mixed-Use Project]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission's certification of the Final Environmental Impact Report for the 800 Presidio Avenue (Booker T. Washington Community Center) Mixed-Use Project.

**Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**SPECIAL ORDER 4:00 P.M.****110702 [Public Hearing - Conditional Use Appeal - 800 Presidio Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's April 28, 2011, Conditional Use Authorization identified as Planning Case No. 2006.0868CEKTZ, by its Motion No. 18342, under Planning Code Sections 303 and 304 to allow construction of a 55-foot tall planned unit development containing community facilities and a five-story, residential building with up to 50 affordable housing units within the RM-1 (Residential, Mixed, Low-Density) District, the Presidio-Sutter Special Use District and a 40-X/55-X Height and Bulk District, on property located at: 800 Presidio Avenue, Lot No. 013 in Assessor's Block No. 1073. (District 2) (Appellant: Stephen M. Williams on behalf of the Neighbors for Fair Planning). (Filed May 31, 2011; Companion Measure to File Nos. 110703, 110704, and 110705.)

*The President inquired as to whether any member of the public wished to address the Board. Stephen Williams (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Peter Alexander; Paul; John Manley; Elaine Buddo; Ron Kardon; Joyce Lively; Kathy Devincenzi; Brent Lewelling; Charles Turner; Kathy Peck; David Denny; John Hoffman; Doug Malar; Marcel Conrad; Rose Hillson; Male Speaker; Andrea; Camala; Nina Edgell; Rob Costa; Calla Winkler; spoke in support of the appeal. Michael Jacinto, AnMarie Rodgers, and Glenn Cabrerros (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Alice Barkley and Steve Perry, Patricia Scott, Julian Davis, and Larry Brooks (Project Sponsors) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Steve Suzuki; Female Speaker; Regina Davis; Alexander Putten; Arnold Townsend; Andy Thornton; Sam Cutteback; Jenny Pearlman; Male Speaker; Brad Paul; Jeff Kaminsky; Ava Benzra; Leah LaCroix; Jose Luis-Mejia; Josh Zukerman; Deane Pearn; Ruth Clay; Ben Robertson; Shavanti Keaton; Simone Torick; Richard Wu; Phillip Stone; Gayle Goldman; Dan Galloway; James McCree; spoke in support of the project and in opposition to the appeal. Steven Williams (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**

**110703 [Approving the Planning Commission's Decision Related to the Conditional Use Authorization - 800 Presidio Avenue]**

Motion approving the Planning Commission's decision, by its Motion No. 18342, approving the Conditional Use Authorization identified as Planning Case No. 2006.0868CEKTZ on property located at 800 Presidio Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Mirkarimi, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:**

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

**110704 [Disapproving the Planning Commission's Decision Related to the Conditional Use Authorization - 800 Presidio Avenue]**

Motion disapproving the Planning Commission's decision, by its Motion No. 18342, approving the Conditional Use Authorization identified as Planning Case No. 2006.0868CEKTZ on property located at 800 Presidio Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

**Supervisor Mirkarimi, seconded by Supervisor Farrell, moved that this Motion 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  
Motion 1) disapproving decision of the Planning Commission by its Motion No. 18342, approving Conditional Use Application No. 2006.0868CEKTZ on property located at 800 Presidio Avenue; and 2) authorizing Conditional Use pursuant to the conditions set forth in Planning Commission No. 18342, subject to additional conditions imposed by the Board of Supervisors. (Clerk of the Board)

**Motion No. M11-104**

**Supervisor Mirkarimi, seconded by Supervisor Farrell, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:**

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

**110705 [Preparation of Findings Related to the Conditional Use Authorization - 800 Presidio Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to the Conditional Use Authorization identified as Planning Case No. 2006.0868CEKTZ on property located at 800 Presidio Avenue.

**Motion No. M11-105**

**Supervisor Mirkarimi, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:**

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



## COMMITTEE REPORTS

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

**110268 [Planning Code - Zoning Map Amendment - 2451 Sacramento Street]**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map Sheet 2 to change the zoning classification of 2451 Sacramento Street (Assessor's Block No. 0636, Lot No. 037) from the RM-1 (Residential, Mixed, Low-Density) District to Upper Fillmore Neighborhood Commercial District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and Priorities of Planning Code Section 101.1(b). (Planning Department)

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

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

**110490 [Memorandum of Understanding for Local Hiring - San Mateo County]**

**Sponsors: Mayor; Avalos, Campos and Chiu**

Resolution approving a Memorandum of Understanding between the City and County of San Francisco and San Mateo County regarding the application of the San Francisco Local Hiring Policy for Construction to construction projects located within San Mateo County.

**Resolution No. 273-11**

**ADOPTED by the following vote:**

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

**110491 [Tolling Agreement - San Mateo County]**

**Sponsor: Mayor**

Resolution approving an agreement between the City and County of San Francisco and San Mateo County tolling the statute of limitations for an action or claim challenging the San Francisco Local Hiring Policy for Construction based on the California Environmental Quality Act.

**Resolution No. 272-11**

**ADOPTED 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

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

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

*Male Speaker; expressed concerns relating to synthetic turf.*

*Emil Lawrence; expressed various concerns.*

*Eugene Gordon, Jr.; expressed various concerns.*

*Terri Frye; expressed support for ARC/AIDS Vigil legislation.*

*Peter Warfield; expressed concerns relating to the SF Public Library.*

*Brian Basinger; expressed support for ARC/AIDS Vigil legislation.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

### 110214 [Committee of the Whole - Hearing on the Report of Assessment Costs for Sidewalk and Curb Repairs]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 28, 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 sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

**Motion No. M11-102**

**APPROVED**

### 110751 [Approval of a 90 Day Extension for Planning Commission Review]

**Sponsor: Mirkarimi**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 of the Planning Code to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

**Resolution No. 269-11**

**ADOPTED**

**110752 [Commemorating the ARC/AIDS Vigil]****Sponsors: Campos; Wiener, Mirkarimi, Chiu and Avalos**

Resolution recognizing the historic significance of the ARC/AIDS Vigil and encouraging the City and County of San Francisco to place a plaque on or near the site of the ARC/AIDS Vigil.

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

**Resolution No. 274-11****ADOPTED****110754 [Accept and Expend Grant - Smoking Cessation Buprenorphine Treated Patients - \$26,558]****Sponsor: Elsbernd**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$26,558 from the University of California San Francisco to fund the project entitled "Smoking Cessation Intervention in Buprenorphine Treated Patients" for the period of March 1, 2011, through May 31, 2011, and waiving indirect costs.

**Resolution No. 270-11****ADOPTED****110755 [Anza Branch Library Reopening]****Sponsor: Mar**

Resolution recognizing the grand reopening of the Anza Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to the City and County of San Francisco and its residents.

**Resolution No. 276-11****ADOPTED****The foregoing items were acted upon by the following vote:**

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

Absent: 1 - Campos

## **Severed from the For Adoption Without Committee Reference Agenda**

*Supervisor Mirkarimi requested that File No. 110756 be severed so that it may be considered separately.*

### **110756 [Summer Learning Day - June 21, 2011]**

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

Resolution declaring San Francisco a summer learning city, urging relevant City Departments to coordinate and collaborate with youth and educational non-governmental organizations and designating June 21, 2011, as Summer Learning Day in the City and County of San Francisco.

*The President inquired as to whether any member of the public wished to address the Board relating to File No. 110756. Students and staff from the New Day for Learning spoke in support of the proposed Resolution. There were no other speakers. The President declared closed public comment.*

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

**Resolution No. 277-11**

**ADOPTED by the following vote:**

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

## **IMPERATIVE AGENDA**

*[Purely Commendatory Finding]*

*Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.*

**Supervisor Avalos, seconded by Supervisor Farrell, moved ADOPTION of the commendatory finding.**

**The motion carried by the following vote:**

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

Absent: 1 - Campos

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Avalos, seconded by Supervisor Farrell, moved ADOPTION of the Brown Act finding. The**

**motion carried by the following vote:**

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

Absent: 1 - Campos

**110765 [Barbara Schultheis Day - June 23, 2011]****Sponsor: Avalos**

Resolution commending Fire Marshal Barbara Schultheis for her immense service to the City and declaring June 23, 2011, to be Barbara Schultheis Recognition Day in the City and County of San Francisco.

*The President inquired as to whether any member of the public wished to address the Board relating to File No. 110765. There were no speakers. The President declared public comment closed.*

**Resolution No. 275-11****ADOPTED by the following vote:**

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

Absent: 1 - Campos

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

#### Charter Amendment

**110058 [Charter Amendment - City Retirement Benefits and Health Care Benefits]****Sponsors: Mayor; Elsbernd, Avalos, Chiu, Chu, Cohen, Farrell and Wiener**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending the provisions in Appendix A to: 1) adjust contribution rates for current and future employees to the San Francisco Employees' Retirement System (SFERS) based on the rate employers are required to pay each year; 2) limit SFERS' supplemental cost of living adjustments to retiree benefits for all employees and retirees; 3) create new retirement plans for employees commencing employment on and after January 7, 2012; 4) require elected officials to pay their contributions to SFERS and the Retiree Health Care Trust Fund (RHCTF); 5) allow certain individuals who are members of the California Public Employees' Retirement System (CalPERS) to become members of SFERS; 6) change the composition of the Health Service Board (HSB); 7) change the vote requirement for the HSB to approve member health care plans; 8) require current employees to contribute to the RHCTF beginning in FY2016-2017; 9) restrict certain retiree health care benefits for employees who left City employment, but have not yet retired, to those benefits in place at the time they left employment; 10) reduce employers' contributions into the Health Service System Trust Fund under certain circumstances; and 11) make certain other changes to retirement and health care benefits, and provisions governing the RHCTF and the Health Service System.

05/24/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

06/16/11; SUBSTITUTED AND ASSIGNED to Rules Committee.

## **Ordinances**

### **110766 [Administrative Code - Overtime Appropriations]**

**Sponsors: Campos; Farrell**

Ordinance amending the San Francisco Administrative Code by adding Section 3.17 to: 1) require separate overtime items in the budget for the Airport, Emergency Management, Fire, Police, Public Health, Public Utilities, Public Works, Recreation and Park, and Sheriff; and 2) require those departments to obtain a separate supplemental appropriation to exceed those amounts.

06/21/11; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/21/2011.

### **110767 [Planning Code - Alcoholic Beverages in Bowling Alleys in the Mission Alcoholic Beverage Special Use Subdistrict]**

**Sponsors: Kim; Wiener**

Ordinance amending the San Francisco Planning Code Section 781.8 to: 1) permit bowling alleys in the Mission Alcoholic Beverage Special Use Subdistrict to serve alcoholic beverages; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

06/21/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/21/2011.

### **110768 [Planning Code - Japantown Special Use District Provisions]**

**Sponsor: Mirkarimi**

Ordinance amending the San Francisco Planning Code Section 249.31 to: 1) prohibit a Medical Service Use or a Business or Professional Service Use on the Ground Floor in the Area Zoned NC-2 in the Japantown Special Use District; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

06/21/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

### **110769 [Transportation Code - Car Share Vehicle Parking Restrictions]**

**Sponsors: Mayor; Chiu**

Ordinance amending the San Francisco Transportation Code, Division I, Articles 7 and 8, Division I, by: 1) adding Section 7.2.52 to establish a violation for unauthorized vehicles to park in a designated car share parking space; and 2) amending Section 8.1 to permit the removal of vehicles parked in violation of Section 7.2.52.

06/21/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/21/2011.

## **Resolutions**

### **110770 [Municipal Transportation Authority Overtime Appropriations]**

**Sponsors: Campos; Farrell**

Resolution encouraging the San Francisco Municipal Transportation Agency (SFMTA) to develop a plan and the SFMTA Board to adopt a policy to address overtime overruns in FY2011-2012 and subsequent years.

06/21/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**110771 [Jurisdictional Transfer and Exchange of Real Property - Ocean Avenue and Phelan Avenue]****Sponsor: Elsbernd**

Resolution 1) approving the jurisdictional transfer of an approximately 5,835 square foot portion of City property located near Ocean Avenue and Phelan Avenue under the jurisdiction of the San Francisco Public Utilities Commission with an approximately 6,264 square foot portion of adjacent City property under the jurisdiction of the San Francisco Municipal Transportation Agency; 2) approving the subsequent exchange of the 6,264 square foot portion of such City property and an approximately 6.21 acre portion of adjacent City property under the jurisdiction of the San Francisco Public Utilities Commission for adjacent real property owned by the San Francisco Community College District and comprised of approximately 6.60 acres; adopting environmental findings and other findings that the actions set forth in this Resolution are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and 3) authorizing other actions in furtherance of this Resolution.

06/21/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110772 [Resolution of Intention - West Portal Community Benefit District]****Sponsor: Elsbernd**

Resolution 1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "West Portal Community Benefit District" and to levy a multi-year assessment on identified parcels in the district; 2) approving the management district plan and engineer's report and proposed boundaries map for the district; 3) ordering and setting a time and place for a public hearing thereon; 4) approving the form of the Notice of Public Hearing and Assessment Ballots; and 5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

06/21/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**110773 [SOMA Community Stabilization Fund Expenditures - \$325,000]****Sponsors: Kim; Mar**

Resolution authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization Fund in the amount of \$325,000 to provide housing and job readiness services to low-income residents and workers in the South of Market neighborhood.  
(Fiscal Impact.)

06/21/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**110774 [Assessment Ballots for City-Owned Parcels for the Proposed Renewal and Expansion of Fillmore Jazz Community Benefit District to be Renamed Fillmore Community Benefit District]****Sponsor: Mirkarimi**

Resolution authorizing the Mayor to cast assessment ballots in the affirmative, on behalf of the City and County of San Francisco, as the owner of five parcels over which the Board of Supervisors has jurisdiction, where those five parcels would be subject to assessment in the proposed renewed and expanded property and business improvement district currently known as the Fillmore Jazz Community Benefit District, to be renamed the Fillmore Community Benefit District.

06/21/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## **Requests for Hearing**

### **110215 [Public Hearing - Report of Assessment Costs for Sidewalk and Curb Repairs]**

Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

06/21/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

### **110775 [Hearing - Park Code - Parks for the Public]**

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

Hearing to consider the proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the November 8, 2011, Election entitled "Ordinance amending the San Francisco Park Code by adding Section 12.49 to: 1) ensure equal public access to parks and recreation facilities and prevent privatization of our public parks and facilities; and 2) set an effective date."

06/21/11; RECEIVED AND ASSIGNED to Rules Committee.

### **110776 [Hearing - Administrative Code - Fair Shelter Initiative]**

#### **Sponsors: Mar, Campos, Avalos, Kim and Mirkarimi**

Hearing to consider the proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the November 8, 2011, Election entitled "Ordinance amending the San Francisco Administrative Code by amending Sections 20.57.1, 20.76.3, 20.106.2, 20.206.3, and 20.228 to: 1) provide that homeless shelters shall not constitute "housing" for purposes of setting benefit levels under the Care Not Cash Initiative; and 2) set an operative date."

06/21/11; RECEIVED AND ASSIGNED to Rules Committee.

### **110777 [Hearing - Planning Code - Prohibiting Demolition of Residential Buildings]**

#### **Sponsors: Mar, Avalos, Campos, Mirkarimi and Kim**

Hearing to consider the proposed initiative ordinance to be submitted by four or more Supervisors to the voters at the November 8, 2011, Election entitled "Ordinance amending the San Francisco Planning Code by adding Section 317 to prohibit the demolition of residential buildings containing 50 or more housing units."

(Economic Impact)

06/21/11; RECEIVED AND ASSIGNED to Rules Committee.

### **110779 [Hearing - Status of the Police in the Community Loan Program]**

#### **Sponsor: Farrell**

Hearing on the status of the Police in the Community Loan Program (PIC) and exploring the status and effectiveness of the PIC program, including how many officers have taken advantage of the program, and will also look at ways to make the program more effective and potential avenues to expand the program to include other first responders.

06/21/11; RECEIVED AND ASSIGNED to Public Safety Committee.



**110780 [Hearing - Issues Faced by Seniors Living in Single Room Occupancy]****Sponsor: Mar**

Hearing regarding the needs and issues faced by the San Francisco Seniors living in Single Room Occupancy.

06/21/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Introduced by the President at the Request of a Department****PROPOSED ORDINANCES****110583 [Administrative Code - Cash Difference and Overage Funds]**

Ordinance amending the San Francisco Administrative Code by amending Section 10.82 to: 1) authorize the Controller to establish cash difference and overage funds for the use of any county officer or department head or judicial district handling judicial funds; to increase, reduce, or discontinue the funds; 2) require any county officer or department head using such funds to report to the Controller; and 3) require the Controller to annually report to the Board of Supervisors regarding the cash difference and overage funds. (Treasurer-Tax Collector)

06/10/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 7/21/2011.

**PROPOSED RESOLUTIONS****110568 [Street Artist Spaces - Post Street, Northwest Corner, at Stockton Street]**

Resolution approving designation for six (6) months designation of two (2) temporary selling spaces on Post Street, northwest corner, at Stockton Street, for street artists certified by the Arts Commission. (Arts Commission)

06/06/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**110581 [In-Home Supportive Services Provider Benefits and Administration Contract Amendment - \$419,058,271]**

Resolution amending Resolution No. 291-06 File No. 06033 that approved the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of administration, health and dental benefits to IHSS independent providers for the period of July 1, 2006, to June 30, 2016, in the amended amount of \$419,058,271. (Human Services Department)  
(Fiscal Impact.)

06/08/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**110582 [Settlement of Claim - Weintraub Capital Management, LP - \$117,470.45]**

Resolution approving the settlement of the unlitigated claim filed by Weintraub Capital Management, LP against the City and County of San Francisco for refund of payroll taxes for the 2009 tax year in the amount of \$117,470.45; claim was filed on January 25, 2011. (City Attorney)

06/10/11; RECEIVED AND ASSIGNED to Rules Committee.

**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 from the following locations:*

*Garbage Cans*

*Southeast corner of Bush and Divisadero*

*Northeast corner of Sutter and Divisadero*

*Northwest corner of McAllister and Fillmore*

*Southwest corner of Divisadero and Geary*

*Northeast corner of Haight and Buchanan*

*Northeast and Northwest corner of Haight and Laguna*

*Southwest corner of Geary and Steiner*

*Mailboxes*

*2299 Post*

*Southeast corner of Scott and Geary*

*Southwest corner of Central and Waller*

*Northwest corner of McAllister and Fillmore*

*Southwest corner of Hayes and Fillmore*

*Northeast corner of Haight and Fillmore*

*Northeast corner of Haight and Buchanan*

*Street Walls and Overpasses*

*Northwest corner of Steiner and Geary*

*1875 Geary, on North Side*

*Public Benches*

*Approximately 2175 Post*

*Fire Hydrants*

*Approximately 1995 Geary*

*Southwest corner of Haight and Laguna*

*Southwest corner of Haight and Buchanan*

*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*

*64 Baker*

*Southwest corner of McAllister and Fillmore*

*940 Fillmore*

*Emergency Boxes*

*Southwest corner of Pierce and Page*

*Southeast corner of Scott and Oak*

*Southwest corner of Fulton and Steiner*

*Northeast corner of Divisadero and Turk*

*Southeast corner of Divisadero and Ellis*

*Northeast corner of Post and Steiner*

*Approximately 2755 California*

*Southeast corner of Page and Steiner*

---

Northwest corner of Pierce and Turk

*Bus Shelters*

Southwest corner of Hayes and Fillmore  
Southwest corner of Haight and Buena Vista East  
Southeast corner of Haight and Divisadero  
Southwest corner of Haight and Pierce  
Southwest corner of Fillmore and Hayes  
Northeast corner of Fulton 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 newsstands at the following locations:

*San Francisco Bay Guardian*

Northwest and Southwest corners of Fillmore and Post  
2821 California  
Southwest corner of Divisadero and Geary  
Northeast corner of Divisadero and Geary  
347 Judah  
7th Avenue and Irving (near bus stops)  
Northwest corner of Hayes and Fillmore  
Southeast corner of Fillmore and Haight

*San Francisco Chronicle*

Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
Irving and 7th Avenue  
Southwest corner of Haight and Clayton  
Southwest corner of Cole and Waller  
Southwest corner of Divisadero and Geary  
1750 Divisadero  
Northwest corner of California and Divisadero  
Southeast corner of Haight and Masonic

*Examiner*

Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
1377 Fell  
Southwest corner of Bush and Divisadero  
Southwest corner of Divisadero and Geary  
Northeast corner of Divisadero and Geary  
1750 Divisadero  
Northwest corner of California and Divisadero

*SF Weekly*

Southeast corner of Masonic and Haight  
Southeast corner of Haight and Fillmore  
Southwest corner of O'Farrell and Divisadero  
Southwest corner of Bush and Divisadero  
1750 Divisadero  
Northwest corner of California and Divisadero  
Northeast corner of Broderick and Geary  
Northeast corner of Haight and Steiner  
Southwest corner of Divisadero and Geary  
Northeast corner of Divisadero and Geary

*Advertiser*

*Southwest corner of Divisadero and Geary  
Northeast corner of Broderick and Geary*

*Jobs and Careers*

*Southwest corner of O'Farrell and Divisadero  
Southwest corner of Divisadero and Geary*

*Real Estate Times*

*Southwest corner of O'Farrell and Divisadero  
Southwest corner of Bush and Divisadero  
Northeast corner of Divisadero and Geary*

*USA Today*

*1750 Divisadero*

*Open Exchange*

*1750 Divisadero*

*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*

*Approximately 1290 Divisadero  
Approximately 1260 Divisadero  
Southwest corner Haight and Fillmore  
Southwest corner Scott and Haight  
1234 Divisadero  
Approximately 1580 Divisadero  
1750 Divisadero  
1703 Broderick  
1704 Broderick  
2727 Pine  
Approximately 2725 California  
248 Scott  
Northeast corner of Scott and Oak  
Approximately 1265 Fell  
Approximately 480 Steiner  
Approximately 1670 Eddy  
Approximately 1945 Geary  
Approximately 1985 Geary  
Approximately 2025 Geary  
Approximately 2075 Geary  
Approximately 2085 Geary  
Approximately 2185 Geary  
Approximately 2111 O'Farrell  
Approximately 2010 Geary  
Approximately 2020 Geary  
Approximately 2195 Post  
Approximately 2335 Sutter  
Approximately 2575 Bush*

*Wood Poles*

*Approximately 2745 California*

Approximately 2565 Bush  
1601 Turk  
Near 317 Buchanan

Concrete Poles  
Approximately 1345 Fell

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 private property locations:

Residential and Commercial Buildings  
1706 Steiner, on North Side  
1234 Divisadero  
712 Haight  
1235 Divisadero  
1363 Divisadero  
2675 Bush, on East Side  
1040 Fillmore, on Gate  
803 Fillmore  
719 Fillmore  
711 Fillmore  
1155 Page  
1138 Page  
Northeast corner of Haight and Page (400 Fillmore)  
780 Oak  
930 Steiner  
2186 Geary  
2655 Bush

### **In Memoriams**

Nick D'Angelo – Board President David Chiu  
Shirley Fong Torres – Board President David Chiu

## **ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 7:52 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 July 26, 2011.*

---

Angela Calvillo, Clerk of the Board