



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, May 24, 2011 - 2:00 PM

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

Agendas of the Board of Supervisors are available on the internet at 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 are available upon request at the Clerk of the Board's Office, Room 244. 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, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. 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. The Sunshine 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 the 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

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

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 April 15, 2011, Board Meeting Minutes and the April 19, 2011, Special Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated.

Items 1 and 2

Recommendations of the Rules Committee

Present: Supervisors Kim, Elsbernd

- 110333** **[Settlement of Lawsuit - Michael Pinkston - \$30,000]**
Ordinance authorizing the settlement of lawsuit filed by Michael Pinkston against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 24, 2010, in San Francisco Superior Court, Case No. CGC-10-498074, entitled Michael Pinkston v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation_Ver1](#)

[Comm Packet 050511](#)

[Board Packet 051711](#)

[Board Packet 052411](#)

05/17/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. [110481](#) **[Settlement of Lawsuit - Da Ren Kuang, et al. - \$1,556,000]**
Ordinance authorizing settlement of the lawsuit filed by Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate of Xiu Fang Huang against the City and County of San Francisco for \$1,556,000; the lawsuit was filed on July 30, 2010, in San Francisco Superior Court, Case No. CGC 10-502052; entitled Da Ren Kuang; Angel Su Ting Wong; Sophia Zi Ying Kuang; Lori Shuang Jie Kuang; Estate Of Xiu Fang Huang v. City and County of San Francisco, et al. (City Attorney)

Attachments: [Legislation Ver1](#)
[Comm Packet 050511](#)
[Board Packet 051711](#)
[Board Packet 052411](#)

05/17/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to approval was provided and completed on March 29, 2011.

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

3. [110207](#) **[Affirming Certification of the Final Environmental Impact Report - Parkmerced Project]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Parkmerced Project.

Attachments: [Legislation Ver1](#)
[Board Packet 032911](#)
[Board Packet 052411](#)

03/29/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

4. [110208](#) **[Reversing Certification of the Final Environmental Impact Report - Parkmerced Project]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Parkmerced Project.

Attachments: [Legislation_Ver1](#)
[Board Packet 032911](#)
[Board Packet 052411](#)

03/29/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

5. [110209](#) **[Preparation of Findings to Reverse Certification of the Final Environmental Impact Report - Parkmerced 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 Parkmerced Project.

Attachments: [Legislation_Ver1](#)
[Board Packet 032911](#)
[Board Packet 052411](#)

03/29/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

From the Board

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to approval was provided and completed on April 26, 2011.

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

6. [110345](#) **[Affirming the Exemption Determination - AT&T Network "Lightspeed" Upgrade]**
Motion affirming the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Attachments: [Legislation_Ver1](#)
[Board Packet 042611](#)
[Board Packet 052411](#)

04/26/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

7. [110346](#) **[Reversing the Exemption Determination - AT&T Network "Lightspeed" Upgrade]**
Motion reversing the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Attachments: [Board Packet 042611](#)
[Board Packet 052411](#)

04/26/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

8. [110347](#) **[Preparation of Findings to Reverse the Exemption Determination - AT&T Network "Lightspeed" Upgrade]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

Attachments: [Legislation Ver1](#)
[Board Packet 042611](#)
[Board Packet 052411](#)

04/26/2011; CONTINUED.

Question: Shall this Motion be APPROVED?

From the Budget and Finance Committee Without Recommendation

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

9. **110337** **[Business and Tax Regulations Code - Excluding Stock-Based Compensation from Payroll Expense, Tax Years 2011 through 2017]**

Sponsors: Mirkarimi; Campos, Mar and Chiu

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A, by adding Section 906.4 to establish a payroll expense tax exclusion for that portion of an eligible person's payroll expense that is attributable to Stock-Based Compensation.

(Fiscal Impact, Economic Impact.)

- Attachments:** [Legislation Ver1](#)
[Legislation Ver2](#)
[Leg_Digest Ver2](#)
[Comm Packet 050411](#)
[Budget Analyst 050411](#)
[Legislation Ver3](#)
[Comm Packet 051111](#)
[Budget Analyst 051111](#)
[Small Business 051111](#)
[Legislation Ver4](#)
[Leg_Digest Ver4](#)
[Board Packet 051711](#)
[Legislation Ver5](#)
[Leg_Digest Ver5](#)
[Board Packet 052411](#)

05/17/2011; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

05/17/2011; CONTINUED AS AMENDED ON FIRST READING.

05/17/2011; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Chu, Mirkarimi, Kim

10. [110553](#) **[Appropriating \$1,925,000 of General Fund Reserve and \$360,000 of Public Library Preservation Fund Balance to Various Departments for Kirola Litigation Expenses in FY2010-2011]**

Sponsor: Mayor

Ordinance appropriating \$1,925,000 from the General Fund Reserve and \$360,000 from the Public Library Preservation Fund available fund balance to the Department of Public Works, the Recreation and Park Department, the Library Department, and the Mayor's Office of Disability for litigation expenses related to the United States District Court case between Ivana Kirola et. al. v. City and County of San Francisco for alleged American with Disabilities Act violations in FY2010-2011.

(Fiscal Impact.)

Attachments: [Legislation_ver1](#)

[Comm_Packet_051111](#)

[Board_Packet_051711](#)

[Board_Packet_052411](#)

05/17/2011; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Cohen, Campos

11. [110025](#) **[Environment Code - Safe Drug Disposal Information]**
Sponsors: Mirkarimi; Campos
Ordinance amending the San Francisco Environment Code by adding Sections 2250 through 2254, to require any business selling prescription drugs to the public to post display materials explaining how to safely and lawfully dispose of unused prescription drugs; and making environmental findings.

Attachments: [Legislation_Ver1](#)
[Comm_Packet_050511](#)
[Legislation_Ver2](#)
[Board_Packet_051711](#)
[Board_Packet_052411](#)

05/17/2011; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Kim, Elsbernd, Farrell

12. [110023](#) **[Campaign and Governmental Conduct Code - Allowing a Former Appointed Mayor to Obtain City Employment]**
Sponsors: Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell
Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow an appointed former Mayor to obtain full-time City employment within one year after leaving office.

Attachments: [Comm_Packet_050511](#)
[Legislation_Ver1](#)
[Board_Packet_051711](#)
[Board_Packet_052411](#)

05/17/2011; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

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

13. [110507](#) **[Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2010-2011 - \$29,494,813]**

Sponsor: Mayor

Ordinance recognizing state revenue losses of \$18,484,060 at San Francisco General Hospital and appropriating \$29,494,813 including \$6,543,813 of General Fund reserve, \$14,851,000 of surplus Laguna Honda Hospital revenues, \$1,925,000 of surplus San Francisco General Hospital revenues, de-appropriating \$6,175,000 of non-hospital operations expenditures at San Francisco General Hospital to fund cost overruns in the Department of Public Health including \$19,653,813 at San Francisco General Hospital and \$9,841,000 at Laguna Honda Hospital for FY2010-2011.

(Fiscal Impact.)

Attachments: [Legislation Ver1](#)

[Legislation Ver2](#)

[Budget Analyst 051811](#)

[Comm Packet 051811](#)

[Board Packet 052411](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. [110541](#) **[Airport Lease Agreement - Advanced Wireless Group, LLC]**

Resolution approving the Lease Agreement for Operation and Maintenance of Public Wireless-Fidelity System at San Francisco International Airport between Advanced Wireless Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal Impact.)

Attachments: [Budget Analyst 051811](#)

[Comm Packet 051811](#)

[110541](#)

[Board Packet 052411](#)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Mirkarimi, Kim, Wiener

15. [110542](#) **[Airport Lease Agreement - J. Avery Enterprises]**
Resolution approving Amendment No. 1, retroactive to April 14, 2011, to Domestic Terminal Food and Beverage Lease No. 03-0192 with J. Avery Enterprises, dba Klein's Deli, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal Impact.)

Attachments: [Legislation Ver1](#)
[Budget Analyst 051811](#)
[Comm Packet 051811](#)
[Board Packet 052411](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Campos, Chiu

16. [110438](#) **[Agreement - Administration/Management of Ocean Avenue Community Benefits District]**
Sponsor: Avalos
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Ocean Avenue Community Benefits District," pursuant to California Streets and Highways Code Section 36651.

Attachments: [Comm Packet 051211](#)
[Legislation Ver1](#)
[Board Packet 052411](#)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

17. [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)

Attachments: [Legislation Ver1](#)
[Leg Digest Ver1](#)
[Comm Packet 051611](#)
[Board Packet 052411](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

18. [110599](#) **[Grant Easement to, and Acceptance of Easement Purchase and Sale Agreement and Delivery Truck Easement Agreement - Avalon Ocean Avenue, L.P. - Phelan Bus Loop]**

Sponsor: Elsbernd

Resolution approving the execution of an Easement Purchase and Sale Agreement, together with a Delivery Truck Easement Agreement, by and between the City and County of San Francisco, acting by and through the Municipal Transportation Agency, and Avalon Ocean Avenue, L.P., a Delaware Limited Partnership for the Phelan Bus Loop.

Attachments: [Legislation Ver1](#)

[Comm Packet 051611](#)

[Board Packet 052411](#)

Question: Shall this Resolution be ADOPTED?

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.

19. [110474](#) [Hearing - Appeal of Determination of Exemption from Environmental Review - 1787 Union Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated January 20, 2011, Case No. 2010.0805D, that a project located at 1787 Union Street is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposed project involves legalizing the removal of an elevated glass sunroom enclosure and establishing an open patio at the front of the building for an existing full-service restaurant and bar (dba "The Brick Yard"), Lot No. 017 in Assessor's Block No. 0544. (District 2) (Appellant: Gloria D. Smith, on behalf of the Golden Gate Valley Neighborhood Association).

(Filed April 13, 2011; Companion Measure to File Nos. 110475, 110476 and 110477.)

Attachments: [Board Packet 052411](#)

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.)

20. [110475](#) [Affirming the Exemption Determination - 1787 Union Street]

Motion affirming the determination by the Planning Department that a project located at 1787 Union Street is exempt from environmental review.

Attachments: [Legislation Ver1](#)

[Board Packet 052411](#)

Question: Shall this Motion be APPROVED?

21. [110476](#) **[Reversing the Exemption Determination - 1787 Union Street]**
Motion reversing the determination by the Planning Department that a project located at 1787 Union Street is exempt from environmental review.

Attachments: [Legislation Ver1](#)
[Board Packet 052411](#)

Question: Shall this Motion be APPROVED?

22. [110477](#) **[Preparation of Findings to Reverse the Exemption Determination - 1787 Union Street]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 1787 Union Street is exempt from environmental review.

Attachments: [Legislation Ver1](#)
[Board Packet 052411](#)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

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

The following item will be considered by the Public Safety Committee at a Regular Meeting on Thursday, May 19, 2011, at 10:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 24, 2011.

23. [110565](#) **[Joint Powers Agreement - Bay Area Regional Interoperable Communications System Authority]**
Sponsors: Mayor; Chu, Chiu, Cohen and Mirkarimi
Resolution approving a Joint Powers Agreement establishing the Bay Area Regional Interoperable Communications System Authority and authorizing payment of membership fees.

Attachments: [Legislation Ver1](#)
[Comm Packet 051911](#)
[Board Packet 052411](#)

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, May 19, 2011, at 1:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 24, 2011.

24. [110595](#) [Campaign and Governmental Conduct Code - Convening the Redistricting Task Force and Amending the City's Conflict of Interest Code]

Sponsors: Chiu; Kim

Ordinance convening the Redistricting Task Force, pursuant to Charter Section 13.110(d), and amending the San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-397 to include the Redistricting Task Force in the City's Conflict of Interest Code.

Attachments: [Legislation Ver1](#)

[Comm Packet 051911](#)

[Board Packet 052411](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Land Use and Economic Development Committee at a Special Meeting on Tuesday, May 24, 2011, at 9:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, May 24, 2011.

25. [110300](#) **[Development Agreement - Parkmerced]**

Sponsor: Elsbernd

Ordinance approving a Development Agreement between the City and County of San Francisco and Parkmerced Investors, LLC, for certain real property located in the Lake Merced District of San Francisco, commonly referred to as Parkmerced, generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; making findings under the California Environmental Quality Act, findings of conformity with the City's General Plan and with the eight priority policies of Planning Code Section 101.1(b); and waiving certain provisions of Administrative Code Chapter 56. (Planning Department)

(Economic Impact.)

Attachments: [Legislation Ver1](#)

[Leg Digest Ver1](#)

[Comm Packet 051611](#)

[Comm Packet 052411](#)

[Board Packet 052411](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. [110301](#) **[Planning Code - Special Use District - Parkmerced]**

Sponsor: Elsbernd

Ordinance amending the San Francisco Planning Code by amending Sections 102.5 and 201 to include the Parkmerced Zoning Districts; adding Section 249.64 to establish the Parkmerced Special Use District; amending Planning Code Section 270 to refer to the Parkmerced Special Use District; and 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. (Planning Commission)

(Economic Impact.)

(Supervisor Mar dissented in committee.)

Attachments: [Legislation Ver1](#)

[Comm Packet 051611](#)

[Legislation Ver2](#)

[Leg Digest Ver2](#)

[Comm Packet 052411](#)

[Board Packet 052411](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. [110302](#) **[Planning Code - Zoning Map Amendments - Parkmerced]**
Sponsor: Elsbernd
Ordinance amending the San Francisco Planning Code by amending Sectional Maps ZN13, HT13, and SU13 of the Zoning Map of the City and County of San Francisco to reflect the Parkmerced 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. (Planning Commission)

(Economic Impact.)

Attachments: [Legislation Ver1](#)
[Comm Packet 051611](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Comm Packet 052411](#)
[Board Packet 052411](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. [110303](#) **[General Plan Amendment - Parkmerced]**
Sponsor: Elsbernd
Ordinance amending the San Francisco General Plan by amending the Urban Design Element Height Map with respect to the Parkmerced site; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

(Economic Impact.)

Attachments: [Legislation Ver1](#)
[Comm Packet 051611](#)
[Legislation Ver2](#)
[Leg Digest Ver2](#)
[Comm Packet 052411](#)
[Board Packet 052411](#)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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.

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.

Questions on the For Adoption Without Committee Reference Agenda are on for adoption, or approved, as indicated.

Items 29 through 35

29. [110668](#) **[Lyme Disease Awareness Month - May 2011]**
Sponsor: Kim
Resolution proclaiming May 2011 as Lyme Disease Awareness Month in the City and County of San Francisco.
Attachments: [Legislation Ver1](#)
[Board Packet 052411](#)

05/17/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. [110669](#) **[Opposing Taxi Fare Increase Without Improved Taxi Service]**
Sponsors: Wiener; Farrell and Cohen
Resolution opposing proposed taxi fare increase under consideration by the Municipal Transportation Agency in the absence of improved taxi service.

Attachments: [Legislation Ver1](#)
[Board Packet 052411](#)

05/17/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. [110425](#) **[Committee of the Whole - Report of Assessment Costs for Blighted Properties]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on a resolution approving a report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

Attachments: [Legislation Ver1](#)
[Board Packet 052411](#)

05/17/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

32. [110665](#) **[Committee of the Whole - Authorizing the Use of Real Property Located at 701 Lombard Street - Joe DiMaggio Playground Master Plan Project]**
Sponsor: Chiu
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on a resolution authorizing the use of real property located at 701 Lombard Street (Assessor's Block No. 0074, Lot No. 001) for purposes consistent with the Joe DiMaggio Playground/North Beach Library Master Plan Project; adopting environmental findings and findings of consistency with the General Plan and City Planning Code Section 101.1.

Attachments: [Legislation Ver1](#)
[Board Packet 052411](#)

05/17/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

33. [110670](#) [Suspending Board Rule 4.29 - Time of Public Hearing(s) on Appeal(s) on June 7, 2011]

Sponsor: Chiu

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) may be scheduled at any time during the Board meeting of June 7, 2011.

Attachments: [Legislation_Ver1](#)
[Board_Packet_052411](#)

05/17/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

34. [110672](#) [Committee of the Whole - Amending Zoning Designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01)]

Sponsor: Chiu

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 7, 2011, at 3:00 p.m., to hold a public hearing on an ordinance amending the San Francisco Zoning Map by amending the zoning designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01) from North Beach Neighborhood Commercial District and 40-X Height and Bulk District to "P" (Public) and "OS" (Open Space) Height and Bulk District for the new North Beach Public Library or other public use and for purposes of consistency with the adjacent Public and Open Space zoning designation of the Joe DiMaggio Playground; amending the Zoning Map to remove 701 Lombard Street from the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Attachments: [Legislation_Ver1](#)
[Board_Packet_052411](#)

05/17/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

35. [110679](#) [Final Map 5388 - 1840 Washington Street]

Motion approving Final Map 5388, a 26 Unit Residential Condominium Project, located at 1840 Washington Street being a subdivision of Lot 008 in Assessors Block No. 0599 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Attachments: [Legislation_Ver1](#)
[Board_Packet_052411](#)

05/17/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

36. 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 ORDINANCES

Proposed ordinances received from May 10, 2011, to May 16, 2011, for reference by President to appropriate committee on May 24, 2011.

110622 [Administrative Code - Allowing Paid Administrative Leave in Certain Circumstances]

Ordinance amending the San Francisco Administrative Code by adding Section 16.10 to allow the City and County of San Francisco to use time-limited paid administrative leave for its employees under certain circumstances. (Human Resources Department)

Attachments: [Legislation Ver1](#)

05/09/2011; ASSIGNED UNDER 30 DAY RULE to the Rules Committee.

110623 [Changing the Official Sidewalk Width - Brotherhood Way]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1588 to change the official sidewalk width on north side of Brotherhood Way west of Chumasero Drive; 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.

Attachments: [Legislation Ver1](#)

05/10/2011; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

110624**[General Plan Amendments - Executive Park Subarea Plan]**

Ordinance amending the San Francisco General Plan by amending the Executive Park Subarea Plan of the Bayview Hunters Point Area Plan, the Land Use Index and maps and figures in various elements and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)

Attachments: [Legislation_Ver1](#)

05/11/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110625**[Zoning - Establishment of the Executive Park Special Use District and Special Height and Bulk Provisions and Permit Review Procedures for the Special Use District]**

Ordinance amending the San Francisco Planning Code by adding Section 249.54 to establish the Executive Park Special Use District; adding Section 263.27 to establish Special Height Provisions for the Executive Park Special Use District and the 65/240 EP Height and Bulk District; amending Table 270 to provide that the Table is not applicable to the Executive Park Special Use District; and adding Section 309.2 to establish Permit Review Procedures in the Executive Park 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. (Planning Commission)

Attachments: [Legislation_Ver1](#)

05/11/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110626**[Zoning Map Amendments - Executive Park Subarea Plan Area]**

Ordinance amending the San Francisco Planning Code by amending Sectional Maps SU10 of the Zoning Map of the City and County of San Francisco to establish the Executive Park Special Use District; amending Sectional Map HT10 to establish the 65/240-EP Height and Bulk District; amending Sectional Map ZN09 to change certain Executive Park parcels from C-2(Community Business) and M-1(Light Industrial) to RC-3(Residential-Commercial Combined, Medium Density) ; 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. (Planning Commission)

Attachments: [Legislation_Ver1](#)

05/11/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110627**[General Plan Amendment - Community Safety Element]**

Ordinance amending the San Francisco General Plan by amending the Community Safety Element to reference the most recent Hazard Mitigation Plan; and making findings, including findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and environmental findings. (Planning Department)

Attachments: [Legislation_Ver1](#)

05/24/2011; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

110628 [Petitions and Communications]

Petitions and Communications received from May 10, 2011, through May 16, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 24, 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 Department of Human Resources, regarding various personnel matters in the San Francisco Police Department. Copy: Each Supervisor (1)

*From concerned citizens, submitting support for proposed ordinance amending the San Francisco Business and Tax Regulations Code, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation. File No. 110462, Approximately 50 letters (2)

From Danny Sullivan, submitting opposition to proposed ordinance amending the San Francisco Business and Tax Regulations Code, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation. File No. 110462 (3)

From Office of the Controller, submitting the FY2010-2011 Nine-Month Status Report. (4)

*From Department of Elections, submitting a memorandum regarding the results of the 2010 Census Data. Copy: Each Supervisor (5)

From Department of Public Health, submitting request for waiver of Administrative Code Section 12B for Safeway. (6)

From concerned citizens, urging the Board of Supervisors to take action to restore the wetlands at Sharp Park Golf Course. 12 letters (7)

From Office of Civic Engagement and Immigrant Affairs, submitting notice of an upcoming naturalization information workshop for City residents. (8)

From Clerk of the Board, the following individual has submitted a Form 700 Statement: Joseph Smooke, Legislative Aide - Assuming (9)

From Jeanie Scott, submitting support for the proposed Parkmerced Project. File No. 110206, Copy: Each Supervisor (10)

From Michael Russom, submitting opposition to the proposed Parkmerced Project. File No. 110206 (11)

From concerned citizens, urging the Mayor and Board of Supervisors to eliminate the \$2,000,000 in service fees charged to City College. 13 letters (12)

From Sandy Weil, urging the Board of Supervisors to rescind their vote on the Stow Lake Boathouse Concession Lease. File No. 101416 (13)

*From concerned citizens, regarding the sidewalk sitting ban. Approximately 30 letters (14)

From Roger Kat, regarding the possible closure of the Haight Street Food Pantry. (15)

From Office of the Mayor, submitting the appointment of Johanna Wald to the Commission on the Environment. Copy: Rules Committee Clerk (16)

From Doug Buckwald, urging the Board of Supervisors to reconsider the appointment of Joel Ramos to the MTA. File No. 110294, Copy: Each Supervisor (17)

From Ivan Pratt, regarding senior citizens learning martial arts for self defense. (18)

From concerned citizens, submitting support for motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 2004 and 2009 Housing Elements. File No. 110454, 4 letters (19)

From Susan Vaughan, regarding transit oriented development in San Francisco. (20)

From Charles Pitts, submitting opposition to the three candidates appointed to the Local Homeless Coordinating Board. (21)

From San Francisco County Civil Grand Jury, submitting the Parkmerced Vision: Government-By-Developer Report. Copy: Each Supervisor, Government Audit and Oversight Committee Clerk (22)

From Office of the Controller, submitting the February 2011 Economic Barometer Report. (23)

(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