



# BOARD OF SUPERVISORS

## CITY AND COUNTY OF SAN FRANCISCO

### AGENDA

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

Tuesday, April 12, 2011 - 2:00 PM

#### Regular Meeting

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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

Agendas of the Board of Supervisors are available on the internet at [www.sfbos.org](http://www.sfbos.org)

#### BOARD COMMITTEES

##### Committee Membership

**Budget and Finance Committee**  
Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

**Budget and Finance Sub-Committee**  
Supervisors Chu, Mirkarimi, Kim

**City and School District Select Committee**  
Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton

**City Operations and Neighborhood Services Committee**  
Supervisors Avalos, Mar, Elsbernd

**Government Audit and Oversight Committee**  
Supervisors Campos, Farrell, Chiu

**Land Use and Economic Development Committee**  
Supervisors Mar, Cohen, Wiener

**Public Safety Committee**  
Supervisors Mirkarimi, Cohen, Campos

**Rules Committee**  
Supervisors Kim, Elsbernd, Farrell

##### Meeting Days

Wednesday  
1:00 PM

Wednesday  
10:00 AM

2nd and 4th Thursday  
3:30 PM

2nd and 4th Monday  
10:00 AM

2nd and 4th Thursday  
10:00 AM

Monday  
1:00 PM

1st and 3rd Thursday  
10:30 AM

1st and 3rd Thursday  
1:30 PM

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

## Meeting Procedures

Board procedures do not permit: 1) persons in the audience at a Board meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; 4) standing in the meeting room. The public is encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members: 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

LAPTOP COMPUTER FOR PRESENTATIONS: Contact City Hall Media Services at (415) 554-7490 to coordinate the use of the laptop computer for presentations. Presenters should arrive 30 minutes prior to the meeting to test their presentations on the computer.

AGENDA PACKET: Available for review in Clerk's Office, Room 244, City Hall, and on the internet at <http://www.sfbos.org/meetings>. Meetings are cablecast on SF Cable 26. For DVD copies and scheduling call (415) 554-4188.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求  
請電 (415) 554-7719**

## Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

## **Know Your Rights Under The Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

## **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)

## **Agenda Item Information**

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

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

## **AGENDA CHANGES**

## **APPROVAL OF MEETING MINUTES**

*Approval of the March 8, 2011, Board Meeting Minutes, and the March 9, 2011, Special Meeting Minutes at the Budget & Finance Committee Meeting (File No. 100962).*

## **COMMUNICATIONS**

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

*(This item will be read at the Board Meeting on the second regularly scheduled meeting each month. The Mayor and the Board may not discuss matters that have already been considered in Committee and that are on the Board's Regular Agenda as an action item.*

*By supermajority vote of the Board of Supervisors (8 votes), the Board may, by oral motion, allow an eligible District Supervisor to ask a question that was not previously posed if the question relates to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that were not anticipated prior to the posting of this agenda. Public comment for this item will take place during general public comment.)*

1. [110342](#) **[Formal Policy Discussions - April 12, 2011]**  
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 1, 3, 5, 7, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.
1. What policies and ideas do you propose to create a framework where all neighborhoods and business districts get assistance and advantages in terms of job creation and community benefits? Additionally, how will you ensure the greatest possible community participation in the creation of a community benefits agreement in midmarket and any other community? (Supervisor Mar, District 1)
  2. How do you view the relative levels of cuts that will be required in major areas of City government - for example, public health, public safety, social services, and parks - and the extent to which you plan to identify new revenues to close our significant deficit? (Supervisor Chiu, District 3)
  3. Governor Brown's Bill, AB 109, shifts responsibility for housing tens of thousands of inmates to municipalities, but local funds do not exist to handle the additional inmates. What are your ideas for how San Francisco should deal with this issue? (Supervisor Mirkarimi, District 5)
  4. What are your thoughts on reforms to City employee pensions, health care, and retiree health care? (Supervisor Elsbernd, District 7)
  5. Given your recent tour and subsequent conversations we have had over the Balboa Park Station Area, what are your plans to develop and help realize the area as a true, full service transit hub that adequately services the residents and users, as opposed to its current priority by the City and SFMTA as a maintenance facility? (Supervisor Avalos, District 11)

**Discussion: The Mayor shall discuss the eligible questions with the Board of Supervisors.\_**

## CONSENT AGENDA

*There are no items.*

## REGULAR AGENDA

### UNFINISHED BUSINESS

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

*Present: Supervisors Chu, Mirkarimi, Kim*

- 2. [110155](#) **[Business and Tax Regulations Code - Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]**  
**Sponsors: Mayor; Kim, Chiu, Farrell, Cohen, Wiener and Chu**  
 Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area and requiring persons with an annual payroll expense of over \$1,000,000 to enter into a Community Benefits Agreement with the City Administrator.

(Fiscal Impact; Economic Impact.)

- Attachments:** [Board Packet 041211](#)  
[Comm Packet 031611](#)  
[Economic Impact 031611](#)  
[Small Business 031611](#)  
[Comm Packet 032311](#)  
[Legislation Ver2](#)  
[Legislation Ver3](#)  
[Board Packet 040511](#)  
[Legislation Ver4](#)  
[Leg Digest Ver4](#)  
[Board Packet 041211](#)

04/05/2011; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

04/05/2011; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

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

*Present: Supervisors Mar, Cohen, Wiener*

3. [101537](#) **[Planning Code - Urban Agriculture]**  
**Sponsors: Mayor; Chiu, Cohen, Mirkarimi and Mar**  
Ordinance amending the Planning Code to update controls related to urban agricultural uses by adding Section 102.34 to define urban agriculture, including neighborhood agriculture and large-scale urban agriculture, and amending Sections 204.1, 209.5, 227, 234.1, 234.2, and Articles 7 and 8 to regulate such uses in various zoning districts; and making findings including environmental findings and findings of consistency with General Plan and Section 101.1.

**Attachments:** [Legislation Ver1](#)  
[Leg\\_Digest Ver1](#)  
[Response PLN 122310](#)  
[Response PLN 022511](#)  
[Response SBC 032311](#)  
[Comm Packet 032811](#)  
[Legislation Ver2](#)  
[Leg\\_Digest Ver2](#)  
[Board Packet 040511](#)  
[Legislation Ver3](#)  
[Leg\\_Digest Ver3](#)  
[Board Packet 041211](#)

04/05/2011; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

04/05/2011; PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?**

4. [110313](#) **[Settlement Agreement and Lease Amendment - Forty Niners, Ltd.]**  
**Sponsors: Mayor; Chiu, Cohen and Farrell**  
Ordinance authorizing a settlement agreement and related lease amendment with the San Francisco Forty Niners, Ltd. (the 49ers) to settle a claim made by the 49ers on June 18, 2010, against the City and County of San Francisco relating to the condition of Candlestick Stadium; exempting any new City policy requirements that the City's Administrative Code would otherwise require for a material amendment to the lease.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 032111](#)  
[Comm Packet 032811](#)  
[Board Packet 040511](#)  
[Board Packet 041211](#)

04/05/2011; PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

## NEW BUSINESS

**From the Budget and Finance Committee Without Recommendation**

*Present: Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu*

**5. [110225](#) [Park Code - Botanical Garden Non-Resident Fees]**

**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46 to: 1) extend admission fees to the Botanical Garden for non-San Francisco residents beyond June 30, 2011; and 2) eliminate the provision cancelling this admission fee if the Recreation and Park Department receives revenue from a new tax that can be used for Botanical Garden operating and maintenance costs, and make environmental findings.

(Fiscal Impact.)

**Attachments:** [Planning\\_032511](#)

[Legislaton Ver1](#)

[Comm Packet 040611](#)

[Budget Analyst 040611](#)

[Board Packet 041211](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**6. [110113](#) [Appropriating \$143,445 of General Fund Property Transfer Tax and Reducing Botanical Garden Fee Revenue for FY2010-2011]**

**Sponsor: Avalos**

Ordinance appropriating \$143,445 of General Fund from new property transfer tax and reducing botanical garden fee revenues, which will be rescinded as of the effective date of this ordinance, in the Department of Recreation and Park for FY2010-2011.

**Attachments:** [Legislation Ver1](#)

[Legislation Ver2](#)

[Comm Packet 040611](#)

[Budget Analyst 040611](#)

[Legislation Ver3](#)

[Board Packet 041211](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**



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

*Present: Supervisors Chu, Mirkarimi*

7. [110349](#) **[Accept and Expend Grant - Office of Financial Empowerment Direct Deposit Program - Citywide Electronic Pay and Amendment to the Annual Salary Ordinance for FY2010-2011 - \$240,000]**

**Sponsor: Campos**

Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of \$240,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Direct Deposit Program, and amending Ordinance 191-10 (Annual Salary Ordinance, FY2010-2011) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

**Attachments:** [Legislation Ver1](#)

[Comm Packet 040611](#)

[Board Packet 041211](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Chu, Mirkarimi, Kim*

8. [110223](#) **[Public Works Code - Waiver of Street Encroachment Permit Fees - Stairway Improvements on 48th Avenue at Balboa Street]**

**Sponsor: Mar**

Ordinance waiving the Street Encroachment Permit Fees in Public Works Code Section 2.1.1 and Public Works Code Sections 786 et seq. for stairway improvements on the unaccepted stairway located on the western side of 48th Avenue between Balboa and Anza Streets.

**Attachments:** [Legislation Ver1](#)

[Comm Packet 040611](#)

[Board Packet 041211](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

9. [110350](#) **[Annual Reports - Yerba Buena Community Benefit District]**  
**Sponsor: Kim**  
Resolution regarding Yerba Buena Community Benefit District Annual Reports to the City by receiving and approving the District's Annual Reports for FYs 2008-2009 and 2009-2010, which include the District's proposed budget for FY2010-1011, as submitted, pursuant to Section 36650 of the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 040611](#)  
[Board Packet 041211](#)

**Question: Shall this Resolution be ADOPTED?**

10. [110351](#) **[Authorizing Expenditures from SOMA Community Stabilization Fund - \$100,000]**  
**Sponsors: Mayor; Kim**  
Resolution authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization funds in the amount of \$100,000 to provide grants to nonprofit organizations for: 1) a SOMA Community Coordinator to coordinate and focus community participation related to the development of 333 Harrison; 2) assistance in reassessing and refining the SOMA Community Stabilization Fund Strategic Plan.

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 040611](#)  
[Budget Analyst 040611](#)  
[Board Packet 041211](#)

**Question: Shall this Resolution be ADOPTED?**

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

*Present: Supervisors Mar, Cohen, Wiener*

11. [110147](#) **[General Plan Amendment - Mission District Streetscape Plan]**  
Ordinance amending the San Francisco General Plan by amending Policy 5.3.7 of the Mission Area Plan to reflect the adoption of the Mission District Streetscape Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

**Attachments:** [Legislation Ver1](#)  
[Comm Packet 040411](#)  
[Board Packet 041211](#)

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

## SPECIAL ORDER 4:00 P.M.

### APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

### 12. [110261](#) [Public Hearing - Appeal of Final Environmental Impact Report - 350 Mission Street Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's February 10, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2006.1524E, through its Motion No. 18265, for the proposed 350 Mission Street Project. (District 6) (Appellant: Alex DeGood, on behalf of the owners of 50 Beale Street).

(Filed March 2, 2011; Companion File Nos.110262,110263,110264.)

**Attachments:** [Board Packet 032911](#)  
[Board Packet 041211](#)

03/29/2011; CONTINUED.

**Question: Shall this Hearing be HEARD AT PUBLIC HEARING.**

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

**(Only one of the following two motions should be approved.)**

13. [110262](#) **[Affirming Certification of Final Environmental Impact Report - 350 Mission Street Project]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

- Attachments:** [Board Packet 032911](#)  
[Legislation Ver1](#)  
[Board Packet 041211](#)

03/29/2011; CONTINUED.

**Question: Shall this Motion be APPROVED?**

14. [110263](#) **[Reversing Certification of Final Environmental Impact Report - 350 Mission Street Project]**

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

- Attachments:** [Board Packet 032911](#)  
[Legislation Ver1](#)  
[Board Packet 041211](#)

03/29/2011; CONTINUED.

**Question: Shall this Motion be APPROVED?**

15. [110264](#) **[Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 350 Mission Street Project]**

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

- Attachments:** [Board Packet 032911](#)  
[Legislation Ver1](#)  
[Board Packet 041211](#)

03/29/2011; CONTINUED.

**Question: Shall this Motion be APPROVED?**

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

16. [110307](#) **[Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1653 Grant Avenue (aka 501 Greenwich Street)]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 3, 2010, that a project located at 1653 Grant Avenue (aka 501 Greenwich Street) (Building Permit Application No. 2009.0626.1437, Case No. 2010.0557D) is exempt from environmental review under Categorical Exemption, Class 3 of the CEQA Guidelines (14 Cal. Code Reg Public §15000 et seq.) The proposed project involves installation of a wireless telecommunications service facility to an existing building. The subject property is located in the RM-2 (Residential, Mixed Districts, Moderate-Density) District, the Telegraph Hill-North Beach Residential Special Use District and a 40-X Height and Bulk District, Lot No. 001 in Assessor's Block No. 0088 (District 3) (Appellants: Julie Jaycox and Termeh Yeghiazarian, on behalf of the Telegraph Hill Dwellers). (Clerk of the Board)

(Filed March 4, 2011 - Companion Measure to Files 110308, 110309, 110310.)

**Attachments:** [Board Packet 041211](#)

**Question: Shall this Hearing be HEARD AT PUBLIC HEARING.**

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

**(Only one of the following two motions should be approved.)**

17. [110308](#) **[Affirming the Exemption Determination - 1653 Grant Street]**

Motion affirming the determination by the Planning Department that the project located at 1653 Grant Street is exempt from environmental review. (Clerk of the Board)

**Attachments:** [Legislation Ver1](#)

[Board Packet 041211](#)

**Question: Shall this Motion be APPROVED?**

18. [110309](#) **[Reversing the Exemption Determination - 1653 Grant Street]**

Motion reversing the determination by the Planning Department that the 1653 Grant Street project is exempt from environmental review. (Clerk of the Board)

**Attachments:** [Legislation Ver1](#)

[Board Packet 041211](#)

**Question: Shall this Motion be APPROVED?**

19. [110310](#) **[Preparation of Findings to Reverse the Exemption Determination - 1653 Grant Street]**  
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 1653 Grant Street is exempt from environmental review. (Clerk of the Board)

**Attachments:** [Board Packet 041211](#)

**Question: Shall this Motion be APPROVED?**

## COMMITTEE REPORT

*Reports from committees, if any, recommending emergency or urgent measures.*

*The following item will be considered by the Land Use Committee at a Regular Meeting on Monday, April 11, 2011, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, April 12, 2011.*

20. [110410](#) **[Opposing the Golden Gate National Recreation Area's Draft Off-Leash Policy]**  
**Sponsor: Wiener**  
Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's preferred alternatives for dog management.

**Attachments:** [Legislation Ver1](#)

[Comm Packet 041111](#)

[Board Packet 041211](#)

**Question: Shall this Resolution be ADOPTED?**

## ROLL CALL FOR INTRODUCTIONS

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

## PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.*

*Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

## CLOSED SESSION

21. [110420](#) **[Closed Session - Pension, Health Care, and Retiree Health Care Reform]**  
**Sponsor: Chiu**

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

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

**Attachments:** [Legislation\\_Ver1](#)  
[Board Packet\\_041211](#)

**Question: Shall this Motion be APPROVED?**

*(Employee Organizations:*

*Automotive Machinists, Local 1414  
 Committee on Interns and Residents  
 Crafts Coalition  
 District Attorney Investigators Association  
 Deputy Probation Officers' Assoc.  
 District Attorneys' Investigators Assoc.  
 Deputy Sheriffs Association  
 Electricians, Local 6  
 Fire Fighters, Local 798  
 International Federation of Professional and Technical Engineers, Local 21  
 Institutional Probation Officers' Assoc.  
 Laborers, Local 261  
 Local 1414  
 Local 21  
 Municipal Attorneys' Association  
 Municipal Executives' Association  
 Operating Engineers Local 3  
 Plumbers, Local 38  
 Police Officers' Association  
 Service Employees International Union, Local 1021  
 Stationary Engineers, Local 39  
 Supervising Probation Officers' Assoc.  
 Supervising Registered Nurses  
 Teamsters Local 350  
 Teamsters Local 856  
 Union of American Physician and Dentists.)*

*These organizations represent police officers, firefighters, airport police, transit workers, nurses, miscellaneous employees, and other City employees.*

*[Elect To Disclose]*

*Motion that the Board finds it is in the best interest of the public that the Board elect at this time to disclose its closed session deliberations.*

*[Elect Not to Disclose]*

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

*After a closed session, if one occurs, pending approval of above action to disclose, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.*



**FOR ADOPTION WITHOUT COMMITTEE REFERENCE**

*These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.*

**Items 22 through 27****22. [110411](#) [Supporting California Assembly Bill 889 - Domestic Worker Bill of Rights]****Sponsors: Avalos; Mar**

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

**Attachments:** [Legislation\\_Ver1](#)[Board Packet 041211](#)

04/05/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?****23. [110412](#) [Fare Schedule for Pedicabs Operated by SF Student Jobs Coalition]****Sponsor: Chiu**

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

**Attachments:** [Legislation\\_Ver1](#)[Board Packet 041211](#)

04/05/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

- 24. [110413](#) [Accept and Expend Grant - Joint Use School Facilities Project - \$23,000]**  
**Sponsors: Chu; Mar**  
Resolution authorizing the Department of Children, Youth, and Families to retroactively accept and expend grant funding in the amount of \$23,000 from the California Department of Public Health to fund a collaborative project with the San Francisco Unified School District to develop a policy related to the joint use of school district facilities that will benefit the school district, city, and community by increasing access to space where educational, health, social services, sports, recreation, and other activities can be provided for the period of September 15, 2010, through January 31, 2012.  
**Attachments:** [Legislation Ver1](#)  
[Board Packet 041211](#)
- 04/05/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 25. [110414](#) [Accept and Expend Grant - Forensic Science Improvements - \$35,393]**  
**Sponsor: Elsbernd**  
Resolution authorizing the San Francisco Police Department to retroactively accept and expend a Paul Coverdell Forensic Science Improvement Grant in the amount of \$35,393 from the California Emergency Management Agency.  
**Attachments:** [Legislation Ver1](#)  
[Board Packet 041211](#)
- 04/05/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 26. [110415](#) [California Poets in the Schools Day - April 16, 2011]**  
**Sponsors: Mar; Chiu**  
Resolution declaring April 16, 2011, as California Poets in the Schools Day in San Francisco.  
**Attachments:** [Board Packet 041211](#)  
[110415.doc](#)
- 04/05/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

**27. [110416](#) [Supporting Upward Bound Project]****Sponsors: Mirkarimi; Mar**

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

**Attachments:** [Legislation Ver1](#)[Board Packet 041211](#)

04/05/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

Questions on the For Adoption Without Committee Reference Agenda: \_\_\_\_\_

**28. IMPERATIVE AGENDA**

*Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

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

*[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.*

**LEGISLATION INTRODUCED AT ROLL CALL****PROPOSED ORDINANCE**

*Proposed ordinance received from March 29, 2011, to April 4, 2011, for reference by President to appropriate committee on April 12, 2011.*

**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)

04/04/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

**PROPOSED RESOLUTIONS**

*Proposed resolutions received from March 29, 2011, to April 4, 2011, for reference by President to appropriate committee on April 12, 2011.*

**110396**

**[Airport Lease Agreement - Asiana Airlines, Ltd - Building 648]**

Resolution approving and authorizing the execution of Lease No. 11-0049 with Asiana Airlines, Inc., for cargo warehouse and support office space to be occupied by Asiana Airlines, Inc., in Building 648 at the San Francisco International Airport. (Airport Commission)

**Attachments:** [Legislation Ver1](#)

03/30/2011; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

**110419 [Petitions and Communications]**

Petitions and Communications received from March 29, 2011, through April 4, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 12, 2011.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

From Office of the Treasurer and Tax Collector, submitting the Cash Shortage and Overage Fund Balance Report for October 2010 through January 2011. Copy: Each Supervisor (1)

From Public Utilities Commission, submitting the FY2009-2010 Water Enterprise Annual Disclosure Report. Copy: Each Supervisor (2)

From Planning Department, regarding an update to the 2009 Housing Element. (3)

From Office of the Treasurer and Tax Collector, submitting their Investment Report as of February 2011. Copy: Each Supervisor (4)

\*From concerned citizens, urging the Board of Supervisors to take action to restore the wetlands at Sharp Park Golf Course. Approximately 950 letters (5)

From Doug MacTavish, regarding Muni bus drivers. (6)

From Medical Cannabis Task Force, regarding improving communication between the Board of Supervisors and the Medical Cannabis Task Force. (7)

From Brightline Defense Project, regarding proposed legislation that urges Avalon Bay Communities to utilize sub-contractors that compensate workers consistent with area standard wages. File No. 110283, Copy: Each Supervisor (8)

From concerned citizens, concerning the Botanical Gardens fees. File No. 110255, Copy: Each Supervisor, 3 letters (9)

From Molly Burke, regarding BART. (10)

From Bobby Lehmann, regarding the phone company's upgrade. File No. 110114 (11)

From Paul Davis, submitting copy of letter sent to the Golden Gate Bridge District regarding incompetent management. Copy: Each Supervisor (12)

\*From concerned citizens, regarding the Parkmerced project. 40 letters (13)

From concerned citizen, regarding shark fin soup. (14)

From Doug Mac Tavish, regarding "No Smoking" signs at transit stops. (15)

From concerned citizens, regarding sidewalk sitting ban. Copy: Each Supervisor, 3 letters (16)

From Brightline Defense Project, regarding stock options and local hiring. (17)

From concerned citizens, submitting support for the Planning Commission's decision that the proposed project at 1653 Grant Avenue is exempt from environmental review. File No. 110307, Copy: Each Supervisor, 6 letters (18)

From Verizon Wireless, submitting notification of six cellular antennas to be installed at 1950 Kearny Street. (19)

From Francisco Da Costa, regarding radioactive readings about 18,000 above normal. (20)

From Francisco Da Costa, regarding the Rules Committee and Ethics Commission. (21)

From concerned citizens, submitting opposition to proposed legislation that bans the delivery of unwanted Yellow Pages in San Francisco. File No. 110114, Copy: Each Supervisor, 15 letters (22)

From concerned citizens, submitting support for proposed legislation that bans the delivery of unwanted Yellow Pages in San Francisco. File No. 110114, 9 letters (23)

From State Office of Parks and Recreation, submitting notice that the South San Francisco Opera House was placed on the National Register of Historic Places. (24)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement: (25)

Robert Selna, Legislative Aide - assuming  
John Avalos, Supervisor - annual  
David Campos, Supervisor - annual  
David Chiu, Supervisor - annual  
Sean Elsbernd, Supervisor - annual  
Eric Mar, Supervisor - annual  
Carmen Chu, Supervisor - annual  
Camelin Blackstone, Legislative Aide - annual  
Victor Lim, Legislative Aide - annual  
Valle Brown, Legislative Aide - annual  
Arthur Louie, Budget Analyst - annual  
Debra Newman, Budget Analyst - annual  
Dawn Duran, AAB - annual  
Shelia Chung-Hagen, Legislative Aide - annual  
Rick Galbreath, Legislative Aide - annual  
Les Hilger, Legislative Aide - annual  
Jon Lau, Legislative Aide - annual  
Catherine Rauschuber, Legislative Aide - annual  
Raquel Redondiez, Legislative Aide - annual  
Judson True, Legislative Aide - annual  
Leah Pimental, LAFCo - annual  
Jason Fried, LAFCo - annual  
John Dalessi, LAFCo - annual  
Jill Jay, Deputy Director - leaving  
Mervin Conlan, AAB - assuming  
Gregory Blaine, AAB - annual  
Donna Crowder, AAB - annual  
Lawrence Lee, AAB - annual  
Richard Lee, AAB - annual  
John McGary, AAB - annual  
Louisa Mendoza, AAB - annual  
Jeffrey Morris, AAB - annual  
Alfredo Perez, AAB - annual  
Diane Robinson, AAB - annual  
Margaret Ruxton, AAB - annual  
Scott Spertzel, AAB - annual  
Joseph Tham, AAB - annual

(An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document is available at the Clerk's Office, Room 244, City Hall.)

## **ADJOURNMENT**