

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

*City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689*

MEETING MINUTES

Tuesday, September 18, 2007 2:00 PM

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

Regular Meeting

*AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Angela Calvillo, Clerk of the Board*

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

Volume 102 Number 31

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Ammiano was noted absent.

There was a quorum.

Supervisor Ammiano was noted present at 2:07 p.m.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

071134 [Accept-Expend Grant - Public Defender]
Supervisors Maxwell, Dufty

Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$70,000 from the Zellerbach Family Foundation for a court alternative specialist position dedicated to working with the children of incarcerated parents (CIP).

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

Ordinance No. 219-07

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

From the Board**070667 [Medical Cannabis Dispensary Permits]
Supervisor Alioto-Pier**

Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; (f) clarify the definition of "medical cannabis dispensary; and (g) adopting General Plan, Planning Code Section 101.1(b) and environmental findings."

Supervisor Jew was previously excused from voting on this matter.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to amend on page 3, "Section 3301 (f) and on page 16, "Section 3308 (y)."

Motion to amend passed without objection.

Supervisor Alioto Pier, seconded by Supervisor Elsbernd, moved to amend by on page 17, line 7, (2) by deleting "any ground floor service area must be." and by adding after "accessible" the language "service areas."

Motion to amend failed by the following vote:

Ayes: 3 - Alioto-Pier, Elsbernd, Sandoval

Noes: 7- Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 1- Jew

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to amend on page 17, line 10, (3) by deleting " where "the Access Appeals Commission"

Motion to amend passed without objection.

Supervisor Alioto-Pier requested to divide the question to include language relating to "any ground floor service area must be" and to add after "accessible" the language "service areas."

On the question to include the language relating to "any ground floor service area must be" and to add after "accessible" the language "service areas."

Divided question passed by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Alioto-Pier, Elsbernd, Sandoval

Excused: 1- Jew

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Alioto-Pier, Elsbernd, Sandoval

Excused: 1 - Jew

Called from the City Operations and Neighborhood Services Committee

060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

NOT ADOPTED by the following vote:

Ayes: 2 - Elsbernd, Jew

Noes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071085 [Appropriating \$5,647,000 for increased costs at San Francisco General and Laguna Honda Hospitals in the Department of Public Health retroactive to Fiscal Year 2006-2007]

Mayor

Ordinance appropriating \$5,647,000, including \$4,591,000 of Patient Revenue to support increased overtime, fringes and services of other departments at San Francisco General Hospital and \$1,056,000 of MediCal revenues at Laguna Honda hospital to support salary and fringes at Laguna Honda Hospital for the Department of Public Health retroactive to Fiscal Year 2006-2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071165 [Setting San Francisco's fiscal year 2007-2008 property tax rate and establishing pass-through rate for residential tenants]

Supervisor Peskin

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 071166 [Setting San Francisco Community College District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]**
Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 071167 [Setting San Francisco Unified School District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]**
Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 071168 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate]**
Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 071193 [Minimum Compensation Ordinance]**
Supervisors Ammiano, Peskin, McGoldrick

Ordinance amending the San Francisco Administrative Code by adding Section 12P.5.1 to amend the Minimum Compensation Ordinance by imposing additional contract requirements on City contractors, including Airport property contractors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 070980 [Accept-Expend Federal Grant - Airport Commission]**
Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of \$2,297,483 from the Transportation Security Administration ("TSA") for Airport K-9 Explosives Detection Team Program. (Airport Commission)

(No Economic Impact)

Resolution No. 515-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**071055 [Extension of Contract Third Street Light Rail Project Consultant Jacobs Civil]
Supervisor Maxwell**

Resolution approving the increase of \$2,563,000 for Municipal Railway Contract No. CS-132, Quality Assurance and Construction Management Services for Phase I of the Third St. Light Rail Transit Project.

Resolution No. 514-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**071092 [Contract between the Department of Public Health and San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 24]
Supervisor Ammiano**

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract between the City and County of San Francisco and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 24 and young parents aged 19 through 24 for the period of July 1, 2007 through June 30, 2008 in the amount of \$11,342,433.

(Fiscal Impact.)

Resolution No. 503-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071164 [Approval of two contracts with Siemens Medical Solutions USA, Inc. to support and maintain clinical and financial software applications in use by the Department]

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively enter into two contracts with Siemens Medical Solutions USA, Inc. (Siemens) for the continued licensing and maintenance of proprietary Siemens applications for the term July 1, 2007 through June 30, 2012. (Public Health Department)

(Fiscal Impact.)

Resolution No. 505-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**071229 [Park, Recreation and Open Space General Obligation Bonds]
Mayor, Supervisor Peskin**

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction of park, recreation and open space projects within the City and County of San Francisco and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated cost of \$185,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code section 2.34.

Resolution No. 502-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

Recommendations of the Government Audit and Oversight Committee

**071223 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Can San Francisco Keep its Promise to Reduce Greenhouse Gas Emissions?"]
Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Can San Francisco Keep its Promise to Reduce Greenhouse Gas Emissions?"

Resolution No. 516-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**071224 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Parking for the Disabled-Abuse or Over-Use?"]
Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Parking for the Disabled—Abuse or Over-Use?"

Resolution No. 517-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 071225 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Risk Management: Are the Managers Managing the Risks of the City"]**
Supervisor Elsbernd

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Risk Management: Are the Managers Managing the Risks of the City".

Resolution No. 518-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 071226 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Compensation and Staffing Issues in the San Francisco Police Department"]**
Supervisor Elsbernd

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Compensation and Staffing Issues in the San Francisco Police Department".

Resolution No. 519-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

- 071177 [FY 2007-2008 California Constitution Appropriations Limit]**
Supervisor Peskin

Resolution establishing the appropriations limit for Fiscal Year 2007-08 pursuant to California Constitution Article XIII B.

Resolution No. 511-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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

Privilege of the Floor

Supervisor Jew, seconded by Supervisor Ammiano, 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 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Jew introduced, welcomed and presented Certificates of Honor to the members of the San Francisco Angels Girls Softball Team.

SPECIAL ORDER 4:00 P.M.

Supervisors McGoldrick and Sandoval were noted absent at 3:45 p.m.

070910 [Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district. (Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

*The President inquired as to whether any member of the public wished to address the Board members.
Continued to October 2, 2007*

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

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

(Only one of the following two motions should be approved.)**070911 [Affirming the categorical exemption issued for the 3424 Jackson Street project]**

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 2, 2007

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

070912 [Disapproving the categorical exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 2, 2007

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

070913 [Preparation of findings related to the 3424 Jackson Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 2, 2007

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

*Supervisor McGoldrick was noted present at 4:14 p.m.
Supervisor Sandoval was noted present at 4:18 p.m.*

Supervisor Dufty Excused From Voting

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to excuse Supervisor, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

SPECIAL ORDER 4:00 P.M.

070905 [Public Hearing - Appeal of Mitigated Negative Declaration - 601 Duboce Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on June 7, 2007, approving a Mitigated Negative Declaration (File No. 2004.0603E), for the proposed development project at 601 Duboce Avenue.

(Filed June 19, 2007; Appellant; Nicole M. Phillips on behalf of Service Employees International Union, United Health Care) companion measure to Files 070906, 070907, 070908, District 8.)

The President inquired as to whether any member of the public wished to address the Board members.

*John Marshall, Attorney for the appellant
Tim Paulson, SF Labor Council; support of the appellant
Cory Ford, SF Labor Council; support of the appellant
Dean Morehouse; support of the appellant
Howard Wallace; support of the appellant
Eleanor Milroy; support of the appellant
B. Miller; support of the appellant
Marlene Morgan; support of the appellant
Sharon Lynn; support of the appellant
Clare Bowman; support of the appellant
Val Garcia; support of the appellant
Suhail Bucks; support of the appellant
Leon Chow, Health Care Workers; support of the appellant
Female speaker; support of the appellant
Jonathan Youth, support of the appellant
Rick Galbreath; support of appellant
Silvia Johnson; support of the appellant*

Michael Jacinto and Bill Wycko, Planning Department's representatives reviewed with the Board the Planning Department's recommendation.

Sharon Lavicki, Environment Corporation responded to questions raised by the Board members.

*Tay Via, Attorney for the project sponsor
Howard Chandler; support of the project sponsor
Judge Herb Donaldson; support of the project
Garrett; support of the project sponsor
Linda Magellan; support of the project sponsor
Male speaker; support of the project sponsor
Bob Barnwell; support of the project sponsor
Mary Fields; support of the project sponsor
Walter Ginsell; support of the project sponsor
Richard McGarry; support of the project sponsor
Robert Miller M.D.; support of the project sponsor
Deanna Norris; support of the project sponsor
Anton Shium; support of the project sponsor
Brian Andrews M.D., support of the project sponsor
Vicki ; support of the project sponsor
Holly McNanus; support of the project sponsor
Jim Salinas, Carpenters Union; support of the project sponsor
Kathy Davis; support of the project sponsor
Dennis Richards; support of the project sponsor
Greg Wilcox; support of the project sponsor
Jody Bales; support of the project sponsor
Scott Rome M.D.; support of the project sponsor
Somon Schick; support of the project sponsor
Dallas Horseshoe; support of the project sponsor*

The President declared the public hearing closed.

Rebuttal Period: John Marshall, Attorney for the appellant

HEARD AT PUBLIC HEARING.

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

070906 [Affirming adoption of the mitigated negative declaration for 601 Duboce Avenue]

Motion affirming Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval
Excused: 1 - Dufty

070907 [Reversing adoption of the mitigated negative declaration for 601 Duboce Avenue]

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue. (Clerk of the Board)

Motion No. M07-112

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval
Excused: 1 - Dufty

070908 [Preparation of findings to reverse adoption of the mitigated negative declaration for 601 Duboce Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue. (Clerk of the Board)

Motion No. M07-111

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval
Excused: 1 - Dufty

SPECIAL ORDER 4:00 P.M.

*Supervisor Dufty was previously excused from voting on these matters.
(File Nos. 070905 - 070908 and File Nos. 071024 - 071027)*

071024 [Public Hearing - Conditional Use Appeal for 601 Duboce Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Director by Motion No. 17444 dated June 7, 2007 (Case No. 2004.0603CE), approving conditional use authorization under Planning Code Section 303 and 304 to amend a previously approved conditional use authorization for a planned unit development and annual limit review for office development (Case No. 1987.847BC, Motion No. M13254 and M13255) and develop a new four story, 50,075 gross-square-feet (gsf), medical clinic and office building. The new building would contain medical offices, a Neuromuscular and Electroencephalogram Clinic, circulation/mechanical/support space, a pharmacy, an admitting station, located on the fourth story that connects to the existing adjacent ambulatory surgery department in the CPMC Hospital North Tower. As a Planned Unit Development, the project is seeking modifications to Planning Code requirements for rear yard and independently accessible parking. The property is in an RH-3 (Residential, House, Three-Family) Use District. While the five-story hospital north tower is the only building located in the 130-E Height and Bulk District portion of the site, the remaining portion (including the location of the project) is in the 65-D Height and Bulk District on property located at: 601 Duboce Avenue; Lot 001 in Assessor's Block 3539. (Appellant: Seabrook Leaf)

(Filed 7/9/07; companion measure to Files 071025, 071026, 071027; District 8.)

This matter was removed from the Board Agenda and filed pursuant to the Board's action on File Nos. 070906, 070907 and 070908 to reverse the Planning Commission's adoption of the final mitigated negative declaration for 601 Duboce.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision 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.)**071025 [Approving Conditional Use Application for property located at 601 Duboce Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 17444, approving Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue, and adopting findings pursuant to Planning Code Section 101.1.

This matter was removed from the Board Agenda and filed pursuant to the Board's action on File Nos. 070906, 070907 and 070908 to reverse the Planning Commission's adoption of the final mitigated negative declaration for 601 Duboce.

FILED.

- 071026 [Disapproving Conditional Use Application for property located at 601 Duboce Avenue]**
Motion disapproving decision of the Planning Commission by its Motion No. 17444, approving Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue.

This matter was removed from the Board Agenda and filed pursuant to the Board's action on File Nos. 070906, 070907 and 070908 to reverse the Planning Commission's adoption of the final mitigated negative declaration for 601 Duboce.

FILED.

- 071027 [Findings - 601 Duboce Avenue Conditional Use Application Appeal]**
Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue.

This matter was removed from the Board Agenda and filed pursuant to the Board's action on File Nos. 070906, 070907 and 070908 to reverse the Planning Commission's adoption of the final mitigated negative declaration for 601 Duboce.

FILED.

COMMITTEE REPORTS

Supervisor Daly Excused from Voting

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to excuse Supervisor Daly, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

- 071190 [Appointment to San Francisco LAFCO]**
Supervisor Mirkarimi

Motion appointing Supervisor Chris Daly, term ending February 20, 2011, to the San Francisco Local Agency Formation Commission.

Motion No. M07-110

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

- 071180 [Armando Peraza Day - September 1, 2007]**
Supervisor Peskin

Resolution declaring September 1, 2007 "Armando Peraza Day" in San Francisco.

Resolution No. 513-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**071182 [Commending John Barleycorn Pub]
Supervisor Peskin**

Resolution commending John Barleycorn Pub for almost 40 years of enriching the City.

Resolution No. 512-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**071183 [Sea Otter Awareness Week - September 23 - 29, 2007]
Supervisor Peskin**

Resolution declaring September 23-29 Sea Otter Awareness Week.

Resolution No. 506-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**071187 [Commending Chad Jacobs]
Supervisors Peskin, Elsbernd, Dufty**

Resolution commending Chad Jacobs for his outstanding years of service as a Deputy City Attorney.

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

Resolution No. 508-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**071258 [Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]
Supervisors McGoldrick, Maxwell, Mirkarimi**

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

Continued to October 2, 2007

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

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.

*Adullah Megaheed; expressed concern with issues relating to the Iraq War
James Chaffee; expressed concern with issues relating to the SF Public Library
Eugene Gordon Jr. ; expressed concern with issues relating to the violation of human rights
Steve Woosley; expressed concern with issues relating to saving Coit Tower
Female; expressed concern with issues relating to her eviction
Richard Robinson; showed gratitude for the opening of Buster's Place
Female speaker; expressed concern with issues relating to being abused at hospital facilities
Espanola Jackson; expressed concern with issues relating Item No. 45 relating to the Port lease for Living Classroom at Heron's Head Park and requested to refer this matter to committee
Silvia Johnson; expressed concern with general issues in San Francisco
Frank da Costa; expressed concern with issues relating to the South East sector of the City and toxic elements in that area*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Supervisors McGoldrick and Sandoval were absent at 3:45 p.m.

- 071305 [Declaring October 11, 2007 as Eleanor Roosevelt Day]**
Supervisors Ammiano, Mirkarimi, Maxwell, Daly, McGoldrick, Alioto-Pier, Peskin, Dufty

Resolution declaring October 11, 2007 as Eleanor Roosevelt Day and commending her for her contributions to women's and human rights.

Resolution No. 507-07
ADOPTED

- 071306 [Supporting the medical practice of acupuncture and Oriental Medicine Study programs]**
Supervisor Ammiano

Resolution supporting the medical practice of acupuncture and the National Oriental Medicine Accreditation Agency and the creation of Doctor of Oriental Medicine Study programs in the California State university System and University of California medical System.

Resolution No. 520-07
ADOPTED

- 071308 [Declaring September 2007 as Reentry Month]**
Supervisor Mirkarimi

Resolution declaring the month of September 2007 as Reentry month in the City and County of San Francisco.

Resolution No. 509-07
ADOPTED

- 071309 [Commending the Brotherhood Way Interfaith and Residential Community]**
Supervisor Elsbernd

Resolution commending the Brotherhood Way Interfaith and Residential Community for their annual Vigil Service of Remembrance for Victims of War and Terrorism.

Resolution No. 510-07
ADOPTED

**071313 [Lights Out San Francisco]
Supervisors McGoldrick, Alioto-Pier, Peskin**

Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 8:00 PM and 9:00 PM on October 20, 2007 to conserve energy as part of the city-wide energy conservation event: Lights Out San Francisco, and establishing October 20, 2007 as Lights Out San Francisco Day.

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

Resolution No. 504-07

ADOPTED

071263 [Final Map - 5600 Third Street]

Motion approving Final Map 3813, a 124 Unit Residential Condominium Project, located at 5600 Third Street being a subdivision of Lots 012 and 013 in Assessors Block No. 5421 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 177,048; District 10.)

Motion No. M07-109

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin

Absent: 2 - McGoldrick, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Jew requested that this matter be severed so that it might be considered separately.

**071307 [Iraq Moratorium]
Supervisors Ammiano, Daly**

Resolution endorsing the Iraq Moratorium's demands to stop the war and bring the troops home.

Supervisor Jew requested that this matter be referred to Committee.

REFERRED to the Rules Committee.

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

**071310 [Approval of Addendum to Port Lease for Living Classroom at Heron's Head Park]
Supervisor Maxwell**

Resolution approving an Addendum to Lease No. 13816 with Literacy for Environmental Justice for Construction, Maintenance, and Operation of a Living Classroom Building at Heron's Head Park.

Supervisor Peskin requested that this matter be referred to Committee.

REFERRED to the Budget and Finance Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments

Ordinances**071331 [Requiring Activation of Closed Captions on Television Receivers]
Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.

9/18/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/18/2007.

**071333 [Municipal Identification Cards]
Supervisor Ammiano**

Ordinance adding Section 95.2 to the San Francisco Administrative Code authorizing the County Clerk to issue municipal identification cards upon request to residents of the City and County of San Francisco.

(Fiscal Impact.)

9/18/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/18/2007. Sponsor requests that the item be referred to Rules Committee.

**071338 [Planning Code-Conditional Use Authorization for New Construction Shading Existing Registered Solar Energy Systems]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code to amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

9/18/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

**071343 [Street encroachment sensu sculpture as a gateway icon for Japantown on Webster Street]
Supervisor Mirkarimi**

Ordinance granting revocable permission to the Japanese Cultural and Community Center of Northern California to occupy a portion of the public right-of-way for the installation of a sensu sculpture on the median of Webster Street between Geary Boulevard and Post Street in the Japantown neighborhood; waiving permit and right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

9/18/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071346 [Establishing the SF Promise Fund to receive funds from any source to support programs to increase the enrollment of San Francisco public school students in colleges and universities.]

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-370, to establish the SF Promise Fund to support programs to increase the enrollment of San Francisco public school students in colleges and universities.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071347 [Transfer of Unexpended Mayoral Election Funds For 2007 Election To SF Promise Fund]

Mayor

Ordinance amending Campaign and Governmental Conduct Code Section 1.138.5 to provide that funds in the Mayoral Election Campaign Fund not used in the November 6, 2007 municipal election shall be transferred to the SF Promise Fund.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071090 [Regulation of False Political Telemarketing Through Persuasion Polls]

Supervisors Daly, Ammiano, Mirkarimi

Ordinance amending the Campaign and Governmental Conduct Code by adding section 1.160.5 to require that persons conducting or paying for telephonic persuasion polls must disclose information to call recipients during the telephone calls and must file disclosures with the San Francisco Ethics Commission.

7/24/07, RECEIVED AND ASSIGNED to Rules Committee. (Referred to Ethics Commission)

9/18/07, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing the same title.

9/18/07, ASSIGNED to Rules Committee.

Resolutions

071307 [Iraq Moratorium]

Supervisors Ammiano, Daly

Resolution endorsing the Iraq Moratorium's demands to stop the war and bring the troops home.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/18/07, REFERRED to Rules Committee. Supervisor Jew requested that this matter be referred to Committee.

**071310 [Approval of Addendum to Port Lease for Living Classroom at Heron's Head Park]
Supervisor Maxwell**

Resolution approving an Addendum to Lease No. 13816 with Literacy for Environmental Justice for Construction, Maintenance, and Operation of a Living Classroom Building at Heron's Head Park.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/18/07, REFERRED to Budget and Finance Committee. Supervisor Peskin requested that this matter be referred to Committee.

**071332 [Interim Zoning - conditional use authorization in the Eastern Neighborhoods Area Plans]
Supervisor Ammiano**

Resolution imposing interim zoning controls to require conditional use authorization for all uses in the Eastern Neighborhoods, including the submission of various reports, for an eighteen (18) month period and making environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

9/18/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**071334 [Interdepartmental Working Group on Underground Infrastructure]
Supervisor McGoldrick**

Resolution establishing an interdepartmental working group to review options and coordinate planning and implementation for the installation of new conduits, fiber optic cable, or electric cable throughout the City and to report its findings to the Board of Supervisors.

9/18/07, RECEIVED AND ASSIGNED to Rules Committee.

**071335 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Continuity Report - Have City Agencies Done What They Said They Would Do After the Civil Grand Jury of 2005-2006 Issued Its Reports?"]
Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Continuity Report - Have City Agencies Done What They Said They Would Do After the Civil Grand Jury of 2005-2006 Issued Its Reports?".

9/18/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**071336 [Board response to the 2006-2007 Civil Grand Jury Report entitled "The Entertainment Commission: A Work in Progress"]
Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "The Entertainment Commission: A Work in Progress".

9/18/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 071337 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and the Department of Public Health"]**
Supervisor Elsbernd

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and the Department of Public Health".
9/18/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 071339 [Grant of Federal Funds, Municipal Transportation Agency - \$46,547,421]**
Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend \$46,547,421 of Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071340 [Grant of Federal Funds, Municipal Transportation Agency - \$31,854,482]**
Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend \$31,854,482 of Federal Transit Administration section 5307 capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071342 [Grant of Federal Funds, Municipal Transportation Agency - \$1,805,760]**
Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend \$1,805,760 of Federal Transit Administration section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility and the purchase of Automatic Vehicle Locator (AVL) equipment.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 071344 [Master Agreement for State Aid Transportation Funds]**
Mayor

Resolution approving the execution of a Master Agreement for State-Aid Projects between the City and County of San Francisco, through its Municipal Transportation Agency (for the Department of Parking and Traffic), and the California Department of Transportation.

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**071345 [Accept-Expend Federal Grant, Department of the Environment - \$200,000]
Mayor**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$200,000 from the U.S. Department of Energy for the Solar America Initiative in order to fund technical consultants, the development and publication of outreach materials and City staff time over a two-year period for the purpose of energy reduction.

9/18/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**071352 [Supporting Private Security Officers Week of Action]
Supervisor Daly**

Resolution supporting the private security officers and their union SEIU 24-7's week of action to win improved training for personal advancement, a living wage and full family health benefits on par with janitors and other workers in San Francisco's commercial real estate sector; and encouraging the City's wealthiest property owners and the security company contractors such as ABM and Securitas to end the double standard facing security officers who struggle to make ends meet based on the low wages and often unaffordable healthcare premiums.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**071353 [Approval of a 45-day extension for Planning Commission review]
Supervisor Daly**

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 315.4 and the addition of 315.6A that would allow project sponsors the option of paying the inclusionary housing in-lieu fee to a qualifying nonprofit entity to acquire and rehabilitate units as permanently affordable rental housing if the number of resulting units will be 25% higher than the amount provided under the existing off-site alternative.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**071354 [Daniel Pearl Day - October 10, 2007]
Supervisors Peskin, Dufty**

Resolution declaring October 10, Daniel Pearl World Music Day in San Francisco.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**071355 [Approval of a 30 day extension for Planning Commission review]
Supervisor Peskin**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 121.2 to move the Polk Street Neighborhood Commercial District from a 3,000 square foot use size limit to a 2,000 square foot size limit, and amend Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**071356 [Supporting City of Oakland to fight lawsuit against Plastic Bag Ban]
Supervisor Mirkarimi**

Resolution supporting the City of Oakland in fighting a lawsuit that has been brought against Oakland's recently passed ban on non-compostable check out plastic bags at large retail stores and urging the City of Oakland to fight the industry suit and not to conduct a full environmental impact report that could set a precedent for other local government efforts to protect the environment.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**071357 [Declaring October 2 International Day of Nonviolence and Spinning Wheel Birthday]
Supervisor Mirkarimi**

Resolution declaring October 2 International Day of Non-violence and, in accordance with the wishes of Mohandas K. Gandhi commemorating his date of birth, October 2, as the Spinning Wheel Birthday.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**071358 [Requesting Police Department to end vehicle impounding]
Supervisor Sandoval**

Resolution urging the San Francisco Police Department to temporarily cease the impoundment of vehicles for lack of a California Driver's License, pending City Attorney review of current law.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**071359 [SF Climate Challenge]
Supervisor Alioto-Pier**

Resolution to support public participation in the SF Climate Challenge and to name October 25, 2007 SF Climate Challenge Day, with the goal of reducing energy use in City residences, thereby reducing the emission of greenhouse gases which cause global warming.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070931 [Seeking a permanent halt to the Blue Angels air show over San Francisco]
Supervisors Daly, Mirkarimi, Sandoval, Ammiano**

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

(No Economic Impact)

(Supervisor Daly dissented in Committee)

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/26/07, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

9/18/07, REACTIVATED PURSUANT TO RULE 5.31. Supervisors Daly, Mirkarimi, Sandoval, and Ammiano called the item from Committee per Rule 5.31.

9/18/07, CALLED FROM COMMITTEE. Pursuant to Rule 5.31 Supervisors Daly, Mirkarimi, Sandoval and Ammiano called this measure from Government Audit and Oversight Committee.

Requests for Hearing

**071330 [Shanghai Garden in Golden Gate Park]
Supervisor McGoldrick**

Hearing to discuss plans for a Shanghai Garden in Golden Gate Park. Requesting the Department of Recreation and Parks, the Shanghai Sister Committee and a representative from the Mayor's office to provide information on the proposed plan.

9/18/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motion

**071341 [Rules of Order - Material Economic Impact Legislation]
Supervisor Peskin**

Motion amending Rule 6.25 of the Rules of Order of the Board to clarify its applicability to the Board proceedings and its inapplicability to determinations of material economic impact by the Office of Economic Analysis.

9/18/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

071274 [San Francisco Building Code]

Ordinance repealing the San Francisco Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071275 [San Francisco Electrical Code]

Ordinance repealing the San Francisco Electrical Code in its entirety and replacing that code with a new 2007 San Francisco Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071276 [San Francisco Housing Code]

Ordinance repealing the San Francisco Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071277 [San Francisco Mechanical Code]

Ordinance repealing the San Francisco Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071278 [San Francisco Plumbing Code]

Ordinance repealing the San Francisco Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071281 [Procurement of Construction Management and General Contractor services for the new Public Utilities Commission administrative building at 525 Golden Gate]

Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to require an alternative competitive process based on experience, qualifications, and price. (Public Utilities Commission)

9/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

071280 [Sale of Surplus Real Property Located in the City of South San Francisco]

Resolution approving an Agreement For Sale of Real Estate between the City and County of San Francisco and The Redevelopment Agency of the City of South San Francisco pertaining to approximately 13.64 acres of land located in the vicinity of Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and 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 and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department) 9/7/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to explore legislation that would require appointments to chartered boards and commissions to be comprised of 50% women in an effort to get more diversity within the advisory bodies to the City family.

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting that the Recreation and Park Department report on the status of removing graffiti from the front of Kezar Pavilion.

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting that the Recreation and Park Department report on the status of repairing the swingset at the Panhandle Children's Playground.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing the sidewalks at 545 Linden.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of replacing the removed garbage cans at the following locations:

· Northwest corner of Divisadero and Page Street

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting that the Public Utilities Commission report on the status of removing graffiti at the following locations:

Metal Poles

· Northeast corner of Irving and 15th Ave

· 8th Avenue between Lincoln and Irving

· Northeast corner of Haight and Scott

· Hayes Street between Laguna and Fillmore

· Northwest corner of Turk and Webster

Wooden Poles

· Both Sides of Irving Street between 2nd and 3rd

· Middle of 1200 block of Oak Street

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:

· Frederick between Clayton and Cole

· Irving between 3rd and 6th Avenue

· 8th Avenue between Lincoln and Irving

· Masonic between Haight and Hayes

- 19th Avenue between Judah and Irving
- 676 Hayes between Laguna and Fillmore
- Cole between Haight and Waller (signed also turned)

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the status of removing graffiti or repairing signs on the DPT property at the following locations:

Grffiti

- "STOP SIGN" at Southwest corner of Laguna and Hickory
- "STOP SIGN" at Northwest corner of Pierce and Fulton
- "STOP SIGN" at Southeast corner of Cole and Parnassus
- Speed limit sign on Lincoln between 12th Avenue and 13th Avenue.
- "No Pedestrian Crossing" sign at the 1720 Market
- "No Pedestrian Crossing" sign at the northwest corner of Fell and Gough
- MUNI sign and Pole at Traffic light poles at the diamond median at the north end of the intersection of Gough and Market.

Repair

- "STOP SIGN" at exit of parking lot between Irving and Judah and 8th Avenue and 9th Avenue.

MUNI Signs and Poles

- Northeast corner of Haight and Clayton

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of planting trees near:

- 1445 Oak Street
- Middle of the south side of the 1400 block of Haight Street

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Emergency Boxes:

- Northeast corner Haight and Lyon

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- 97 Central
- 1200 15th Avenue
- 1127-1129 Lincoln
- 401 Judah
- 783 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:

Mailboxes

- Southeast corner of Lincoln and 16th Avenue
- Southeast corner of Lincoln and 10th Avenue
- Northeast corner of Carl and Cole
- Northwest corner of 8th Avenue and Irving
- Northwest corner of 15th Avenue and Irving
- Northwest corner of 17th Avenue and Irving

- Southeast corner of 16th Avenue and Lincoln
- Northeast corner of 11th Avenue and Judah
- Northeast corner of Funston and Judah
- Northeast corner of Laguna and McAllister
- Northeast corner of Golden Gate and Pierce

Garbage Cans

- Southeast corner of Buena Vista East and Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from news stands at the following locations:

Chronicle

- Southeast corner 9th Avenue and Lincoln
- 1416 Haight Street
- Northwest corner of Fell and Gough
- Southwest corner of Stanyan and Carl
- Northwest corner of 16th Avenue and Irving

Examiner

- Northwest corner of 16th Avenue and Irving
- Southeast corner of Ashbury and Hayes
- Southeast corner of Haight and Ashbury

SF Weekly

- Northeast corner of Haight and Scott
- Northeast corner of Haight and Ashbury

Common Ground

- Northeast corner of Haight and Ashbury

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing the graffiti from phone switch boxes at the following locations:

Phone Switch Box

- Northwest corner of Judah and 12th Avenue

Light Switch Box

- Southeast corner of 5th Avenue and Lincoln
- Northwest corner of Golden Gate and Pierce

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Phone Booths

- SBC booth at the Northwest corner of 8th Avenue and Irving

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting that the Public Utilities Commission report on the status of cleaning the drains at the:

- Southeast corner drain of Haight and Ashbury
- Southwest corner drain of Haight and Masonic

In Memoriams

Gwennyth Trice - Supervisor Sandoval
Phil Frank - Entire Board
Christy Ann Marie Maguire - Supervisors Jew and Elsbernd
Ginny Poon Yamate - Supervisor Ammiano
Judge John A. Ertola - Entire Board
Liz Gore - Supervisor Dufty
Dorothy Campbell - Supervisor Daly
William Davoren - Supervisor Peskin
William J. Cooke - Supervisor Peskin

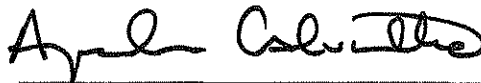
ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:56 p.m.

Angela Calvillo, Clerk of the Board

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 October 16, 2007.



Angela Calvillo
Clerk of the Board