

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - FINAL

Tuesday, April 26, 2011 - 2:00 PM

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

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN
ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Meeting Days

Budget and Finance Committee

Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu

Wednesday

1:00 PM

Budget and Finance Sub-Committee

Supervisors Chu, Mirkarimi, Kim

Wednesday

10:00 AM

City and School District Select Committee

Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton

2nd and 4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Avalos, Mar, Elsbernd

2nd and 4th Monday

10:00 AM

Government Audit and Oversight Committee

Supervisors Campos, Farrell, Chiu

2nd and 4th Thursday

10:00 AM

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

Public Safety Committee

Supervisors Mirkarimi, Cohen, Campos

1st and 3rd Thursday

10:30 AM

Rules Committee

Supervisors Kim, Elsbernd, Farrell

1st and 3rd Thursday

1:30 PM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of March 22, 2011. The motion carried by the following vote:

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

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

110409 [Accept and Expend Grant - GreenFinanceSF - \$372,600]

Sponsor: Mar

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$372,600 from the California Energy Commission's State Energy Program through Ecology Action to support GreenFinanceSF.

Resolution No. 181-11

ADOPTED

110153 [Administrative Code - Residential Rent Ordinance - Temporary Good Samaritan Occupancy/Reduced Rent After Emergency Tenant Dislocation, Just Cause Eviction or Higher Rent at End of Period]

Sponsors: Wiener; Farrell and Chiu

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

Ordinance No. 72-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

110410 [Opposing the Golden Gate National Recreation Area's Currently Proposed Draft Off-Leash Policy and Supporting the On-Going Dialogue between GGNRA and San Francisco]

Sponsors: Wiener; Avalos

Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's preferred alternatives for dog management.

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

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

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

Noes: 1 - Elsbernd

Resolution putting the San Francisco Board of Supervisors on record as opposing the Golden Gate National Recreation Area's currently proposed preferred alternatives for dog management and supporting the on-going dialogue between GGNRA and San Francisco to achieve an improved plan.

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

Ayes: 2 - Elsbernd, Mirkarimi

Noes: 9 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener

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

The question PASSED as divided by the following vote:

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

Resolution No. 183-11

ADOPTED AS AMENDED by the following vote:

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

Noes: 1 - Elsbernd

NEW BUSINESS

Recommendation of the Budget and Finance Sub-Committee

110339 [Lease Renewal - 1449 Webster Street]

Sponsor: Mirkarimi

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

Resolution No. 178-11

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

110222 [Public Works Code - Declaring Illegal Dumping on Public Property a Nuisance, and Providing a Mechanism for Abating and Enforcing that Nuisance]

Sponsors: Cohen; Chu, Avalos, Campos and Mar

Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1505 to: 1) declare the illegal dumping of debris and waste construction materials or industrial materials, or of more than 100 pounds of any other waste, refuse, or debris, on public property to be a public nuisance; 2) authorize enforcement by the City Attorney in a civil action; and 3) permit the City and County of San Francisco to collect civil penalties, costs of abatement, investigation, and attorneys' fees against the individuals or entities responsible for the dumping; and making environmental findings.

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

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

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

110280 [Public Works Code, Police Code - Posting of Signs on City Property, Increasing Penalty, and Enforcement]

Sponsors: Mirkarimi; Wiener and Mar

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

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

PASSED, ON FIRST READING by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110404 [Public Hearing - Redevelopment Right-of-Way Improvements - Arelious Walker Drive Stairway]

Sponsor: Cohen

Hearing of persons interested in or objecting to proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

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

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

110405 [Arelious Walker Drive Stairway Improvements]

Sponsor: Cohen

Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds in an amount not to exceed \$61,500 for contract administration, construction bid management, and project closeout for City owned public right-of-way improvements for the Arelious Walker Drive Stairway in the Bayview Hunters Point Redevelopment Project Area.

Resolution No. 179-11

ADOPTED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110407 [Public Hearing - Redevelopment Improvements - Bayview Opera House and Plaza]

Sponsor: Cohen

Hearing of persons interested in or objecting to proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

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

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

110408 [Redevelopment Improvements to the Bayview Opera House and Plaza]

Sponsor: Cohen

Resolution making certain findings pursuant to Health and Safety Code Section 33445 and consenting to the Redevelopment Agency of the City and County of San Francisco's use of tax increment funds to provide: 1) a \$400,000 grant to the San Francisco Arts Commission for structural, seismic and disabled-accessibility renovations to the Bayview Opera House; and 2) a \$785,000 grant to the San Francisco Municipal Transportation Agency for Plaza improvements to the Bayview Opera House; in the Bayview Hunters Point Redevelopment Project Area.

Resolution No. 182-11

ADOPTED by the following vote:

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

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

Privilege of the Floor

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

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

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

SPECIAL ORDER 4:00 P.M.

110344 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - AT&T Network "Lightspeed" Upgrade]

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

(Filed March 14, 2011; Companion Measure to File Nos. 110345, 110346, and 110347.)

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

HEARD AT PUBLIC HEARING

110345 [Affirming the Exemption Determination - AT&T Network "Lightspeed" Upgrade]

Motion affirming the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

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

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

Noes: 1 - Elsbernd

110346 [Reversing the Exemption Determination - AT&T Network "Lightspeed" Upgrade]

Motion reversing the determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

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

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

Noes: 1 - Elsbernd

110347 [Preparation of Findings to Reverse the Exemption Determination - AT&T Network "Lightspeed" Upgrade]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the AT&T Network "Lightspeed" Upgrade project is exempt from environmental review.

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

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

Noes: 1 - Elsbernd

COMMITTEE REPORTS

Recommendations of the Rules Committee

Supervisor Campos Excused from Voting

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

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

Excused: 1 - Campos

110276 [Appointment, Metropolitan Transportation Commission - Supervisor David Campos]

Motion appointing Supervisor David Campos, term ending February 10, 2015, to the Metropolitan Transportation Commission. (Clerk of the Board)

Motion No. M11-60

APPROVED by the following vote:

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

Excused: 1 - Campos

110394 [Confirming Reappointment, Municipal Transportation Agency Board of Directors - Jerry Lee]

Sponsor: Mayor

Motion confirming the reappointment of Jerry Lee, term ending March 1, 2015, to the Municipal Transportation Agency Board of Directors.

Motion No. M11-61

APPROVED by the following vote:

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

Recommendation of the City Operations and Neighborhood Services Committee**110434 [Public Works Code - Waiver of Certain Temporary Street Space Occupancy Fees]**
Sponsor: Avalos

Ordinance waiving the San Francisco Public Works Code Section 724.1(b), which imposes temporary street space occupancy fees, on Saturday, May 7, 2011, and Saturday, May 21, 2011, for certain streets in San Francisco, as part of Small Business Week Sidewalk Sales.

PASSED, ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

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

Male Speaker; expressed various religious concerns.

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

Male Speaker; expressed concerns relating to EIR and timeframes.

Ace Washington; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**110466 [Supporting the Creation of the Health Information Exchange]****Sponsors: Chiu; Campos**

Resolution supporting the creation of the Health Information Exchange in the City and County of San Francisco.

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

Resolution No. 184-11**ADOPTED****110467 [Accept and Expend Grant - Jefferson Street Redesign - \$65,000]****Sponsor: Chiu**

Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of \$65,000 from the Association of Bay Area Governments for the period April 1, 2011, through January 1, 2012, in order to complete 30% design documents for the redesign of Jefferson Street from Powell Street to Hyde Street.

Resolution No. 180-11**ADOPTED****110469 [Building Safety Month - May 2011]****Sponsor: Wiener**

Resolution proclaiming May 2011 as "Building Safety Month" in the City and County of San Francisco.

Resolution No. 185-11**ADOPTED**

The foregoing items were acted upon by the following vote:

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

Severed from the For Adoption Without Committee Reference Agenda

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

110468 [Supporting SB 729 - California Homeowner Protection Act]

Sponsors: Mirkarimi; Cohen and Campos

Resolution supporting Senate Bill 729, "The California Homeowner Protection Act."

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

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to May 2, 2011. The motion carried by the following vote:

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

Supervisor Campos, seconded by Supervisor Mar, moved to rescind the previous vote. The motion carried by the following vote:

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

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

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

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor****Ordinances****110501 [Park Code - Japanese Tea Garden Fees]**

Sponsor: Avalos

Ordinance amending the San Francisco Park Code, Article 12, Section 12.05, to eliminate the admission fees for San Francisco residents at the Japanese Tea Garden and making environmental findings.

04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

110502 [Administrative Code - Timeline for Capital Expenditure Plan]**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code, Sections 3.20 and 3.21, to provide that the ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors on a biennial basis and that the Mayor and the Board of Supervisors shall review, update, amend, and adopt such plan by resolution on a biennial basis.

04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

110503 [Administrative Code - Regulating Overtime Available for City Employees]**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code, Section 18.13.1, to limit the overtime worked in any fiscal year by any employee to 20% of regularly scheduled hours and requiring monthly written reports regarding critical staffing shortages.

04/26/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/26/2011.

110506 [Planning Code, Police Code, Business and Tax Regulations Code - Limited Live Performance Permits]**Sponsors: Mirkarimi; Wiener, Mar and Campos**

Ordinance amending Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.18, 1060.19, 1060.20.4, 1060.24, and 1060.35 of the San Francisco Police Code; adding Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1 to the Police Code; amending Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37 of the San Francisco Planning Code; and amending Section 8 of the San Francisco Business and Tax Regulations Code, to create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; specifying application and license fees and hearing requirements for said permit; and making findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

04/26/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/26/2011. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission and Youth Commission for review and recommendation; and Entertainment Commission and Police Department for information.

110507 [Appropriating Surplus Revenues and Expenditures and General Fund Reserve to Support Shortfalls in the Department of Public Health for FY2010-2011 - \$29,494,813]**Sponsor: Mayor**

Ordinance appropriating \$31,055,000, including \$8,104,000 of General Fund Reserve, \$14,851,000 of surplus Laguna Honda Hospital revenues, \$1,925,000 of Surplus San Francisco General Hospital revenues, de-appropriating \$6,175,000 of non-hospital operations expenditures at San Francisco General Hospital to fund cost overruns in the Department of Public Health including \$20,334,000 at San Francisco General Hospital and \$10,721,000 at Laguna Honda Hospital for FY2010-2011.

(Fiscal Impact.)

04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110023 [Campaign and Governmental Conduct Code - Allowing a Former Appointed Mayor to Obtain City Employment]**Sponsors: Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow an appointed former Mayor to obtain full-time City employment within one year after leaving office.

01/11/11; RECEIVED AND ASSIGNED to Rules Committee.

04/26/11; SUBSTITUTED AND ASSIGNED to Rules Committee.

110336 [Appropriating General Fund for Loans Supporting Women's and LGBT Health Services in FY2010-2011 - \$150,000]**Sponsors: Mirkarimi; Campos and Wiener**

Ordinance appropriating \$150,000 from General Fund Reserve to the Department of Public Health for loans to support Women's and LGBT Health Services in FY2010-2011.

03/29/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

04/26/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

110462 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Stock-Based Compensation]**Sponsor: Farrell**

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation and amending Section 902.1 to exclude stock options from the definition of Payroll Expense. (Fiscal Impact.)

04/19/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/19/2011.

04/26/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Sub-Committee.

Resolutions**110508 [Accept and Expend Grant - Homeland Security Grant Program - \$2,094,667]****Sponsor: Chiu**

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a Homeland Security Grant Program Grant in the amount of \$2,094,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, for disaster planning.

04/26/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110509 [Accept and Expend Grant - Medical Examiner Accreditation Support - \$116,589]**Sponsor: Chu**

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$116,589 from the Paul Coverdell Forensic Science Improvement Grants Program of the California Emergency Management Association for accreditation support.

04/26/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110512 [Purchase and Sale Agreement - Redevelopment Agency for the Revitalization of the Alice Griffith Public Housing Site - East Side of Arelious Walker Drive at Gilman Avenue]

Sponsor: Cohen

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to sell land on the east side of Arelious Walker Drive, at Gilman Avenue, adjacent to the Alice Griffith Public Housing Site, Assessor's Block No. 4884, Lot No. 27, to McCormack Baron Salazar, Inc., a Missouri corporation, for the sole purpose of performing predevelopment and development work at the property for the revitalization of the Alice Griffith Public Housing Site, a HOPE SF development program that will provide one-for-one replacement of all Alice Griffith public housing units within a larger mixed-income community.

04/26/11; ASSIGNED to Board of Supervisors.

110513 [Ground Lease - Redevelopment Agency - Carroll Street Senior Community - 5800 Third Street]

Sponsor: Cohen

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 5800 Third Street, Lot No. 3, northwest corner of the larger 5800 Third Street site, Assessor's Block No. 5431A, Lot No. 042 with Bayview Supportive Housing, LLC, a California limited liability company, for a term of 55 years for the purpose of developing housing for very low-income senior households.

04/26/11; ASSIGNED to Board of Supervisors.

110516 [Ground Lease - Redevelopment Agency Land - 1075 LeConte Avenue, Commonly Known as 6600 Third Street]

Sponsor: Cohen

Resolution approving and authorizing the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1075 Le Conte Avenue, Assessor's Block No. 009, Lot No. 5476, commonly known as 6600 Third Street with Third and LeConte Associates, LP, a California limited partnership, for a term of 70 years for the purpose of developing housing for formerly homeless individuals and families.

04/26/11; ASSIGNED to Board of Supervisors.

110517 [Treasure Island Transportation Implementation Plan]

Sponsor: Mayor

Resolution approving the Treasure Island Transportation Implementation Plan.

04/26/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110518 [Accept and Expend Grant - Cesar Chavez Sewer System Improvement - \$669,000]

Sponsor: Cohen

Resolution authorizing the Public Utilities Commission to accept and expend a grant administered by the U.S. Environmental Protection Agency in the amount of \$669,000 for the Cesar Chavez Sewer System Improvement Project.

04/26/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110519 [Accept and Expend Grant - Brown Grease Recovery and Biofuel Demonstration Project - \$951,500]**Sponsor: Mar**

Resolution authorizing the Public Utilities Commission to retroactively accept and expend a grant administered by the U.S. Department of Energy in the amount of \$951,500 to conduct a brown grease recovery and biofuel demonstration project.

04/26/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110520 [Accept and Expend Grant - Electric Vehicle Infrastructure - \$100,000]**Sponsors: Mayor; Mar**

Resolution authorizing the San Francisco Department of the Environment to accept and expend a grant of \$100,000 from the Bay Area Air Quality Management District to contribute to the cost of installing 60 publicly available electric vehicle chargers.

04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110521 [Perinatal Depression Awareness Month - May]**Sponsor: Chu**

Resolution declaring every May as Perinatal Depression Awareness Month in the City and County of San Francisco and encouraging improvements in the screening and treatment of perinatal depression.

04/26/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions**110522 [Closed Session - Parkmerced Development Project]****Sponsor: Elsbernd**

Motion that Board of Supervisors convene in closed session on May 3, 2011, with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding threatened litigation, potentially arising out of the proposed Parkmerced Development Project, where City may be either defendant or plaintiff in at least one case in either instance.

This closed session is permitted by Government Code Section 54956.9(b), and Administrative Code Section 67.10(d)(2).

04/26/11; RECEIVED AND ASSIGNED to Board of Supervisors.

110523 [Adding Board Rule 5.9 to Create a Joint City and City College of San Francisco Select Committee]**Sponsor: Mirkarimi**

Motion amending the Rules of Order of the Board of Supervisors to add Rule 5.9, which creates a Joint City and City College of San Francisco Select Committee.

04/26/11; RECEIVED AND ASSIGNED to Rules Committee.

110422 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 10, 2011, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

04/20/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing**110504 [Hearing - Relocation for Board Meetings and Legislative Chamber Connectivity]**

Hearing to determine relocation of the Board of Supervisors meetings during the Legislative Chamber modification and the Chamber computer connectivity for Board Members. (Clerk of the Board)

04/26/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110524 [Hearing - Performance Audit of Advertising Policies]

Sponsor: Campos

Hearing on the Performance Audit of the City's advertising policies and practices conducted by the Budget and Legislative Analyst.

04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110525 [Hearing - Crisis of Wage Theft]

Sponsors: Campos; Mar

Hearing on how the City and County of San Francisco is working to address the crisis of wage theft.

04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110526 [Hearing - Audit Work Plan for 2011]

Sponsor: Campos

Hearing on the Budget and Legislative Analyst's Audit Work Plan for 2011.

04/26/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110527 [Hearing - A-G Course Requirements for High Schools]

Sponsor: Chu

Hearing on the implementation of A-G course requirements in San Francisco Unified School District high schools.

04/26/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by the President at the Request of a Department**PROPOSED ORDINANCE****110481 [Settlement of Lawsuit - Da Ren Kuang, et al. - \$1,556,000]**

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

04/12/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**110478 [Approval of Expenditure Plan for the Human Services Care Fund for FY2011-2012]**

Resolution approving the FY2011-2012 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

04/20/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110479 [Approval of Modification No. 1 of Lease and Use Agreement - Emirates at San Francisco International Airport]

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L-10-0084 with Emirates for lounge space in the International Terminal, Boarding Area A, of San Francisco International Airport. (Airport Commission)

04/11/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110480 [Settlement of Unlitigated Claim - Alain Jimenez - \$105,000]

Resolution approving the settlement of the unlitigated claim filed by Alain Jimenez against the City and County of San Francisco for \$105,000; claim was filed on June 11, 2010. (City Attorney)

04/12/11; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Chiu

To: Director, Department of Technology

To: Director, Planning Department

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

From: Supervisor Chiu

To: Director, Department of Technology

Requesting/Inquiring: Requesting the Department of Technology to provide analysis of possible revenue from leasing unused City and County fiber-optic network capacity.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Potholes

1639 Fulton

Northern crosswalk at intersection of Masonic and Fulton

1704 Broderick

1742 Broderick

1760 Broderick

Northbound 1200 and 1300 blocks of 19th Ave.

1379 10th Ave.

1362 3rd Ave.

Sidewalk Dumping

1725 Fulton

Approximately 710 Grove

Dangerous Sidewalks

1640 Eddy

1652 Eddy

Approximately 1565 Turk

Blight

1592 Golden Gate

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes

Approximately 1136 Oak

Northwest corner of Grove and Webster

Northwest corner of McAllister and Webster

Southwest corner of Turk and Steiner

Northwest corner of Scott and Ellis

Northeast corner of Post and Broderick

Southeast corner of Bush and Broderick

1639 Fulton

Emergency Boxes

*Northeast corner of Steiner and O'Farrell
Southeast corner of Baker and Sutter*

Parking and Traffic Signs

2779 Bush

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

Residential and Commercial Buildings

279 Hickory

925 Pierce, on Golden Gate

1511 Golden Gate

1570 Golden Gate

1040 Fillmore

1075 Fillmore

1101 Oak

1594 Golden Gate, on front and on Elm

Approximately 50 Garden

Northwest corner of Post and Broderick

1550 Steiner

1689 Fulton, all sides

1751 Fulton

649 Central

Planter Boxes

1195 Oak

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans

Southwest corner of Patricia's Green

Approximately 1170 Divisadero

Mailboxes

2299 Post

2215 Post

Northeast Corner of Baker and Post

Southwest Corner of Fillmore and Golden Gate

Northwest corner of Webster and Fulton

Street Walls and Overpasses

Northeast corner of Hayes and Laguna

Approximately 1560 Golden Gate

Approximately 1980 Geary

Parking Lots

Approximately 30 Garden

*Public Benches
Picnic table towards rear (Southside) of Bush St. Mini-Park*

Fire Hydrants

1350 Fell

1153 Oak

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian

Northwest and Southwest corners of Fillmore and Post

Southwest corner of Divisadero and Sutter

347 Judah

Southwest corner of Geary and Divisadero

Northwest corner of Hayes and Laguna

7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore

Northwest corner of Baker and Fulton

Southeast corner of Masonic and Fulton

1750 Fulton

1377 Fell

Southeast corner of Fillmore and Haight

San Francisco Chronicle

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

1195 Oak

1750 Fulton

Irving and 7th Avenue

Southeast corner of Geary and Divisadero

Southeast corner of Masonic and Hayes

Northwest corner of Hayes and Laguna

Southwest corner of Haight and Clayton

Southeast corner of Haight and Masonic

Examiner

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

1195 Oak

1750 Fulton

1377 Fell

Southwest corner of Geary and Divisadero

SF Weekly

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

Southeast corner of Page and Laguna

Southeast corner of Masonic and Hayes

1750 Fulton

1195 Oak

Advertiser

Southwest corner of Geary and Divisadero

1377 Fell

Jobs and Careers

*Southwest corner of Geary and Divisadero
Southeast corner of Masonic and Fulton*

Real Estate Times

Southeast corner of Masonic and Fulton

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles

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

Wood Poles

*Northwest corner of Elm and Pierce
Approximately 20 Garden
Approximately 80 Garden*

Concrete Poles

*733 Webster
1335 Fell*

In Memoriam

Sandra Rovetti – Supervisor Campos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:47 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 7, 2011.

Angela Calvillo, Clerk of the Board