

# 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, June 10, 2008 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, CARMEN CHU, CHRIS DALY,  
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,  
ROSS MIRKARIMI, GERARDO SANDOVAL*

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

##### **Budget and Finance Committee**

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

##### **City and School District Select Committee**

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

##### **City Operations and Neighborhood Services Committee**

Supervisors Chu, McGoldrick, Elsbernd

##### **Government Audit and Oversight Committee**

Supervisors Peskin, Ammiano, Maxwell

##### **Land Use and Economic Development Committee**

Supervisors Maxwell, Sandoval, Peskin

##### **Public Safety Committee**

Supervisors Mirkarimi, Maxwell, Dufty

##### **Rules Committee**

Supervisors Daly, Dufty, Ammiano

#### Meeting Days

Wednesday  
1:00 PM

1st and 3rd Thursday  
3:30 PM

1st and 3rd Thursday  
1:00 PM

1st and 3rd Monday  
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.

**Members Present:** Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Duffy, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:02 p.m. On the call of the roll Supervisor Daly was noted absent.*

*Supervisor Daly was noted present at 2:03 p.m.*

*There was a quorum present.*

## APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve the May 6, 2008 Board Meeting Minutes. The motion carried by the following vote:

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

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

#### 080606 [Revising Board of Appeals Surcharges]

Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the Taxi Commission, the Police Department, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings. (Mayor)

Ordinance No. 105-08

FINALLY PASSED

### Recommendation of the Rules Committee

**080591 [Local Business Enterprise and Non-Discrimination in Contracting Bonding and Financial Assistance Program]**

Supervisors Elsbernd, Maxwell, Chu, Dufty

Ordinance extending the term of the bonding assistance program to end on the earlier of (1) June 30, 2013 or (2) the date on which the Controller is no longer able to certify the availability of funds for any new guarantee agreement.

Ordinance No. 104-08

FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

**REGULAR AGENDA****UNFINISHED BUSINESS****From the Land Use and Economic Development Committee Without Recommendation****080091 [Treasure Island Affordable Housing]**

Resolution encouraging the Treasure Island Development Authority and Mayor's Office of Housing to explore how to increase the percentage of affordable housing to include 50% affordable housing in the Disposition and Development Agreement for the Former Naval Station Treasure Island.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Resolution be TABLED. The motion carried by the following vote:

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

**Recommendation of the Budget and Finance Committee****080514 [Increasing Street Artist Certificate Fee and Increasing Rate of Compensation for the Advisory Committee of Street Artists and Crafts Examiners]**

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2402 to increase the rate of compensation for the Advisory Committee of Street Artists and Craftsmen Examiners, and making environmental findings. (Arts Commission)

(Supervisor Daly dissented in committee.)

Ordinance No. 103-08

FINALLY PASSED by the following vote:

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

## From the Budget and Finance Committee Without Recommendation

**071679 [Solar Energy Incentive Program]  
Supervisor Dufty**

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator. (Assessor-Recorder)

(Supervisor Daly dissented in committee.)

**Ordinance No. 102-08**

**FINALLY PASSED** by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval  
Noes: 3 - Daly, McGoldrick, Peskin

## **Board of Supervisors Sitting as a Committee of the Whole**

**080789 [Public Hearing - Solar Energy Incentive Pilot Program]**

Hearing to consider an Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

*The President inquired as to whether or not any member of the public wished to address the Board members.*

*Michael Borenstein; support of the Solar Energy Ordinance*

*Julian Davis, SF Tomorrow; support of the Solar Energy Ordinance*

*Female speaker; support of the Solar Energy Ordinance*

*Jeanine Cotter; support of the Solar Energy Ordinance*

*Male speaker; support of the Solar Energy Ordinance*

*The President declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

## **Committee of the Whole Adjourn and Report Without Recommendation**

**080630 [Solar Energy Incentive Pilot Program]  
Supervisor Mirkarimi**

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

**Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

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

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; imposing duties and responsibilities on the program administrator; and establishing requirements applicable to the long-term solar incentive program.

**PASSED ON FIRST READING AS AMENDED by the following vote:**

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

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**080605 [Motor Vehicles for Hire; Permit Application and License Renewal Fees]**

Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1 to increase certain motor vehicle for hire permit application and license renewal fees. (Mayor)

**PASSED ON FIRST READING by the following vote:**

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

**080585 [Approval of the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan]**

Resolution approving the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan (WET Plan) and authorizing the amendment of the MHSA Agreement to include this Plan in the agreement. (Public Health Department)

**Resolution No. 263-08**

**ADOPTED by the following vote:**

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

### Recommendations of the Government Audit and Oversight Committee

**080348 [Enterprise Zone Designation]**

Mayor, Supervisor Peskin

Resolution supporting California Enterprise Zone Designation for the City and County of San Francisco.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Resolution be **RE-REFERRED** to the Government Audit and Oversight Committee. The motion carried by the following vote:

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

**080350 [Enterprise Zone Tax Credit Law]  
Mayor**

Draft Ordinance amending Section 906A of the Business and Tax Regulations Code to delete the requirement that a new job be created to obtain the Enterprise Zone Tax Credit after the effective date; to apply the credit to all newly hired Qualified Employees; to revise the definition of "Qualified Employee"; to conform the geographical boundaries of the San Francisco Enterprise Zone with the area approved by the State Department of Housing and Community Development; and to delete an outdated reference to the Private Industry Council and to establish a sunset date.

(Economic Impact.)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be **RE-REFERRED** to the Government Audit and Oversight Committee. The motion carried by the following vote:

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

**080596 [Directing the Budget Analyst to conduct an audit of the SFMTA Proof of Payment Program to determine its effectiveness]  
Supervisor Dufty**

Motion directing the Budget Analyst to conduct a review of the San Francisco Municipal Transit Agency's (SFMTA) Proof of Payment Program to determine the effectiveness of the Proof of Payment Program over the past 3 years and the effectiveness of Transit Fare Inspectors and Station agents in preventing fare evasion.

**Motion No.** M08-91

**APPROVED** by the following vote:

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

**080584 [Outreach Advertising for FY 2008-2009]**

Resolution designating San Francisco Bay View to be the outreach newspaper of the City and County for the African American community, Asian Week, Sing Tao Daily and China Press to be the outreach newspaper of the City and County for the Chinese community, Bay Area Reporter and the Bay Times to be the outreach newspaper of the City and County for the Gay, Lesbian, Bisexual community and the El Reportero to be the outreach newspaper of the City and County for the Hispanic community, to provide outreach advertising services for Fiscal Year 2008-2009. (Office of Contract Administration)

**Resolution No.** 262-08

**ADOPTED** by the following vote:

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

**From the Government Audit and Oversight Committee Without Recommendation**

**080583 [Official Advertising for FY 2008-2009]**

Resolution designating the Examiner the official newspaper of the City and County of San Francisco for all official advertising for Fiscal Year 08-09. (Office of Contract Administration)

*Amended to split the contract to include the San Francisco Chronicle.*

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

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

Resolution designating the Examiner and the Chronicle as the official newspapers of the City and County of San Francisco for all official advertising for Fiscal Year 08-09. (Office of Contract Administration)

Resolution No. 261-08

**ADOPTED AS AMENDED** by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Peskin

Noes: 4 - Daly, McGoldrick, Mirkarimi, Sandoval

## **CALLED FROM COMMITTEE**

### **Supervisor Sandoval Excused From Voting**

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

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 1 - Sandoval

## **Board of Supervisors Sitting as a Committee of the Whole**

080684 [Public Hearing - Amending Ordinance 174-07 to Remove Funding Reserve for the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008]  
Supervisor Dufty

Hearing of persons interested in or objecting to proposed Ordinance amending the Annual Appropriation Ordinance, Ordinance 174-07 File Number 070773, to remove the \$500,000 reserve on the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008.

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

*Commissioner Ron Albers*

*Superior Court Judge Harold Kahn; Superior Court*

*Presiding Superior Court Judge David Balatti*

*Barbara Garcia, Representative of the Department of Public Health responded to questions raised by Board members*

*Jeff Adachi Public Defender*

*Father Joe; support of a Community Justice Center*

*Rita Shimmons, Glide Memorial; support of a Community Justice Center*

*Darius; support of a Community Justice Center*

*Arthur Evans; support of a Community Justice Center*

*Peter Maziak; opposed to a Community Justice Center*

*Mary Kate Connor; opposed to a Community Justice Center*

*Female speaker; opposed to a Community Justice Center*

*Male speaker; support of a Community Justice Center*

*Female speaker; opposed to a Community Justice Center*

*Female speaker; support of a Community Justice Center*

*Female speaker; support of the Community Justice Center*

*Linda Magellan; support of a Community Justice Center*

*Caroline Diamond; support of a Community Justice Center*

*Bruce Ellison; opposed to a Community Justice Center*

*Julie Ledbetter; opposed to a Community Justice Center*

*Joseph Brown; opposed to a Community Justice Center*

*Kathy Barber; opposed to a Community Justice Center*

*Male speaker; opposed to a Community Justice Center*

*Jim Haas; opposed to a Community Justice Center*

*Male speaker; opposed to a Community Justice Center*

*Female speaker, Representative of Hastings Law School; support of a Community Justice Center*

*Mr. Cruz; opposed to a Community Justice Center*

*David Overdorf; support of a Community Justice Center*

*Female speaker; opposed to a Community Justice Center*

*Rob Black; support of a Community Justice Center*

*Female speaker; opposed to a Community Justice Center*

*Male speaker; support of a Community Justice Center*

*Terrance Allen; support of a Community Justice Center*

*Female speaker; opposed to a Community Justice Center*

*Thomas Caparello; opposed to a Community Justice Center*

*Elaine Zamora; support of a Community Justice Center*

*Edmund; opposed to a Community Justice Center*

*Alexandria; opposed to a Community Justice Center*

*Heard at Public Hearing.*

*The President declared the public hearing closed.*

**FILED.**



## Committee of the Whole Adjourn and Report Without Recommendation

### Appointment of President Pro Tempore

*At the request of the President, Supervisor Dufty assumed the Chair so the President could participate in the debate from the floor concerning the following item.*

**080685 [Amending Ordinance 174-07 to Remove Funding Reserve for the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008]  
Supervisor Dufty**

Ordinance amending the Annual Appropriation Ordinance, Ordinance 174-07 File Number 070773, to remove the \$500,000 reserve on the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008.

(Fiscal Impact.)

**Supervisor Ammiano, seconded by Supervisor Peskin, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:**

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

## CALLED FROM COMMITTEE

**080484 [Sublease of Real Property at 555 Polk Street]  
Mayor**

Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555 Polk Street for the Community Justice Center through the Department of Public Health.

(Fiscal Impact.)

(Supervisor Daly dissented in committee.)

**Supervisor Ammiano, seconded by Supervisor Peskin, moved that this Resolution be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:**

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

## SPECIAL ORDER 3:00 P.M

**080631 [Public Hearing - Report of Assessment Costs for Sidewalk and Curb Repairs]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

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

*Robert Quong, Representative of the Department of Public Works*

*Bart Murphy, Property owner*

*Heard at Public Hearing.*

*The President declared the public hearing closed.*

**FILED.**

**080632 [Report of Assessment Costs for Sidewalk and Curb Repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

*Report amended to delete the following properties:*

*250 Clement Street, 969 Hyde Street and 242-5th Avenue.*

*The above listed properties will be considered on July 29, 2008.*

**Resolution No. 260-08**

**ADOPTED** by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 2 - Ammiano, Maxwell

**SPECIAL ORDER 3:30 P.M****080677 [Public Hearing - Appeal of Tentative Final Map for 43-45 Lansing Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated May 5, 2008, affirming the approval of Tentative Final Map to construct a new 227 unit residential condominium project located at 43-45 Lansing Street, Lot 059 in Assessor's Block No. 3749. (Appellant: Jeremy Paul on behalf of Michael Vriheas)

(District 6.)

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

*The appellant has withdrawn the appeal.*

*The President declared the public hearing closed.*

**FILED.**

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map 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.)**

**080678 [Approving decision of the Director of Public Works and approving the Tentative Map for 43-45 Lansing Street]**

Motion approving the decision of the Director of Public Works, finding the Tentative Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059. (Clerk of the Board)

**Motion No. M08-92**

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

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

**080679 [Disapproving decision of the Director of Public Works and disapproving the Tentative Map for 43-45 Lansing Street]**

Motion disapproving the decision of the Director of Public Works concerning the Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059, and disapproving the subdivision. (Clerk of the Board)

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

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

**080680 [Findings - 43-45 Lansing Street Tentative Map]**

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059. (Clerk of the Board)

**Motion No. M08-93**

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

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

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

**Privilege of the Floor**

Supervisor Alioto-Pier, seconded by Supervisor Chu, moved Supervisor Alioto-Pier introduced, welcomed and presented Certificates of Honor to members of the Blue Ribbon Panel's Community Outreach Task Force. The motion carried by the following vote:

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

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

*Supervisor Dufty was noted absent at 5:28 p.m.*

**080694 [Public Hearing - Disposition and Development Agreement - Redevelopment Agency owned land for 4800 Third Street]  
Supervisor Maxwell**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5322, Lot 45 commonly known as 4800 Third St Street, to Green Blended Communities, L.L.C., for the purpose of developing affordable for-sale housing for lower income households.

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

*Heard at Public Hearing.*

*The President declared the public hearing closed.*

**FILED.**

**080695 [Disposition and Development Agreement - Redevelopment Agency owned land for 4800 Third Street]  
Supervisor Maxwell**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5322, Lot 45 commonly known as 4800 Third St Street, to Green Blended Communities, L.L.C., for the purpose of developing affordable for-sale housing for lower income households.

**Resolution No. 265-08**

**ADOPTED by the following vote:**

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

## COMMITTEE REPORTS

**080706 [Appointment, Board of Appeals - Kendall Goh]**

Motion approving Board of Supervisors President Peskin's appointment of Kendall Goh to the Board of Appeals for the term ending July 1, 2008, and the term ending July 1, 2012.

**Motion No. M08-94**

**APPROVED by the following vote:**

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

**080617 [Accept-expend federal grant funds, Fire Department - \$1,173,212]  
Supervisor Elsbernd**

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$1,173,212 from the Federal Emergency Management Agency (FEMA) to develop and implement a Wellness and Fitness Program.

(Fiscal Impact.)

**Resolution No. 264-08**

**ADOPTED by the following vote:**

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

**080783 [Intention to form the Broadway Entertainment Corridor Community Benefit District]  
Supervisor Peskin**

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Broadway Entertainment Corridor Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

**Resolution No.** 245-08

**ADOPTED by the following vote:**

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

**080784 [Intention to form the Yerba Buena Community Benefit District]  
Mayor**

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Yerba Buena Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

**Resolution No.** 246-08

**ADOPTED by the following vote:**

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

**ROLL CALL FOR INTRODUCTIONS**

**Appointment of President Pro Tempore**

*At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.*

*The President resumed the Chair shortly thereafter.*

## 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.*

*Abdullah Megehed; expressed concern with issues relating to the Iraq war  
James Chaffee; expressed concern with issues relating to the SF Public Library  
Edward Evans; support of universal health act  
Ursula Maguire; support of universal health act  
Tom Oliver; expressed concern with issues relating to the closure of the hearing dog program  
Female speaker; expressed concern with issues relating to to the closure of the the hearing dog program  
Richard McGreary; expressed concern with issues relating to his patent for the Sigmund Grove  
Peter Warfield; expressed concern with issues relating to the SF Public Library  
Female speaker; expressed concern with issues relating to the Zoo contract  
Walter; shared with the Board in song certain memorabilia  
Mark Perez; support of universal health act  
Neil Malleck; shared with the Board San Francisco history  
Male speaker; expressed concern with issues relating to the violation of human rights in Nigeria  
Colleen; expressed concern with issues relating to the war and costs and the need to support of World Peace and cease a fire  
James Cowan; support of universal health act  
John Jenkel; expressed concern with issues relating to the Iraq War  
Female speaker; support of universal health act  
Don Decker; support of universal health act  
Iona Lonehorna; expressed with issues relating to a fire in her apartment and not getting satisfaction from agencies to fix this apartment  
Douglas; expressed concern with issues relating to the Zoo and animal welfare  
Edmund; expressed concern with issues relating to the medical marijuana*

## 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.*

*Supervisors Peskin and McGoldrick were noted absent at 6:02 p.m.*

**080785 [Lymphoma Research Foundation Day - June 8, 2008]  
Supervisor Peskin**

Resolution declaring June 8, 2008 "Lymphoma Research Foundation Day" in San Francisco.

Resolution No. 266-08  
ADOPTED

**080786 [Grant to support resident transitions at Laguna Honda Hospital - \$10,000]  
Supervisor Elsbernd**

Resolution authorizing the San Francisco Department of Public Health -- Laguna Honda Hospital (DPH-LHH), to accept and expend retroactively a grant in the amount of \$10,000 from the Stanford Geriatric Education Center, to support the transitional healthcare project, for the period of September 1, 2007 through June 30, 2008.

Resolution No. 267-08  
ADOPTED

**080787 [Commending Wooly Wolverton]  
Supervisor Dufty**

Resolution commending Wooly Wolverton.

Resolution No. 268-08  
ADOPTED

**080788 [Condemning Chevron Corporation for its domestic and international business practices]  
Supervisors Ammiano, Daly, Mirkarimi, Peskin**

Resolution condemning Chevron Corporation for a systematic pattern of ethically questionable investments, complicity in human rights abuses, and environmental devastation in countries and communities in which it operates.

Resolution No. 270-08  
ADOPTED

**PASS THE CONSENT AGENDA by the following vote:**

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Sandoval  
Absent: 3 - Dufty, McGoldrick, Peskin

## **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 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

*[Purely Commendatory Finding]*

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

**Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved ADOPTION of the commendatory finding. The motion carried by the following vote:**

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Sandoval

Absent: 3 - Dufty, McGoldrick, Peskin

*[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 and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:**

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, Mirkarimi, Sandoval

Absent: 3 - Dufty, McGoldrick, Peskin

**080815 [Commending Dr. Marcy Adelman, Tita Aida, and David Cameron Strachan]  
Supervisors Sandoval, Ammiano, Dufty**

Resolution commending Dr. Marcy Adelman, Tita Aida, and David Cameron Strachan on their selection as "Unsung Heroes" by KQED and the LGBT community.

**Resolution No.** 269-08.

**Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Absent: 2 - Dufty, Peskin

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

*Introduced by Supervisors or Mayor Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments*

### Ordinances



**080800 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 1)]  
Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080801 [MOU, Amendment No. 1 - San Francisco Fire Fighters Union, Local 798 (Unit 2)]  
Mayor**

Ordinance adopting and implementing Amendment #1 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by implementing specified terms and conditions of employment for fiscal years 2008-2009, 2009-2010 and 2010-2011.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080802 [MOU, Amendment No. 2 - Service Employees International Union, Local 1021]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021 by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080803 [MOU, Amendment No. 1 - Automotive Machinists Union, Local 1414]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080804 [MOU, Amendment No. 1 - International Federation of Professional and Technical Engineers, Local 21]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080805 [MOU, Amendment No. 1 - Municipal Attorneys' Association]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080806 [MOU, Amendment No. 1 - Operating Engineers Local Union No. 3]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080807 [MOU, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080808 [MOU, Amendment No. 1 - Teamsters, Local 350]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350 by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080809 [MOU, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by extending the terms of the parties' Agreement through June 30, 2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080810 [MOU, Amendment No. 2 - Union of American Physicians and Dentists (Unit 8CC)]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080811 [MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 11AA)]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #1 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11AA) by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080812 [MOU, Amendment No. 2 - Municipal Executives' Association]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing Amendment #2 to the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the terms of the parties' Agreement through June 30, 2010 and by implementing specified terms and conditions of employment for fiscal years 2008-2009 and 2009-2010.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080813 [MOU, Municipal Executives' Association - Fire]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Fire, to be effective July 1, 2007 through June 30, 2011.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080814 [MOU, Municipal Executives' Association - Police]  
Mayor, Supervisor Elsbernd**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association Police, to be effective July 1, 2007 through June 30, 2011.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080818 [Recreation and Park - San Francisco Zoo Policies and Oversight]  
Supervisor Daly**

Ordinance adding Section 5.10 to the San Francisco Park Code to establish the San Francisco Zoo as a facility that primarily houses wildlife, domestic and exotic animals acquired from rescue situations, donations, and/or confiscations by law enforcement authorities; and to establish a Zoo Animal Welfare Oversight advisory committee appointed by the Board of Supervisors to advise the Board on policy priorities for ensuring that the needs of the animals are met.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

**080819 [Definition of Disability and Eviction Protection for Children]  
Supervisor Daly**

Draft ordinance prohibiting owner-move in evictions for households with children under the age of 18, and to amend the definition of disability so that it is the same as the definition of disability in the City's relocation section of the Rent Ordinance.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

**080820 [Parcel Map - 2 Unit Buildings in Condominium Conversion Lottery]  
Supervisor Daly**

Draft ordinance placing 2 unit buildings in condominium conversion lottery and exempting 2 unit buildings that are owner occupied as of August 1, 2008.

(Economic Impact)

6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

**080821 [Residential Rent Ordinance, defining and prohibiting tenant harassment and providing remedies of rent reduction, criminal and civil penalties]  
Supervisor Daly**

Draft ordinance amending the San Francisco Rent Ordinance to define and prohibit harassment by a landlord and providing for rent reduction fines for landlords who are harassing tenants.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008.

**080822 [Residential Rent Ordinance: Tenant Rights for Victims of Domestic Violence or Stalking]  
Supervisors Chu, Maxwell, Alioto-Pier**

Draft ordinance amending Chapter 37 Residential Rent Stabilization and Arbitration Ordinance by making Findings and amending Sections 37.2 and 37.9 to provide protections for tenants who are victims of domestic violence or stalking, including protection from evictions based on the actions of abusers or stalkers, rental agreement termination rights where personal safety is at substantial risk, and confidentiality protections.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/10/2008.

**080823 [Establishment of floodplain management programs and designation of floodplain administrator]  
Supervisors Elsbernd, Chu**

Ordinance establishing a floodplain management program by adding Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; designating the City Administrator as the floodplain administrator; and providing requirements for designating floodplains and for construction and development in floodplains.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/10/2008.

**080826 [Menu Labeling at Chain Restaurants]  
Supervisor Ammiano**

Ordinance amending Sections 468.2, 468.3, 468.4, 468.5, 468.6, and 468.8 of the San Francisco Health Code to (1) set rounding rules for disclosure of nutritional information, (2) allow nutritional information for pizzas to be listed per serving size, (3) allow chain restaurants to display the information required by Section 468.4 in brochures and booklets, (4) authorize the Director of the Department of Public Health to adopt rules and regulations to enforce these provisions, and (5) extend the deadlines for electronic reporting and disclosure on menus, food tags, and posters.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/10/2008. Sponsor requests that the item be scheduled for the next meeting of Rules Committee.

**080827 [To increase rates of Real Property Transfer Tax for sales in excess of \$1 million]  
Supervisor McGoldrick**

Ordinance amending Section 1102 of Article 12-C of the Business and Tax Regulations Code to increase the Real Property Transfer Tax rate from 0.75% to 1% if value or consideration for transfer equals or exceeds \$1 million but is less than \$1.25 million, to 1.25% if value or consideration for transfer equals or exceeds \$1.25 million but is less than \$1.75 million, to 1.5% if value or consideration for transfer equals or exceeds \$1.75 million but is less than \$2 million, and to 1.75% if value or consideration for transfer equals or exceeds \$2 million.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008.

**080830 [Pre-Tax Commuter Benefits for Qualifying Transit]  
Supervisor Mirkarimi**

Ordinance amending the San Francisco Environment Code by adding a new Section 421 to require San Francisco employers to offer commuter benefits to encourage employees to use public transit or van pools; to authorize the Department of the Environment to implement an Emergency Ride Home program; and making environmental findings.

(Fiscal Impact.)

6/10/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/10/2008.

06/24/08 - Referred to Planning for determination of environmental impact. 06/24/08 - Referred to the Dept. of the Environment for review and comment. 07/01/08 - Response received from Planning, Categorically exempt from CEQA.

**080831 [Payroll Expense Tax]  
Supervisor Peskin**

Ordinance amending the Business and Tax Regulations Code by amending Section 902.1 and adding Section 902.2 to clarify the tax liability of "pass through entities" under the Payroll Expense Tax Ordinance, including partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities.

(Economic Impact)

6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008. 6/23/08 - Referred to Small Business Commission for review and comment.

6/23/08 - Referred to Planning Department for environmental review.

06/30/08 - Response received from Planning, exempt from CEQA.

**080832 [Real Property Transfer Tax]  
Supervisor Peskin**

Ordinance amending the Business and Tax Regulations Code by amending Section 1102 to increase the Real Property Transfer Tax rate from 0.75% to 1.5% if the consideration for or value of the transfer exceeds \$2 million, and by amending Section 1105 to reduce the tax on transfers of residential property by up to one third (1/3) if, after January 1, 2009, the transferor has installed an active solar system or made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies, and by amending Section 1115 to clarify application of tax to transfers of ownership interests in legal entities that own real estate.

(Economic Impact)

6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008. 6/23/08 - Referred to Small Business Commission for review and comment.

6/23/08 - Referred to Planning Department for environmental review.

06/30/08 - Response received from Planning, exempt from CEQA.

**080792 [Replacing the Emergency Response Fee, with a general tax at the same rates and with the same exemptions and modernizing the Telephone Users Tax without changing the rate or exemptions.]  
Mayor, Supervisors Peskin, Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval**

Ordinance amending the Business and Tax Regulations Code by: (1) repealing Article 10A, Sections 750-770, to eliminate the Emergency Response Fee; (2) adding Article 10B, Sections 780-786, to add an Access Line Tax; (3) amending Article 10 by adding Sections 721, 722, and 723, amending Sections 701, 703, 707.1, and 708, and repealing Sections 702 and 707.3, all to update the Telephone Users Tax without changing the tax rate or exemptions; and (4) amending Article 6, Section 6.1-1, to make conforming changes; and ratifying past collection of the Telephone Users Tax and the Emergency Response Fee.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 7/10/2008. 6/23/08 - Referred to Small Business Commission for review and comment.

6/23/08 - Referred to Planning Department for environmental review.

06/30/08 - Response received from Planning, exempt from CEQA.

**080793 [Retroactively appropriating \$5,698,066 of revenue and General Fund Reserve for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008]  
Mayor**

Ordinance appropriating \$3,544,110 of State Proposition 41 grant revenue, \$898,965 of settlement revenue, \$86,446 of revenue from candidate filing fees and other general government charges, and \$1,666,690 of General Fund Reserve, for a total appropriation of \$6,196,211, for a new voting system and election services in the Department of Elections for Fiscal Year 2007-2008.

(Fiscal Impact.)

6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080794 [Appropriating \$16,864,000 to support cost overruns at San Francisco General and Laguna Honda Hospitals in the Department of Public Health for Fiscal Year 2007-2008]****Mayor**

Ordinance appropriating \$16,864,000, including \$15,449,000 in surplus hospital revenues and \$1,415,000 from a de-appropriation of General Fund savings in Health at Home, for cost overruns at San Francisco General Hospital and Laguna Honda Hospital in the Department of Public Health for Fiscal Year 2007-2008; and de-appropriating \$5,801,000 of the Healthy San Francisco revenues and expenditures due to lower program participation in the Department of Public Health for Fiscal Year 2007-2008.

(Fiscal Impact.)

6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Resolutions****080815 [Commending Dr. Marcy Adelman, Tita Aida, and David Cameron Strachan]****Supervisors Sandoval, Ammiano, Dufty**

Resolution commending Dr. Marcy Adelman, Tita Aida, and David Cameron Strachan on their selection as "Unsung Heroes" by KQED and the LGBT community.

6/10/08, ADOPTED.

**080817 [Condemnation of ICE and DIHS for its treatment of detainees and deportees]****Supervisor Ammiano**

Resolution condemning ICE and DIHS for its systemic neglect of detainees' medical needs, and its forced injection of deportees with psychotropic drugs upon their deportation.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080824 [Authorizing enrollment in National Flood Insurance Program]****Supervisors Elsbernd, Chu**

Resolution authorizing enrollment in the National Flood Insurance Program, providing assurances that the City, acting by and through the City Administrator, will implement a floodplain management program, and authorizing the City Administrator to take actions necessary to implement this resolution.

6/10/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**080825 [Apply for state grant up to \$1,000,000 - Sheriff's Department project to address the needs of mentally ill offenders in the jails]****Supervisor Elsbernd**

Resolution authorizing the Sheriff's Department to apply for a 12-month grant in an amount not to exceed \$ 1,000,000 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program.

6/10/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080828 [Public Education Enrichment Fund - First Five Commission]  
Supervisors McGoldrick, Ammiano**

Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2008-09.

6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080829 [Public Education Enrichment Fund - Unified School District Fiscal Year 2008-2009]  
Supervisor McGoldrick**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2007-08.

6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080833 [Commending the Friends and Advocates of Crocker-Amazon and the Excelsior, the Precita Eyes Mural Center, and the Neighborhood Parks Council on the completion of the Crocker-Amazon Playground Mosaic Tile Project]  
Supervisor Sandoval**

Resolution commending the Friends and Advocates of Crocker-Amazon and the Excelsior, the Precita Eyes Mural Center, and the Neighborhood Parks Council on the completion of the Crocker-Amazon Playground Mosaic Tile Project.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080834 [70 day extension for Planning Commission review - Zoning Map ZN Amendment]  
Supervisor Sandoval**

Resolution extending by 70 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Zoning Map ZN of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located on the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, One-Family) District to NC-3 (Moderate-Scale, Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080835 [Authorizing the Department of the Environment to develop a proposal for an environmental education program based on the EcoMedia term sheet]  
Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to develop a proposal for an EcoZone environmental education program for San Francisco, based on the EcoMedia term sheet.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.



- 080836 [Application to California State Department of Housing and Community Development for BEGIN Program funding]**  
**Supervisor Daly**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 080837 [Honoring Belinda Bellinger]**  
**Supervisor Daly**

Resolution commending Belinda Bellinger for her service to the youth of San Francisco and wishing her well until she returns to our great city.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 080838 [Urging Congress to hold hearings on House Resolution 676]**  
**Supervisor Ammiano**

Resolution Urging the United States House of Representatives to begin hearings on House Resolution 676 – The United States National Health Insurance Act (Expanded and Improved Medicare for All) authored by Representative John Conyers, Jr. (D - MI).

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 080839 [Requesting the City Attorney investigate the City's options to ensure skycaps and other service workers at SFO will retain their tips]**  
**Supervisor Ammiano**

Resolution requesting the City Attorney investigate the City's options to ensure skycaps and other service workers at the San Francisco International Airport will retain their tips and work with the Los Angeles City Attorney.

6/10/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 080816 [San Francisco Redevelopment Agency]**  
**Supervisor Daly**

Hearing on San Francisco Redevelopment Agency's Application for \$25,021,079 in Proposition 1C Funds from the California Department of Housing and Community Development (HCD) to subsidy construction costs in the Hunters Point Shipyard Redevelopment Project Area.

6/10/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Motion**

- 080791 [Declaration of Policy - Repealing the Emergency Response Fee and Enactment of an Access Line Tax]  
Mayor, Supervisors Peskin, Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,  
Mirkarimi, Sandoval**

Motion submitting a policy declaration to the qualified electors of the City and County of San Francisco at the November 4, 2008 election concerning the voter's non-binding recommendation that Article 10A (the Emergency Response Fee) be repealed, that Article 10B (Access Line Tax) be added to the Business and Tax Regulations Code and that the proposed Access Line Tax revenues be expended to support public safety and health by funding San Francisco's 911 Emergency Communications Center.

6/10/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Charter Amendment**

- 080641 [Pier 70 plan and lease approvals; General Fund financing for Pier 70 waterfront improvements;  
transfer of funds according to agreements between the Port Commission and other departments;  
priorities for use of Port funds]  
Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty**

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2008.

5/21/08, SUBSTITUTED. Amendment of the Whole (Second Draft), new title.

30 days begins upon receipt of Charter Amendment approved as to form and a legislative digest.

6/10/08, SUBSTITUTED. Supervisor Maxwell submitted a substitute charter amendment bearing new title.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2008.

**PROPOSED ORDINANCES**

- 080796 [Amending Ordinance 202-07, authorizing award of contract for CM/GC services for the San Francisco General Hospital Rebuild Program, and making findings under CEQA]  
Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program and authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco General Hospital Rebuild Program. (Public Works Department)**

(Fiscal Impact.)

6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**PROPOSED RESOLUTIONS**

- 080673 [San Francisco Public Utilities Commission Cross Connection Controls Project]**  
Resolution adopting Final Mitigated Negative Declaration, and adopting findings pursuant to the California Environmental Quality Act (CEQA), including the Mitigation Monitoring and Reporting Plan, related to use of appropriated funds for San Francisco Public Utilities Commission (SFPUC) Cross Connection Controls Project. (Public Utilities Commission)  
5/30/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 080674 [IHSS Contract Approval - \$51,433,291]**  
Resolution to amend Resolution # 644-05 approved on August 18, 2005 approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of \$51,433,291. (Human Services Department)  
  
(Fiscal Impact.)  
6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080675 [Approval of a contract amendment with InfoMc, Inc. to support and maintain the eCURA application in use by the Community Behavioral Health Services unit of the Department of Public Health]**  
Resolution authorizing the San Francisco Department of Public Health (DPH), to enter into a contract amendment with InfoMc, Inc. for the continued maintenance of proprietary InfoMc, Inc. applications for a new term July 1, 1999 through June 30, 2011. (Public Health Department)  
  
(Fiscal Impact.)  
6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 080764 [Ratification of increases to prior professional service contracts for health and behavioral health services]**  
Resolution approving amendment to Resolution No. 702-06, which ratified prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approved three year extensions, to increase the amounts of five of those contracts. (Public Health Department)  
  
(Fiscal Impact.)  
6/2/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080797 [Authorizing award of architectural and engineering design services contract for the San Francisco General Hospital Replacement Program and adopting findings under CEQA]**  
Resolution authorizing the award of an architectural and engineering design services contract for the San Francisco General Hospital Rebuild Program. (Public Works Department)  
  
(Fiscal Impact.)  
6/2/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**Requests Granted**

*From: Supervisor Chu*

*To: Controller*

*Requesting/Inquiring: Requesting that the Controller quantify direct tax revenue and fees that would be associated with increase of marriages expected as a result of the State Supreme Court's ruling on same-sex marriages for both the current and next fiscal years. The report should include analysis of anticipated increase in tourism and spending in San Francisco. The report should also indicate if this revenue can be certified, and when the funds can be expended.*

*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 private property locations:*

*516 Haight*

*355 Laguna*

*306 Laguna*

*571 Fell*

*497 Oak*

*420 Haight*

*901 Haight*

*1055 Haight*

*1301 Haight*

*410 Oak*

*702 Haight*

*546 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 utility poles at the following locations:*

*Wood*

*In front of 432 Oak*

*406 Buchanan*

*Trash Cans*

*Northeast corner of Octavia and Fell*

*Fire Hydrant*

*Northeast corner of Haight and Divisadero*

*Mailbox*

*Octavia and Oak*

*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 following locations:*

*Phone Switch Boxes:*

*Southeast corner of Eddy and Webster*

*Southeast corner of Golden Gate and Scott*

*Southwest corner of McAllister and Fillmore*

*East side, mid-block of Buchanan and Linden*

*City Trash Cans*

*Southwest corner of Buchanan and Hayes*

*546 Haight Street*

*Southeast corner of Scott and Eddy*

*Mailboxes*

Southwest corner of Divisadero and Golden Gate  
Northeast corner of Haight and Fillmore  
Southeast corner of Hayes and Buchanan  
Bus Shelters  
Hayes and Buchanan  
Hayes and Fillmore

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 newsstands at the following locations:  
San Francisco Bay Guardian  
Southeast corner of Fillmore and Post  
Southwest corner of Divisadero and Sutter  
9th Avenue and Judah (near bus stops)  
7th Avenue and Irving (near bus stops)  
Northwest corner of Hayes and Fillmore  
Southeast corner of Fillmore and Haight  
San Francisco Chronicle  
Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
Irving and 9th Avenue  
Irving and 7th Avenue  
Southwest corner of Haight and Clayton  
Southeast corner of Haight and Masonic  
San Francisco Examiner  
Northwest corner of Fillmore and Hayes  
Southeast corner of Haight and Fillmore  
SF Daily  
Northwest corner of Hayes and Gough  
City Star  
Northwest corner of Hayes and Gough  
Southeast corner of Fillmore and Haight  
SF Weekly  
Southeast corner of Masonic and Haight  
Southeast corner of Haight and Fillmore

From: Supervisor Chu  
To: City Attorney  
Requesting/Inquiring: Requesting that the City Attorney draft an ordinance amending Chapter 37 Residential Rent Stabilization and Arbitration Ordinance regarding victims of domestic violence and stalking.

From: Supervisor Daly  
To: City Attorney  
Requesting/Inquiring: Requesting that the City Attorney draft an Ordinance defining and prohibiting harassment by a landlord and providing for rent reduction or fines for landlords who are harassing tenants.

From: Supervisor Daly  
To: City Attorney  
Requesting/Inquiring: Requesting that the City Attorney draft an Ordinance placing 2 unit buildings in condominium conversion lottery and exempting 2 unit buildings that are owned-occupied as of August 1, 2008.

*From: Supervisor Daly*

*To: City Attorney*

*Requesting/Inquiring: Requesting that the City Attorney draft an Ordinance prohibiting owner move-in evictions for households with children under the age of 18, and to amend the definition of disability so that it is the same as the definition in the City's relocation section of the rent ordinance.*

**In Memoriams**

*Joan Keane Crotty - Supervisor Elsbernd*

*Bariton La Royce Coleman - Supervisors Maxwell and Ammiano*

*Sumner Robertson Winship - Supervisor Dufty*

*Janet Marie Kerpan - Supervisor Dufty*

## ADJOURNMENT

*There being no further business the Board adjourned at the hour of 6:43 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 July 22, 2008.*



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Angela Calvillo  
Clerk of the Board