

# BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

Tuesday, February 14, 2012 - 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, CHRISTINA OLAGUE, SCOTT WIENER

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

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

Supervisors Chu, Avalos, Kim

Wednesday

1:00 PM

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

Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

2nd and 4th Thursday

3:30 PM

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

Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday

10:00 AM

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

Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday

1:00 PM

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

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

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

Supervisors Avalos, Olague, Mar

1st and 3rd Thursday

10:30 AM

##### **Rules Committee**

Supervisors Kim, Farrell, Campos

1st and 3rd Thursday

1:30 PM

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

**Volume 107    Number 5**

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

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## **ROLL CALL AND PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.*

*Supervisor Kim was noted present at 2:14 p.m.*

## **AGENDA CHANGES**

*There were none.*

## **COMMUNICATIONS**

*There were none.*

## **SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board**

**120118 [Formal Policy Discussions - February 14, 2012]**

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District's 2, 4, 6, 8, and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Tenancies-in-common (TICs) in San Francisco have traditionally been a vehicle to allow residents in our City to realize their goal of home ownership. San Francisco has always promoted a path towards converting TICs to condominiums, which has a number of benefits - principally the ability to obtain lower interest rates for their property. Over the past decade, however, the condo conversion lottery has created a bottleneck for TIC owners, and the chances of prevailing in the condo lottery have continued to diminish year after year. To compound matters, during the recent recession the vast majority of lenders who financed TICs stopped lending into the market, leaving only a handful of financing options - at the same time many TIC owners are now facing adjustable-rate mortgages that are resetting and threatening to place many TIC owners into foreclosure. Especially given these dynamics, compounded with our looming annual budget deficits and the dismantling of our redevelopment agency, the concept of condo lottery bypass legislation whereby condo owners would be offered a one-time opportunity to pay a fee to bypass the lottery, should be a win-win situation for everyone, especially given these fees would be specifically directed towards affordable housing in San Francisco. Would you support this condo lottery bypass legislation, which would serve the dual purpose of helping vulnerable TIC owners in San Francisco, and provide a significant source of funding for our affordable housing community to plug our current budget deficit? (Supervisor Farrell, District 2)

2. Having vibrant neighborhood commercial corridors in all parts of the City is important, they are where our residents shop, eat, get services, and build a community. The City can do more to assist these corridors, but it first takes walking these corridors to understand the challenges. Will you commit to investing some time in the neighborhood commercial corridors of the Outer Sunset and explore opportunities to enhance our community? (Supervisor Chu, District 4)

3. Small businesses are a core part of what makes San Francisco the city we all have come to love, the city that people want to visit and the city that people want to move to. They define our city and our neighborhoods; they create jobs and become places for our communities to gather. We are seeing more and more of these small businesses being forced out by the rising cost of rent. In the recent past we have lost businesses like the Eagle Tavern, The John Barleycorn, Original Joe's, The Front Room, The Red Vic Theater, Mission Records and Namu. What other neighborhood serving businesses are we going to lose next? How can the City protect our existing small businesses from rising rent cost while maintaining neighborhood character and protecting jobs? How can we help them stay competitive with larger stores? (Supervisor Kim, District 6)

4. Mr. Mayor: Thank you for your leadership on housing affordability in San Francisco. Your desire to create a housing trust fund provides us with enormous opportunity to move, in a collaborative way, toward creation of a sustainable funding source for housing our diverse population. One critical aspect of addressing our housing crisis is ensuring that people of moderate and middle income -- i.e., 80%-150% of area median income -- have access to housing. Less than 1/3 of San Franciscans are moderate or middle income. This is very low and reflects the hollowing out of our middle class. We need to reverse that trend. Moreover, less than 20% of our affordable housing spending goes to moderate and middle income affordable housing. The lack of moderate/middle income affordable housing undermines our economy, our budget, and the city generally. How can we ensure that the housing trust fund that comes out of the process you have convened will meaningfully address the need for moderate/middle income housing, as opposed to paying lip service to it? (Supervisor Wiener, District 8)

5. Recently, Municipal Transportation Agency proposed extending the San Francisco Park Program (SFPark) to the Mission Bay, Dogpatch, Potrero neighborhoods, and portions of the Mission. The SFPark program has many innovative ways of managing parking such as demand

responsive pricing, longer or no time limits, and the ability to pay with a credit card. While these neighborhoods do need creative ways to address parking management, enforcement of existing parking restrictions has been inadequate and access to reliable public transportation is still limited. Additionally, after years of planning and support from the City, Production, Distribution and Repair (PDR) businesses who employ hundreds of San Franciscans have begun to thrive in these areas. I am concerned that the implementation and expansion of the SFPark program is not considering the unique transit and parking enforcement challenges of some of these neighborhoods and the unique nature of PDR businesses. What are your thoughts on how this program can be adapted and improved in order to better fit these areas and would you be supportive of evaluating the use of parking passes for employees? (Supervisor Cohen, District 10)

*Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## **CONSENT AGENDA**

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

#### **120071 [Appointment, Child Care Planning and Advisory Council - Deepa Mehta]**

Motion appointing Deepa Mehta, term ending April 19, 2013, to the Child Care Planning and Advisory Council, residency requirement waived. (Clerk of the Board)

Deepa Mehta, seat 6 (residency requirement waived), succeeding Judith Baker, resigned, must be a nominee of District 6 Supervisor selected from: a parent advisory council of public and private child care programs; an association of a child care center, a family day care provider and Head Start; a public interest organization including but not limited to the Child Care Law Center; a community organization; the Bay Area Employer Work and Family Coalition; and a member of labor organization and local organization that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending April 19, 2013.

**Motion No. M12-022**

**APPROVED**

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

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Budget and Finance Committee

#### **120045 [Revising Findings - Contract Approval for Design and Construction of New Fire Station - 935 Folsom Street]**

**Sponsor: Kim**

Ordinance amending Ordinance No. 218-10 to revise the findings supporting the waiver of Chapter 6 of the Administrative Code for a Conditional Land Disposition and Acquisition Agreement between the City and the San Francisco Museum of Modern Art for the design and construction of the new fire station to be located at 935 Folsom Street, San Francisco, California.  
(Fiscal Impact)

**Ordinance No. 038-12**

**FINALLY PASSED** by the following vote:

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

#### **120050 [Administrative Code - Health Service System Plans and Contribution Rates]**

**Sponsor: Chu**

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, of Part 1, Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

**Ordinance No. 039-12**

**FINALLY PASSED** by the following vote:

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

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

#### **101055 [Environment Code - Checkout Bags and Checkout Bag Charge]**

**Sponsors: Olague; Avalos and Campos**

Ordinance amending the San Francisco Environment Code by: 1) amending Section 1702 to extend the restrictions on checkout bags from supermarkets and chain pharmacies to all retail establishments and food establishments in the City and County of San Francisco, and clarify terms; 2) adding Section 1703.5 to require stores to add a checkout bag charge of 10 cents, if they provide a customer with a checkout bag; 3) setting an operative date of October 1, 2012; and 4) making environmental findings.  
(Economic Impact)

**Ordinance No. 033-12**

**FINALLY PASSED** by the following vote:

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

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**Recommendations of the Land Use and Economic Development Committee****111281 [Sidewalk Width Changes - Establishing a Streamlined Process for Certain Changes]****Sponsors: Mayor; Wiener**

Ordinance: 1) amending Ordinance No. 1061 to grant authorization to the Director of the Public Works Department to approve certain changes to official sidewalk widths, as specified herein, that would streamline reviews and approvals for such changes and ensure consistency with the General Plan; 2) establishing fees for processing administrative sidewalk width changes; 3) adopting environmental findings; and 4) authorizing official acts in connection with this Ordinance.

**Ordinance No. 034-12****FINALLY PASSED by the following vote:**

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

**111305 [Planning Code Amendments - Glen Park Area Plan]****Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by: 1) adding and amending various sections to implement the Glen Park Area Plan, bounded generally by Chenery Street to the north, Roanoke Street to the east, San Jose Avenue and Bosworth Street to the south, and Elk Street to the west; 2) creating a new Section 738.1, establishing zoning controls for the Glen Park Neighborhood Commercial Transit district; and 3) making findings, including environmental findings and findings of consistency with General Plan and with the Priority Policies of Planning Code Section 101.1. (Planning Department)

**Ordinance No. 035-12****FINALLY PASSED by the following vote:**

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

**111306 [Zoning Map Amendments - Glen Park Area Plan]****Sponsor: Wiener**

Ordinance amending the City and County of San Francisco Zoning Map Sheets ZN11 and HT11 to: 1) create a new zoning district, and amend height and bulk districts within the Glen Park Area Plan, as proposed in the Glen Park Community Plan; and 2) making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

**Ordinance No. 036-12****FINALLY PASSED by the following vote:**

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

**111307 [General Plan Amendments - Glen Park Area Plan]**

Ordinance amending the San Francisco General Plan by adding the Glen Park Area Plan; and making findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

**Ordinance No. 037-12****FINALLY PASSED by the following vote:**

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

**Recommendations of the Rules Committee****120074 [Appointment, Board of Appeals - Arcelia Hurtado]**

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2012. (Clerk of the Board) (Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - January 27, 2012)

**Motion No.** M12-023

**APPROVED by the following vote:**

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

**111330 [Charter Amendment - Consolidating Odd-Year Municipal Elections]**

**Sponsor:** Wiener

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, and Article XVII to: 1) change the election cycle for the offices of City Attorney and Treasurer so that these offices will be elected in the same years as the elections for the offices of Mayor, District Attorney, and Sheriff; and 2) to amend the definition of general municipal election so that such elections occur only in even-numbered years and every other odd-numbered year.

**Supervisor Wiener, seconded by Supervisor Campos, moved that this Charter Amendment be AMENDED, on Page 1, changing 'June 5, 2012' to 'November 6, 2012'. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener  
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, and Article XVII to: 1) change the election cycle for the offices of City Attorney and Treasurer so that these offices will be elected in the same years as the elections for the offices of Mayor, District Attorney, and Sheriff; and 2) to amend the definition of general municipal election so that such elections occur only in even-numbered years and every other odd-numbered year.

**Supervisor Wiener, seconded by Supervisor Campos, moved that this Charter Amendment be RE-REFERRED AS AMENDED to the Rules Committee. The motion carried by the following vote:**

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

**From the Rules Committee Without Recommendation****111212 [Charter Amendment - Replacing Ranked-Choice Voting with Run-Off Elections]****Sponsors: Farrell; Elsbernd**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.101.5, 13.102, and 13.107 and Article XVII to replace ranked-choice voting with run-off elections.

**Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion FAILED by the following vote:**

Ayes: 4 - Avalos, Campos, Chiu, Mar

Noes: 7 - Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

**Supervisor Campos, seconded by Supervisor Olague, moved that this Charter Amendment be TABLED. The motion carried by the following vote:**

Ayes: 6 - Avalos, Campos, Chiu, Cohen, Mar, Olague

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

**111329 [Charter Amendment - Consolidation of City Elections and Ranked-Choice Voting]****Sponsors: Campos; Avalos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, 13.102, 13.103.5, and Article XVII to: 1) consolidate odd-year elections for City elective offices to a single year and 2) increase voter education and clarify implementation of ranked-choice voting.

**Supervisor Campos, seconded by Supervisor Mar, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion FAILED by the following vote:**

Ayes: 4 - Avalos, Campos, Chiu, Mar

Noes: 7 - Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

**Supervisor Wiener, seconded by Supervisor Farrell, moved that this Charter Amendment be TABLED. The motion FAILED by the following vote:**

Ayes: 4 - Chu, Cohen, Farrell, Wiener

Noes: 7 - Avalos, Campos, Chiu, Elsbernd, Kim, Mar, Olague

**Supervisor Campos, seconded by Supervisor Olague, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:**

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

## NEW BUSINESS

*Supervisor Chu was noted absent at 4:37 p.m. for the remainder of the meeting.*

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

#### **120038 [Real Property Lease - Sheriff's Department - 1740 Folsom Street]**

Resolution authorizing the exercise of a five year option to extend the lease of approximately 18,862 square feet of space at 1740 Folsom Street for the Sheriff's Department with Mark Nelson Development and New California Land Company. (Real Estate Department)  
(Fiscal Impact)

**Resolution No. 047-12**

**ADOPTED by the following vote:**

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

#### **120041 [Agreement - Architectural and Engineering Design Services - 525 Golden Gate Avenue - Not to Exceed \$14,414,758]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to Architectural and Engineering Design Services Agreement No. CS-842 for the new San Francisco Public Utilities Commission administration building project located at 525 Golden Gate Avenue increasing the agreement not-to-exceed amount to \$14,414,758 pursuant to Charter Section 9.118. (Public Utilities Commission)

**Resolution No. 048-12**

**ADOPTED by the following vote:**

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

#### **120086 [Request for Proposal - City's Cash Management Banking Services]**

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

Resolution supporting the City's Office of the Treasurer-Tax Collector's efforts to integrate community reinvestment measures and social responsibility language into the City's Cash Management Banking Services Request for Proposal.

*Supervisors Chiu, Mar, Campos, and Cohen requested to be added as co-sponsors.*

**Resolution No. 053-12**

**ADOPTED by the following vote:**

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

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

### **120003 [Public Infrastructure Improvements - Mission Bay South - Blocks 2-7 and 13 Phase I]**

Ordinance: 1) accepting the irrevocable offer of public infrastructure improvements associated with Mission Bay South Blocks 2-7 and 13 Phase I including acquisition facilities on portions of Fourth Street, Mission Rock Street, China Basin Street, Mission Bay Boulevard North, and Mission Bay Boulevard South; 2) accepting additional property on portions of Fourth Street, Mission Rock Street, and China Basin Street; 3) declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; 4) dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; 5) establishing street grades and sidewalk widths; 6) accepting said facilities for City maintenance and liability purposes, subject to specified limitations; 6) adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; 7) accepting a Department of Public Works Order; and 8) authorizing official acts in connection with this Ordinance. (Public Works Department)

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

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

Absent: 1 - Chu

## **Recommendation of the Rules Committee**

### **Supervisor Olague Excused from Voting**

Supervisor Avalos, seconded by Supervisor Campos, moved that Supervisor Olague be excused from voting on File No. 120064. The motion carried by the following vote:

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

Excused: 1 - Olague

Absent: 1 - Chu

### **120064 [Appointment, Reentry Council - Supervisor Christina Olague]**

Motion appointing Supervisor Christina Olague, term ending June 7, 2013, to the Reentry Council. (Clerk of the Board)

**Motion No. M12-024**

**APPROVED by the following vote:**

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

Excused: 1 - Olague

Absent: 1 - Chu

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

### Privilege of the Floor

Supervisor Farrell, seconded by Supervisor Chu, 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, Olague, Wiener

#### *BLACK HISTORY MONTH*

*Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support as referenced below:*

*Supervisor Elsbernd recognized Carolyn Tyler (ABC7); and  
Supervisor Chu recognized Brenda Joyce Richard; and  
Supervisor Kim recognized Sandra Manning and John Powell; and  
Supervisor Wiener recognized Julius Turman (Police Commission); and  
Supervisor Cohen recognized Raquel Miller; and  
Jason Elliott, representing on behalf of Mayor Lee, recognized Tomiquia Moss; and  
Supervisor Mar recognized Noah Griffin; and  
Supervisor Chiu recognized Kimberly Bryant; and  
Supervisor Olague recognized Carmen Johnson and Agonafer Shiferaw; and  
Supervisor Elsbernd recognized Don Collins (Commissioner of Athletics - SFUSD); and  
Supervisor Campos recognized Mama Georgia Willette; and  
Supervisor Avalos recognized Donnetter Lane.*

*Supervisor Farrell was noted absent at 3:44 p.m. and noted present at 4:02 p.m.  
Supervisor Cohen was noted absent at 4:12 p.m. and noted present at 4:21 p.m.  
Supervisor Farrell was noted absent at 4:37 p.m. and noted present at 4:43 p.m.  
Supervisor Elsbernd was noted absent at 4:50 p.m. and noted present at 5:07 p.m.*

## COMMITTEE REPORTS

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

#### **111210 [Planning Code - Chinatown Transit Station Special Use District]**

##### **Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code Section 249.66 to: 1) create the Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopt findings, including General Plan Consistency Findings and findings under the California Environmental Quality Act.

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

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

**111211 [Zoning Map Amendment - Chinatown Transit Station Special Use District]****Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code Sectional Maps SU01 of the Zoning Map of the City and County of San Francisco to: 1) reflect the creation of the Chinatown Transit Station Special Use District, Planning Code Section 249.66, at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopting findings, including General Plan Consistency Findings, Planning Code Section 101.1 and 302 findings, and findings under the California Environmental Quality Act.

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

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

Absent: 1 - Chu

**ROLL CALL FOR INTRODUCTIONS**

*See Legislation Introduced below.*

**PUBLIC COMMENT**

*Abdallah Megahed; expressed various concerns.*

*Ernestine Weiss; expressed various concerns relating to 8 Washington.*

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

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

*Shana Crochenair; expressed various concerns relating to medical cannabis.*

*Denise Dorey; expressed various concerns relating to medical cannabis.*

*Gregory Ledbetter; expressed various concerns relating to medical cannabis.*

*Caren Woodson; expressed various concerns relating to medical cannabis.*

*Tony Bowles; expressed various concerns relating to medical cannabis.*

*John Stone; expressed various concerns relating to medical cannabis.*

*John Gout; expressed various concerns relating to medical cannabis.*

*Marquis Ausby; expressed various concerns relating to medical cannabis.*

*Penny Grham; expressed various concerns relating to medical cannabis.*

*Edmond Juicye; expressed various concerns.*

*Female Speaker; expressed various concerns relating to medical cannabis.*

*Nay-Nay; expressed various concerns relating to medical cannabis.*

*David Goldman; expressed various concerns relating to medical cannabis.*

*Michael Koehn; expressed various concerns relating to medical cannabis.*

*Gregory Lyons; expressed various concerns relating to medical cannabis.*

*Terri Frye; expressed various concerns relating to medical cannabis.*

*Male Speaker; expressed various concerns relating to medical cannabis.*

*Dan Manila; expressed various concerns relating to medical cannabis.*

*Stacey Sky; expressed various concerns relating to medical cannabis.*

*Allys; expressed various concerns relating to medical cannabis.*

*Otto Duffy; expressed various concerns.*

*Ray Hartz; expressed concerns relating to government.*

*Male Speaker; expressed various religious concerns.*

*Female Speaker; expressed various concerns relating to medical cannabis.*

*Supervisor Chiu was noted absent at 5:35 p.m. and noted present at 6:11 p.m.*

*Supervisor Mar was noted absent at 5:35 p.m. for the remainder of the meeting.*

**FOR ADOPTION WITHOUT COMMITTEE REFERENCE****120129 [Calling a Special Municipal Election - June 5, 2012]****Sponsor: Chiu**

Resolution calling a Special Municipal Election for June 5, 2012, and ordering consolidation of that election with the Statewide Presidential Primary Election to be held on the same date.

**Resolution No. 049-12****ADOPTED****120130 [Commending the 50th Anniversary of Tony Bennett's Recording of "I Left My Heart in San Francisco"]****Sponsor: Elsbernd**

Resolution commending the 50th Anniversary of Tony Bennett's recording of "I Left My Heart in San Francisco."

**Resolution No. 050-12****ADOPTED****120131 [Accept and Expend Grant - Energy Performance Benchmarking Forum - \$25,300]****Sponsor: Mar**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$25,300 from the Urban Sustainability Directors Network to convene a two-day forum covering adoption and implementation of energy performance benchmarking and disclosure policies.

**Resolution No. 051-12****ADOPTED**

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Absent: 2 - Chu, Mar

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

*Supervisor Wiener requested that File No. 120132 be severed so that it may be considered separately.*

**120132 [Apply for, Accept, and Expend Grant - Urban Forestry Grant Program]****Sponsor: Mayor**

Resolution authorizing the Planning Department to apply for funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City" as provided through Propositions 40 and 84 to conduct a Citywide tree inventory.

**Supervisor Wiener, seconded by Supervisor Campos, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Absent: 2 - Chu, Mar

Resolution authorizing the City and County of San Francisco to apply for, accept, and expend funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City" as provided through propositions 40 and 84.

**Resolution No. 052-12**

**ADOPTED AS AMENDED by the following vote:**

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

## IMPERATIVE AGENDA

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

#### Ordinance

#### **120142 [Transportation Code - Large Vehicle Parking Restrictions]**

**Sponsor: Chu**

Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or seven feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

02/14/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/15/2012.

02/14/12; RESPONSE RECEIVED.

#### Resolutions

#### **120143 [Approval of the Youth Violence Prevention Initiative: Local Action Plan - 2012 Update]**

**Sponsors: Avalos; Mar**

Resolution approving the San Francisco Juvenile Justice Coordinating Council's Youth Violence Prevention Initiative: Local Action Plan - 2012 Update.

02/14/12; RECEIVED AND ASSIGNED to Public Safety Committee.

**120144 [Accept and Expend Grant - Wolfe Lane Community Garden Plot Terraces Rebuild - \$116,000]****Sponsor: Campos**

Resolution authorizing the Department of Recreation and Park to retroactively accept and expend a grant valued at \$116,000 from the San Francisco Conservation Corps to rebuild community garden plot terraces at Wolfe Lane Community Garden.

02/14/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120145 [Accept and Expend Grant - Teen Center Learning Lab at Main Library and Citywide Framework - \$99,680]****Sponsor: Kim**

Resolution authorizing the Department of Public Library to retroactively accept and expend a grant in the amount of \$99,680 from the Institute of Museum and Library Services for a planning process, in partnership with the Bay Area Video Coalition, the California Academy of Sciences, and KQED to achieve two primary goals to: 1) develop a vision, program design, and test a Teen Center Learning Lab at the Main Library; and 2) develop a citywide framework for incorporating content-based curriculum in a shared online platform, with the help of a broad consortium of youth service providers and a team of youth leaders across the City.

02/14/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**120146 [Accept and Expend Grant - San Francisco Health in All Policies: Transforming Places, Empowering People - \$815,358]****Sponsor: Mar**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$815,358 from the Centers for Disease Control and Prevention to participate in a program entitled "San Francisco Health in All Policies: Transforming Places, Empowering People" for the period of September 30, 2011, through September 29, 2012.

02/14/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**120147 [Accept and Expend Grant - Viral Hepatitis Surveillance - \$137,933]****Sponsor: Wiener**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$137,933 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Viral Hepatitis Surveillance in the City and County of San Francisco" for the period of January 1, 2012, through October 31, 2012, and waiving indirect costs.

02/14/12; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**120151 [Approval of a 30-Day Extension for Planning Commission Review of Uses, Signs, Building Features, Floor Area Ratio, Parking, and Compliance in Specified Use Districts (File No. 110548)]****Sponsor: Chiu**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110548) amending the San Francisco Planning Code by repealing Sections 136.2, 136.3, 158, 187, 249.15, 263.2, 263.3, 602.25, 602.26, 607.3, 607.4, and amending various other Code sections to: 1) increase the amount of principally permitted parking spaces for dwellings in RC-4 and C-3 Districts; 2) make off-street parking requirements in the Van Ness Special Use District and RC-3 Districts consistent with those of RC-4 Districts; 3) eliminate minimum parking requirements for the Chinatown Mixed Use Districts and North Beach Neighborhood Commercial Districts; 4) allow exceptions from required parking under specified circumstances; 5) amend the restrictions on off-street parking rates and extend them to additional zoning districts; 6) revise sign, awning, canopy, and marquee controls in specified zoning districts; 7) increase the permitted use size for limited corner commercial uses in RTO and RM districts, and allow reactivation of lapsed limited commercial uses in R districts; 8) revise the boundaries of and modify parking and screening requirements in the Washington-Broadway and Waterfront Special Use Districts; 9) modify controls for uses and accessory uses in Commercial and Residential-Commercial Districts; 10) permit certain exceptions from exposure and open space requirements for historic buildings; and 11) modify conformity requirements in various use districts; 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.

**120152 [Approval of a 30-Day Extension for Planning Commission Review of Washington-Broadway Special Use District 1; Waterfront Special Use Districts 2 and 3; Special Districts for Sign Illumination; and Special Districts for Scenic Streets (File No. 110547)]****Sponsor: Chiu**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 110547) amending Sheets SU01, SS01, and SS02 of the San Francisco Zoning Map to: 1) add blocks and lots to the Washington-Broadway Special Use District 1; 2) add blocks to the Waterfront Special Use District 2; 3) delete blocks and add lots to the Waterfront Special Use District 3; 4) make the boundaries of the Special District for Sign Illumination on Broadway co-extensive with the Broadway Neighborhood Commercial District; 5) delete the Van Ness Special District for Sign Illumination; and 6) add The Embarcadero from Taylor Street to Second Street to the Special District for Scenic Streets; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

**120153 [Authorizing the Assessor-Recorder to Participate in the Electronic Recording Delivery Act of 2004]****Sponsor: Chiu**

Resolution authorizing the Assessor-Recorder to participate in the Electronic Recording Delivery Act of 2004.

**120154 [CalPERS - Pre-Tax Payroll Deduction Plan]****Sponsor: Elsbernd**

Resolution authorizing the City and County of San Francisco to implement a pre-tax payroll deduction plan for all employees in CalPERS, pursuant to the Internal Revenue Code Section 414(h)(2).

**120155 [Accept and Expend Grant - Pest Exclusion High Risk Inspections and Enforcement - \$47,983.25]****Sponsor: Mar**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant (Agreement No. 11-0127) in the amount of \$47,983.25 from the California Department of Food and Agriculture to participate in a program entitled Pest Exclusion High Risk Inspections and Enforcement for the period of July 1, 2011, through June 30, 2012.

**120156 [Accept and Expend Grant - San Francisco Hepatitis B Free Best Practices Evaluation Project - \$63,480]****Sponsor: Wiener**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$63,480 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "San Francisco Hepatitis B Free Best Practices Evaluation Project" for the period of January 1, 2012, through June 30, 2013, and waiving indirect costs.

**120157 [Accept and Expend Grant - Risk-Based Initiative - \$67,583]****Sponsor: Wiener**

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of \$67,583 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Risk-Based Initiative" for the period of August 10, 2011, through August 9, 2012.

**Request for Hearing****120158 [Hearing - Legislative Analyst Report on Performance Audit of San Francisco's Affordable Housing Policies and Programs]****Sponsors: Kim; Campos**

Hearing to consider findings and recommendations of the Budget and Legislative Analyst's Report on the "Performance Audit of San Francisco's Affordable Housing Policies and Programs," including presentations by the Planning Department and the Mayor's Office of Housing in response to the Audit's recommendations and solutions to meeting the City's Regional Housing Needs Allocation Goals set by the San Francisco General Plan Housing Element.

02/14/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Motions****120148 [Setting the 2012 Budget and Legislative Analyst Services Audit Plan]****Sponsor: Farrell**

Motion directing the Budget and Legislative Analyst to conduct three performance audits in 2012 and setting the priority as follows: 1) the Department of Public Health's and Human Services Agency's management of professional services contracts; 2) City departments' management and oversight of the former San Francisco Redevelopment Agency's assets and functions; and 3) the Adult Probation and Sheriff's Departments' implementation of Public Safety Realignment.

02/14/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120149 [Setting the 2012 Budget and Legislative Analyst Services Work Plan]****Sponsor: Farrell**

Motion approving the Budget and Legislative Analyst Services work plan for 2012, which: 1) allocates hours for calendar year 2012, 2) authorizes the Budget and Legislative Analyst to reallocate up to 10% of the hours between service categories based on Board of Supervisors service needs, and 3) requires Board of Supervisors approval of hours re-allocation greater than 10%; and establishes performance goals and sets a date for the 2012 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

02/14/12; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**120150 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.7 Extending the Joint City and School District Select Committee for One Year Ending March 1, 2013, and Setting Monthly Meetings]****Sponsor: Campos**

Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year ending March 1, 2013; ordering the Joint City and School District Select Committee meetings be held on 4th Thursdays of each month at 3:30 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

**Introduced by the President at the Request of a Department****PROPOSED ORDINANCE****120134 [Settlement of Lawsuit - Timothy Hoyt - \$80,000]**

Ordinance authorizing settlement of the lawsuit filed by Timothy Hoyt against the City and County of San Francisco for \$80,000; the lawsuit was filed on April 26, 2010, in U.S. District Court, Case No. CV 10-01778 RS; entitled Timothy Hoyt v. the City and County of San Francisco, et al. (City Attorney)

02/01/12; RECEIVED FROM DEPARTMENT.

02/14/12; RECEIVED AND ASSIGNED to Rules Committee.

**PROPOSED RESOLUTIONS****120135 [Settlement of Unlitigated Claim - Kinuko Jorgensen - \$26,226.57]**

Resolution approving the proposed settlement of the case of Kinuko Jorgensen vs. the City and County of San Francisco for \$26,226.57, Unlitigated Claim No. 12-00302. (City Attorney)

02/01/12; RECEIVED FROM DEPARTMENT.

02/14/12; RECEIVED AND ASSIGNED to Rules Committee.

**120136 [Settlement of Unlitigated Claim - Debra Reed - \$37,500]**

Resolution approving the settlement of the unlitigated claim filed by Debra Reed vs. the City and County of San Francisco for \$37,500; claim was filed on April 10, 2011. (City Attorney)

02/01/12; RECEIVED FROM DEPARTMENT.

02/14/12; RECEIVED AND ASSIGNED to Rules Committee.

**In Memoriams**

*Diane Perez – Entire Board*

*May Louie – Entire Board*

**ADJOURNMENT**

*There being no further business, the Board adjourned at the hour of 6:21 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 March 20, 2012.*

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Angela Calvillo, Clerk of the Board