



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, June 14, 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, Commissioners 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 May 3, 2011, Board Meeting Minutes.

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. 110711 [Formal Policy Discussions - June 14, 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. Affordable Housing for all San Franciscans is an issue of paramount importance. Efforts have been made by involved community residents to address the specific overwhelming housing needs of underserved populations, such as youth aging out of the foster care system, or seniors struggling to age in place. In the past, there has been a pattern of affordable housing development being built where land is less expensive. What ideas or policy proposals do you have to build or finance housing that is affordable in areas where real estate values are higher but the need is present, such as my district, the Richmond? What specific programs do you envision your administration could explore to provide housing for underserved populations but also for all who need it, like families in the Richmond? (Supervisor Mar, District 1)

2. The Municipal Transportation Agency (MTA) has experienced significant challenges so far in 2011, from ongoing budget shortfalls, Muni service problems, and negotiating a new labor contract with Muni Operators. The MTA also faces continued obstacles to implementing the voters' vision of one organization managing Muni, bicycles, pedestrians, taxis, and private vehicles in San Francisco. Please describe your perspective on the Agency's major challenges for the rest of this year. (Supervisor Chiu, District 3)

3. San Francisco and other local governments have struggled and are continuing to struggle to find legislative approaches to help people at risk of foreclosure to stay in their homes. Meanwhile, State and Federal initiatives to protect homeowners have gained little traction. Is your office developing any proposals that might help address this issue and assist the residents of the City and County of San Francisco? (Supervisor Mirkarimi, District 5)

4. On June 7, 2011, Blue Shield of California announced that it would cap profits at 2% of revenue and allocate excess profits back to policyholders as rebates. As a large Blue Shield policyholder, the City and County of San Francisco will likely receive a substantial rebate. How large do you expect this rebate to be, and would you commit to allocating this one-time revenue to the Retiree Health Care Trust Fund? (Supervisor Elsbernd, District 7)

5. On June 8, 2011, I wrote a letter to Health Director Barbara Garcia expressing my concern that the "City Ask" to California Pacific Medical Center (CPMC) is not adequately targeted to ensure the long term financial viability of St. Luke's Hospital. Will you support my request that CPMC ensure the long term financial viability of St. Lukes by locating a specialty service, like orthopedics, primarily at the St. Luke's campus in order to attract insured patients and change the payer mix at the hospital? (Supervisor Campos, District 9)

6. Department of Public Work's commercial corridor program has suffered from a lack of resources and the quality and quantity of service on our neighborhood commercial corridors is less robust. As a result, the Mission Street commercial district in the Excelsior, like many other busy corridors in our neighborhoods, is experiencing a surge in litter and graffiti. What are your plans to address neighborhood concerns despite limited resources in our budget? (Supervisor Avalos, District 11)

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

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 2 through 12

Recommendation of the Budget and Finance Committee

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

- 2. **110579 [Administrative Code - Water Enterprise Environmental Enhancement Surcharge Fund]**
Sponsor: Mayor
 Ordinance amending the San Francisco Administrative Code, Chapter 10, Article XIII, to create the Public Utilities Water Enterprise Environmental Enhancement Surcharge Fund.

 06/07/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Avalos, Mar

- 3. **110334 [Transportation Code - Limits for Parking at Inoperable/Broken Meters]**
 Ordinance amending San Francisco Transportation Code, Division I, by amending Section 7.2.30 to establish a two hour maximum time limit for parking at inoperable or broken parking meters for on-street parking, and adding Section 7.2.65 to establish a two hour maximum time limit for parking at inoperable or broken parking meters for off-street parking. (Municipal Transportation Agency)

 06/07/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Campos, Farrell, Chiu

- 4. **110463** **[Memorandum of Understanding - Committee of Interns and Residents]**
 Sponsor: Mayor
 Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents effective July 1, 2011, through June 30, 2014.

06/07/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Campos

- 5. **110659** **[Accept and Expend Grant - Port Security Grant Program - \$155,370]**
 Sponsor: Cohen
 Resolution authorizing the Police Department to retroactively accept and expend \$155,370 of FY2007 Supplemental Port Security Grant Program Funds (Grant No. 2007-T7-K274) from the Federal Emergency Management Agency.

Question: Shall this Resolution be ADOPTED?

- 6. **110660** **[Accept and Expend Grant - Port Security Grant Program - \$1,863,920]**
 Sponsor: Cohen
 Resolution authorizing the Police Department to retroactively accept and expend \$1,863,920 of FY2010 Port Security Grant Program Funds (Grant No. 2010-PU-K050) from the Federal Emergency Management Agency.

Question: Shall this Resolution be ADOPTED?

- 7. **110661** **[Accept and Expend Grant - Port Security Grant Program - \$458,000]**
 Sponsor: Cohen
 Resolution authorizing the Police Department to retroactively accept and expend \$458,000 of FY2008 Port Security Grant Program Funds (Grant No. 2008-GB-T8-K063) from the Federal Emergency Management Agency.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Kim, Farrell

8. 110435 [Business and Tax Regulations Code - Citizen's Advisory Committee - Central Market Street and Tenderloin Area]

Sponsors: Kim; Chiu

Ordinance amending the San Francisco Business and Tax Regulations Code, Article 12-A, by adding Section 906.3-1 to establish a Citizen's Advisory Committee for the Central Market Street and Tenderloin Area.

06/07/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Kim, Elsbernd, Farrell

9. 110585 [Appointments, Children and Families First Commission - Linda Asato, Suzanne Giraud, and Lynn Merz]

Motion appointing Linda Asato, Suzanne Giraud, and Lynn Merz, terms ending April 29, 2015, to the Children and Families First Commission, residency requirement waived. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

10. 110698 [Appointment, Public Utilities Revenue Bond Oversight Committee - Larry Liederman]

Motion appointing Larry Liederman, term ending November 12, 2013, to the Public Utilities Revenue Bond Oversight Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

11. 110699 [Appointments, Commission of Animal Control and Welfare - Philip Gerrie, Pam Hemphill, Sally Stephens, and Ryan Young]

Motion appointing Philip Gerrie, Pam Hemphill, Sally Stephens, and Ryan Young, terms ending April 30, 2013, to the Commission of Animal Control and Welfare. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

From the Board

12. 110312 **[Zoning Map Amendment - 701 Lombard Street]**
Sponsors: Chiu; Mayor
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 and 2000 Mason Street (Assessor's Block No. 75, Lot No. 01) from the Telegraph Hill - North Beach Residential Special Use District and to remove 701 Lombard Street from 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.
- 06/07/2011; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendations of the Budget and Finance Sub-Committee**

Present: Supervisors Chu, Mirkarimi, Kim

13. 110561 **[Accept and Expend - Emergency Shelter Grants Program - \$1,377,445]**
Sponsors: Mayor; Cohen
Resolution approving the FY2011-2012 Emergency Shelter Grants (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 Emergency Shelter Grants Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$1,253,445 and to expend Reprogrammed Funds in the amount of \$124,000.
- 05/17/2011; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**

**14. 110562 [Accept and Expend - Community Development Block Grant - \$20,549,988]
Sponsors: Mayor; Cohen**

Resolution approving the FY2011-2012 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$18,583,517 and to expend Program Income and Reprogrammed Funds in the amount of \$1,966,471.

05/17/2011; CONTINUED.

Question: Shall this Resolution be ADOPTED?

**15. 110563 [Accept and Expend Grant - HOME Program - \$8,006,727]
Sponsors: Mayor; Cohen**

Resolution approving the FY2011-2012 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2011-2012 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$7,576,727, and to expend Program Income in the amount of \$430,000.

05/17/2011; CONTINUED.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Budget and Finance Committee

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

**16. 110554 [Water Revenue Bond Issuance - Not to Exceed \$49,100,000]
Sponsor: Chu**

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission in an amount not to exceed \$49,100,000 to finance improvements to the CUW260 Water Main, the Commission's Hetch Hetchy Water and Power System and the Treasure Island Project, pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

06/07/2011; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations 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)
- 05/24/2011; CONTINUED ON FIRST READING.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
18. 110228 **[General Plan Amendments - Treasure Island/Yerba Buena Island Development Project]**
Sponsor: Mayor
Ordinance amending the San Francisco General Plan by amending the Commerce and Industry Element, Community Facilities Element, Housing Element, Recreation and Open Space Element, Transportation Element, Urban Design Element, and Land Use Index, maps and figures in various elements, and by adopting and adding the Treasure Island/Yerba Buena Island Area Plan, in order to facilitate the development of Treasure Island/Yerba Buena Island as endorsed by the Board of Supervisors and the Mayor in 2006 and updated in 2010, and envisioned in the Treasure Island/Yerba Buena Island Development Agreement, adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.
- (Economic Impact.)
- 05/17/2011; CONTINUED ON FIRST READING.
06/07/2011; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
19. 110229 **[Planning Code - Zoning - Treasure Island/Yerba Buena Island - Special Use District]**
Sponsor: Mayor
Ordinance amending the San Francisco Planning Code by amending Sections 102.5 and 201 to include the Treasure Island/Yerba Buena Island districts; amending Section 105 relating to height and bulk limits for Treasure Island/Yerba Buena Island; adding Section 249.52 to establish the Treasure Island/Yerba Buena Island Special Use District; adding Section 263.26 to establish the Treasure Island/Yerba Buena Island Height and Bulk District; amending the bulk limits table associated with Section 270 to refer to the Treasure Island/Yerba Buena Island Height and Bulk District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.
- 05/17/2011; CONTINUED ON FIRST READING.
06/07/2011; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
06/07/2011; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

20. 110227 [Zoning Map Amendment - Treasure Island/Yerba Buena Island Development Project]

Sponsor: Mayor

Ordinance amending the Zoning Map of the City and County of San Francisco by adding new Sectional Map ZN14 to show the zoning designations of Treasure Island/Yerba Buena Island; adding new Sectional Map HT14 to establish the Height and Bulk District for Treasure Island/Yerba Buena Island; adding new Sectional Map SU14 to establish the Treasure Island/Yerba Buena Island Special Use District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

(Economic Impact.)

05/17/2011; CONTINUED ON FIRST READING.

06/07/2011; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

06/07/2011; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

21. 110230 [Subdivision Code - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Ordinance amending the San Francisco Subdivision Code to add Division 4 pertaining to the subdivision process applicable to development within the Treasure Island/Yerba Buena Island Project Site described in the Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, relative to Naval Station Treasure Island, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.

(Economic Impact.)

05/17/2011; CONTINUED ON FIRST READING.

06/07/2011; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use and Economic Development Committee and the Budget and Finance Sub-Committee Without Recommendation

*Present: Supervisors Mar, Cohen, Wiener
Present: Supervisors Chu, Mirkarimi, Kim*

**22. 110226 [Development Agreement - Treasure Island/Yerba Buena Island]
Sponsor: Mayor**

Ordinance approving a Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, for certain real property located within Treasure Island/Yerba Buena Island; exempting certain sections of Administrative Code Chapter 6, Chapter 14B and Chapter 56; and adopting findings, including findings under the California Environmental Quality Act, findings of consistency with the City's General Plan and with the Eight Priority Policies of Planning Code Section 101.1(b), and findings relating to the formation of infrastructure financing districts.

(Fiscal Impact, Economic Impact.)

05/17/2011; RE-REFERRED to the Land Use and Economic Development Committee.

06/07/2011; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Mar, Cohen, Wiener

23. 110316 [Street Vacation Order - Joe DiMaggio Playground Master Plan - Mason Street]

Sponsors: Mayor; Chiu

Ordinance ordering the vacation of the one block portion of Mason Street between Lombard Street and Columbus Avenue for purposes of the North Beach Public Library and Joe DiMaggio Playground Master Plan, subject to certain conditions; accepting a Department of Public Works work order; approving an interdepartmental transfer of the area to be vacated from the Department of Public Works to the Recreation and Park Department at the time the vacation is final and effective; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

06/07/2011; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Kim, Farrell

- 24. 110335 [Campaign and Governmental Conduct Code - Gift Restrictions]**
Sponsor: Cohen
Ordinance amending the San Francisco Campaign and Governmental Conduct Code, Section 3.216 to: 1) prohibit loans from restricted sources and subordinates; and 2) modify the reporting requirements for elected officials receiving gifts of travel.

06/07/2011; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Mar, Cohen, Wiener

- 25. 101350 [Planning Code - Zoning - Parking in South of Market and Mission Bay Districts]**
Sponsor: Kim
Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 155, 161, 249.1, and 249.23 to: 1) remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts; 2) require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking; and 3) adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 26. 110530 [Changing the Official Sidewalk Width - Harrison Street]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1589 to change the official sidewalk width on south side of Harrison Street between Fremont and Beale Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Mar, Cohen, Wiener

- 27. 110658 [Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]**
Sponsors: Mirkarimi; Mar and Avalos
Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 55-X; and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 28. 110556 [Western SoMa Community Stabilization Policy]**
Sponsor: Kim
Resolution urging the Planning Commission to incorporate into the Western SoMa Community Plan the policies and objectives of the Western SoMa Community Stabilization Policy adopted by the Western SoMa Citizens Planning Task Force.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Kim, Elsbernd, Farrell

- 29. 110588 [Appointment, Police Commission - L. Julius Turman]**
Motion confirming the Rules Committee's nomination of, and appointing, L. Julius Turman, term ending April 30, 2015, to the Police Commission. (Clerk of the Board)

(Supervisor Kim dissented in Committee.)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 110143, approved on June 7, 2011.)

- 30. **110144 [Committee of the Whole - Elimination and/or Reduction of Health Care Services (Beilenson Hearing) FY2011-2012]**
 Hearing to consider the Department of Public Health's budget eliminating and/or reducing health care services to the indigent population provided by the City and County of San Francisco for FY2011-2012.

Question: Shall this Hearing be HEARD AT PUBLIC HEARING?

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.

- 31. **110675 [Public Hearing - Appeal of Certification of a Final Environmental Impact Report - Booker T. Washington Community Center - 800 Presidio Avenue - Mixed-Use Project]**
 Hearing of persons interested in or objecting to the decision of the Planning Commission's April 28, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2006.0868E, through its Motion No. 18340, for the proposed Booker T. Washington Community Center Mixed-Use Project located at 800 Presidio Avenue. (District 2) (Appellant: Stephen Williams).

(Filed May 18, 2011; Companion to File Nos. 110676, 110677, 110678.)

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.)

32. 110676 **[Affirming Certification of the Final Environmental Impact Report - 800 Presidio Avenue Mixed-Use Project]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 800 Presidio Avenue (Booker T. Washington Community Center) Mixed-Use Project.
Question: Shall this Motion be APPROVED?
33. 110677 **[Reversing Certification of the Final Environmental Impact Report - 800 Presidio Avenue Mixed-Use Project]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 800 Presidio Avenue (Booker T. Washington Community Center) Mixed-Use Project.
Question: Shall this Motion be APPROVED?
34. 110678 **[Preparation of Findings to Reverse Certification of the Final Environmental Impact Report - 800 Presidio Avenue Mixed-Use Project]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 800 Presidio (Booker T. Washington Community Center) Mixed-Use Project FEIR.
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 City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, June 13, 2011, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 14, 2011.

35. 110059 **[Cooperative Agreement - San Francisco Bay Area Rapid Transit District]**
Sponsor: Chiu
Resolution approving a Cooperative Agreement between the City and County of San Francisco and the San Francisco Bay Area Rapid Transit District (BART), through its Port Commission, authorizing BART to install, use, and maintain security barriers on and under the Ferry Plaza Platform, on the east side of the Ferry Building along the Embarcadero, for a term of 66 years, subject to BART's right to request an extension before the end of the 64th year of the term.
Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, June 13, 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, June 14, 2011.

36. 110662 [Multifamily Housing Revenue Note in an Amount Not to Exceed \$41,000,000 and Various Agreements - Hunters View]

Sponsor: Cohen

Resolution authorizing the execution and delivery of a multifamily housing revenue note, as defined herein, in an aggregate principal amount not to exceed \$41,000,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of a funding loan agreement providing the terms and conditions of the note; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a borrower loan agreement; ratifying and approving any action heretofore taken in connection with the note and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

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.

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 38 through 41

- 37. 110495 [Gift Acceptance - Treasure Island Museum Collection]**
Sponsor: Mayor
Resolution accepting from the United States Navy, Naval Historic and Heritage Command, a gift consisting of a portion of the Treasure Island Museum Collection.

06/07/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 38. 110497 [Accept and Expend Grant - Zero Waste Database, City of San Jose - \$25,000]**
Sponsor: Mar
Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$25,000 from the City of San Jose to assist in the creation a web-based application that enables the public to easily find accurate information about nearby recycling, reuse, and disposal options.

06/07/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 39. 110499 [Accept and Expend Grant - Zero Waste Database, County of Contra Costa - \$25,000]**
Sponsor: Mar
Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$25,000 from the County of Contra Costa to assist in the creation of a web-based application that enables the public to easily find accurate information about nearby recycling, reuse, and disposal options.

06/07/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**40. 110531 [Accept and Expend Grant - Zero Waste Database, City of Palo Alto - \$5,000]
Sponsor: Mar**

Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$5,000 from the City of Palo Alto to assist in the creation of a web-based application that enables the public to easily find accurate information about nearby recycling, reuse, and disposal options.

06/07/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**41. 110733 [Withdrawing Charter Amendment - Compensation of Board of Education]
Sponsor: Kim**

Motion withdrawing, pursuant to San Francisco Municipal Elections Code, Section 370(a), the Charter Amendment previously ordered submitted by the Board of Supervisors entitled "Compensation of Board of Education Members."

06/07/2011; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. 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 ordinances received from May 31, 2011, to June 6, 2011, for reference by President to appropriate committee on June 14, 2011.

110392 [Settlement of Lawsuit - Committee on JOBS Candidate Advocacy Fund, et al.]

Ordinance authorizing settlement of the lawsuit filed by Committee on JOBS Candidate Advocacy Fund and Building Owners and Managers Association of San Francisco Independent Expenditure Political Action Committee against the City and County of San Francisco for \$290,000; the lawsuit was filed on June 18, 2007, in United States District Court for the Northern District of California, Case No. 07-3199 JSW; entitled Committee on JOBS Candidate Advocacy Fund, et al.; other material terms of the settlement are a stipulated injunction prohibiting the City from enforcing the independent expenditure contribution limit in San Francisco Campaign and Governmental Conduct Code 1.114(c). (City Attorney)

06/07/2011; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 31, 2011, to June 6, 2011, for reference by President to appropriate committee on June 14, 2011.

110428 [Purchase Agreement - Permanent Tie-Back Easement and Temporary Construction Easement - San Mateo County - \$87,570]

Resolution approving and authorizing an agreement for the purchase of a permanent tie-back easement and a temporary construction easement over, on, and in portions of Assessor's Parcel No. 038-200-020 located in the Town of Hillsborough, San Mateo County, and required for the Crystal Springs Pipeline No. 2 Replacement Project, known as Project No. CUW37801, for a purchase price of \$87,570; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution.

06/02/2011; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

110429 [Purchase Agreement - Two Permanent Access Road Easements and Two Temporary Construction Easements - San Joaquin County - \$83,900]

Resolution approving and authorizing an agreement for the purchase of a two permanent access road easements and two temporary construction easements over, on, and in portions of Assessor's Parcel Nos. 253-270-17, 19, 21, 24, and 25 located in San Joaquin County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$83,900; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution.

06/02/2011; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

110734 [Petitions and Communications]

Petitions and Communications received from May 31, 2011, through June 6, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 14, 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 concerned citizens, submitting opposition to the proposed Charter Amendment allowing amendments to or repeals of Initiative Ordinances and Declarations of Policy. File No. 110401, 25 letters (1)

From Office of the Mayor, submitting notice that the Mayor's Proposed Budget for FY2011-2012 does not contain funding for consumer price index increases for nonprofit corporations or public entities. Copy: Each Supervisor (2)

From Office of the Mayor, submitting Notice of Transfer of Function under Charter Section 4.132. Copy: Each Supervisor (3)

From concerned citizens, urging the Board of Supervisors to end the sidewalk Sit-Lie Ordinance. Copy: Each Supervisor, 13 letters (4)

From Office of the Controller, submitting a cost analysis of the MOU between the City and County and the District Attorney Investigator's Association. Copy: Each Supervisor, File No. 110652, Copy: Each Supervisor (5)

From Office of the Controller, submitting a cost analyst of the Unrepresented Employees Ordinance. File No. 110653, Copy: Each Supervisor (6)

From Office of the Mayor, submitting a budget narrative explaining the proposed budgets for HAS, DAAS, DPH, and DCYF. Copy: Each Supervisor (7)

From Office of the Controller, submitting the FY2011-2012 Public Education Enrichment Fund Annual Report. Copy: Each Supervisor (8)

From Office of Contract Administration, regarding the FY2012-2013 Outreach Advertising Term Contract. File No. 110529, Copy: Each Supervisor, GAO Committee Clerk (9)

From Department of Public Health, submitting the FY2011-2012 annual list of membership organizations. Copy: Each Supervisor (10)

From concerned citizens, regarding saving the Sharp Park Wetlands. Copy: Each Supervisor, 9 letters (11)

From Office of the Controller, submitting an updated status report on the implementation of the recommendations of the Civil Grand Jury. (12)

*From concerned citizens, submitting support for eliminating the \$2,000,000 in service fees charged to City College. Copy: Each Supervisor, 30 letters (13)

From Department of Technology, submitting an analysis of possible revenue from leasing unused City and County fiber-optic network capacity as a leased service. Copy: Supervisor Chiu (14)

From Barbara Dennes, regarding the use of Segways in Golden Gate Park. (15)

From Alvin Hebert, regarding the Fire Departments response to the recent drowning in the Bay. (16)

*From Luce, Forward, Hamilton & Scripps, LLP, submitting an amendment to the City Planning Code to establish the Presidio-Sutter Special Use District. File No. 110650 (17)

From concerned citizens, regarding the Booker T. Washington Special Zoning District. File No. 110658, 8 letters (18)

From concerned citizens, concerning the proposed Initiative Ordinance regarding "Male Circumcision." 4 letters (19)

From Planning Department, regarding the Japantown Special Use District. Copy: Each Supervisor (20)

From concerned citizens, submitting opposition to the Treasure Island/Yerba Buena Island Redevelopment Project. File No. 110296, 7 letters (21)

From David Tornheim, submitting copy of letter from Mary Miles regarding proposed Charter Amendment allowing amendments to or repeals of Initiative Ordinances and Declarations of Policy. File No. 110401 (22)

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, 3 letters (23)

From James Chaffee, regarding an article in the NY Times regarding the "City Hall Family." (24)

From Office of the Mayor, submitting the proposed FY2011-2012 Budget, proposed Annual Appropriation Ordinance, and the Annual Salary Ordinance. (25)

From concerned citizens, submitting opposition to the proposed Parkmerced Project. File No. 110206, 3 letters (26)

From Eileen Boken, submitting support for the Treasure Island/Yerba Buena Island Redevelopment Project. File No. 110296 (27)

From concerned citizens, regarding the North Beach Public Library and Joe DiMaggio Playground Master Plan. File No. 110614, 13 letters (28)

From Jim Cunnington, submitting opposition to GGNRA's proposed Dog Management Plan. Copy: Each Supervisor, Land Use Committee Clerk, File No. 110196 (29)

From William & Nancy Kales, submitting support for motion reversing the Planning Commission's Certification of a Final Environmental Impact Report for the 2004 and 2009 Housing Elements. File No. 110454, Copy: Each Supervisor (30)

From Tim Giangioffe, regarding various issues. (31)

From SF Homeless Yahoo Group, regarding pedestrian safety issues in San Francisco. Copy: Each Supervisor (32)

*(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