

**Board of Supervisors**  
**City and County of San Francisco**  
*Legislative Chamber - Second Floor*  
*City Hall, 1 Dr. Carlton B. Goodlett Place*  
*San Francisco, CA 94102-4689*



**AGENDA**  
**Tuesday, July 17, 2007**  
**2:00 PM**

**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**

---

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

**APPROVAL OF MEETING MINUTES**

*Motion to approve Board Meeting Minutes for June 5, 2007, June 12, 2007, and Special Board of Supervisors Meeting of the Budget and Finance Committee for June 6, 2007.*

**AGENDA CHANGES**

**COMMUNICATIONS**

*Note: Each item on the Consent or Regular agenda may include the following documents:*

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

*These items will be available for review at City Hall, Room 244, Reception Desk.*

**SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board**

*(This item will be read at the third regularly scheduled Board meeting of every month)*

*The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.*

*Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, general public comment for this item will take place during public comment.*

## **CONSENT AGENDA**

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

### **Items 1 through 3**

#### **Recommendations of the Land Use and Economic Development Committee**

*Present: Supervisors Maxwell, Sandoval, McGoldrick*

- 1. 070657 [Repealing expired and superceded provision establishing Heavy Truck Loading Zones] Supervisor McGoldrick**

Ordinance amending the San Francisco Traffic Code by repealing expired Section 33.3.1 establishing heavy truck loading zones, and making a conforming change to Section 132 to eliminate the penalty for violating Section 33.3.1. (Municipal Transportation Agency)

7/10/2007, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.

**Question: Shall this Ordinance be FINALLY PASSED?**
- 2. 070658 [Eliminating obsolete peddler permitting program that expired in 1989] Supervisor McGoldrick**

Ordinance amending the San Francisco Traffic Code by amending Section 68 to remove obsolete references to Traffic Zone No. 1 and an expired permitting program for peddlers. (Municipal Transportation Agency)

7/10/2007, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as sponsor.

**Question: Shall this Ordinance be FINALLY PASSED?**
- 3. 070659 [Establishing restrictions on trucks and buses on portions of Broderick, Ellis, and Eddy Streets and St. Joseph's Avenue] Supervisor Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Sections 1183.37 through 1183.40 and amending the San Francisco Traffic Code by adding Sections 28.1.171 through 28.1.174 to establish bus and vehicle weight restrictions on portions of Broderick Street, St. Joseph's Avenue, Eddy Street and Ellis Street. (Municipal Transportation Agency)

7/10/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?**

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as*



7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

- 7. 070840 [Treasure Island Development Authority Budget] Mayor**  
Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2007-2008.  
(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

- 8. 070739 [Accept-Expend Federal Grant - Department of Economic and Workforce Development] Supervisor Mirkarimi**  
Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$200,000 in FY 2006-07 from the Private Industry Council of San Francisco, Inc. for workforce development administration, contracting, and data management, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

- 9. 070740 [Accept-Expend Federal Grant - Department of Economic and Workforce Development] Supervisor Mirkarimi**  
Ordinance authorizing the Department of Economic and Workforce Development to accept and expend a grant in the amount of \$5,765,890 in FY 2007-2008 from the California Employment Development Department for workforce development, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Peskin, Ammiano, Elsbernd, Mirkarimi*

- 10. 070808 [Increasing fees for certain services provided by the Medical Examiner] Mayor**  
Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fees for removal of remains, cremation services, and making environmental findings.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Peskin, Dufty, Elsbernd, Mirkarimi*

- 11. 070809 [San Francisco Administrative Code - First Offender Prostitution Program Fee] Mayor**

Ordinance amending Ordinance No. 289-98 (Sec. 10.193-1 of the Administrative Code of the City and County of San Francisco) establishing the First Offender Prostitution Program Fee, to remove reference to Penal Code Section 647(b), to allow the Office of the District Attorney to send all eligible prostitution-related offenders to the department's First Offender Prostitution Program (FOPP) diversion class.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

*Present: Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd*

**12. 070810 [Patient Rates - Public Health] Mayor**

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2007.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**13. 070811 [Public Works Code - Fees for various permits] Mayor**

Ordinance amending Public Works Code Sections 2.1.1, 2.1.2, and 724.1 to update and codify various permit fees, including permits for café tables and chairs, commemorative plaques, debris boxes, driveways, minor sidewalk encroachments, pipe barriers, sidewalks, street encroachments, street improvements, temporary street space occupancy; and making environmental findings.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**14. 070812 [Amending Subsections of Section 106 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits] Mayor**

Ordinance making environmental findings and amending Sections 106.2, 106.3, 106.7, 106.8, 106.9, 106.10, 106.11, 106.15, 106.17 and Tables 106-B and 106-C of the San Francisco Fire Code to increase fees for certain Fire Department services and permits, to become operative on its effective date or on July 1, 2007, whichever is later.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**15. 070813 [Amending Sections of the San Francisco Business and Tax Regulations Code to increase certain Fire Department licensing fees] Mayor**

Ordinance making environmental findings, amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 of the San Francisco Business and Tax Regulations Code to increase licensing fees for certain permits issued by the Fire Department, and repealing Section 242.1 of the San Francisco Business and Tax Regulations Code, to become operative on its effective date or on July 1, 2007, whichever is later.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

16.       **070815**       **[Recreation and Park Department - Athletic Fees]**       **Mayor**  
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.36, to revise the fee schedule for use of athletic fields.  
7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

17.       **070816**       **[Recreation and Park Department - Harding Park Fees]**       **Mayor**  
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.12, to revise the time for super twilight play, to establish fees for shotgun tournaments, and to authorize the Recreation and Park Commission to approve special promotions not to exceed a 20% discount of the applicable rate.  
7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

18.       **070817**       **[Recreation and Park Department - Clubhouse Rental Fees]**       **Mayor**  
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.21, to increase the fees for renting clubhouses in San Francisco parks.  
7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

19.       **070818**       **[Recreation and Park Department - Junior Golf Tournament Fees]**       **Mayor**  
Ordinance making environmental findings and adding San Francisco Park Code, Article 12, Section 12.43, to establish fees for Junior and Family golf tournaments.  
7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

20.       **070819**       **[Recreation and Park Department - Program Fees]**       **Mayor**  
Ordinance making environmental findings and adding San Francisco Park Code, Article 12, Section 12.44, to establish a fee structure for recreational programs, subject to the review and approval of the Recreation and Park Commission.  
7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

21.       **070820**       **[Recreation & Park Department - Reservation Administrative Fees]**       **Mayor**  
Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.45 to establish administrative fees.  
7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

22. 070821 [Recreation & Park Department - Change to Resident Golf Card Fee] Mayor

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.32, to increase the annual fee for San Francisco Resident Golf Cards from \$40.00 to \$45.00 and imposing administrative fees.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

23. 070822 [Recreation and Park Department - Wedding Fees] Mayor

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.07, to increase the fees for holding weddings in San Francisco parks.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

24. 070823 [Retiree Health Benefits Fund] Mayor, Supervisor Elsbernd

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-275, to create a Retiree Health Benefits Fund. (Mayor)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

25. 070849 [Establishing the HOPE SF Fund and provide for appropriations to the Fund] Mayor, Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-370, to: establish the HOPE SF Fund; direct the City to appropriate \$5,000,000 to the Fund for FY 2007-2008 and set City policy regarding future appropriations to the Fund; identify the permitted uses of moneys so deposited; and, set forth provisions for the administration of such fund.

(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

26. 070702 [Second Amendment to Catholic Charities Sublease of Housing Units on Treasure Island]

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Catholic Charities to increase utility rates. (Treasure Island Development Authority)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

27. 070703 [Second Amendment to Community Housing Partnership Sublease of Housing Units on Treasure

**Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Community Housing Partnership to add 42 residential units to the premises, to increase the common area maintenance charge and to increase utility rates. (Treasure Island Development Authority)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

**28. 070704 [First Amendment to Haight Ashbury Free Clinics Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Haight Ashbury Free Clinics to increase utility rates. (Treasure Island Development Authority)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

**29. 070705 [First Amendment to Rubicon Programs Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Rubicon Programs to increase utility rates. (Treasure Island Development Authority)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

**30. 070706 [First Amendment to Swords to Plowshares Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a first amendment to the sublease with Swords to Plowshares to increase utility rates. (Treasure Island Development Authority)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

**31. 070707 [Second Amendment to Walden House Sublease of Housing Units on Treasure Island]**

Resolution approving and authorizing the Director of Island Operations for the Treasure Island Development Authority to execute a second amendment to the sublease with Walden House to add 12 residential units to the premises, to increase the common area maintenance charge and to increase utility rates. (Treasure Island Development Authority)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Peskin, Ammiano, Dufty, Elsbernd*



32. 070824 [Approval of FY07-08 Expenditure Plan for the Human Services Care Fund] Mayor  
Resolution approving the FY07-08 Expenditure Plan for the Human Services Care Fund.  
(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

33. 070888 [Jurisdictional transfer of property from DPW to HSA] Mayor

Resolution transferring jurisdiction of certain real property located at 1 Cashmere Street (Assessors Block 4720, Lot 7; the Sojourner Truth Child Care Center), 200 Cashmere Street (Assessors Block 4710, Lot 6; the MLK Nursery School), 100 Whitney Young Circle (Assessors Block 4711, Lot 6; the Earl P. Mills Community Center), and 1030 Oakdale Avenue (Assessors Block 4714, Lot 7; the Captain William Sorey Nursery School), from the Department of Public Works to the Human Services Agency.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

*Present: Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd*

34. 070827 [Disbursements from Budget Savings Fund] Mayor  
Resolution approving disbursements from the Budget Savings Incentive Fund.  
(Fiscal Impact.)

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

35. 070885 [Proposition J Contract/Certification of specified contracted-out services for Department of Elections] Mayor

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for absentee voter ballot distribution services for Department of Elections.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

### **From the Budget and Finance Committee Without Recommendation**

36. 070887 [Proposition J Contract/Certification of specified contracted-out services for Recreation and Park] Mayor

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for golf course maintenance services at the Department of Recreation and Parks.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Rules Committee**

*Present: Supervisors Ammiano, Elsbernd, Peskin*

37.        **070730**        **[Charter Amendment - Renewal of Library Preservation Fund for fifteen-year term and authorization to issue debt for Library purposes secured by and/or repaid from the Fund]**        **Supervisors Peskin, Maxwell, Elsbernd, Alioto-Pier, Mirkarimi, McGoldrick, Dufty, Ammiano**

Charter amendment (Second Draft) to repeal the existing Section 16.109 and to add a new Section 16.109, to renew the Library Preservation Fund for fifteen years and to authorize the City and County of San Francisco to issue debt for Library purposes secured by and/or repaid from the Fund.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Charter Amendment be SUBMITTED?**

**From the Rules Committee Without Recommendation**

*Present: Supervisors Ammiano, Elsbernd, Peskin*

38.        **070726**        **[Charter Amendment - Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members]**        **Supervisor Daly**

Charter amendment (First Draft) to amend Sections 2.103 and 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Charter Amendment be SUBMITTED?**

39.        **070727**        **[Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality]**        **Supervisors McGoldrick, Sandoval**

Charter amendment (First Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Charter Amendment be SUBMITTED?**

40.        **070731**        **[Charter Amendment - Emissions Reduction and Transit Reform]**        **Supervisor Peskin**

Charter amendment (First Draft) to amend Sections 8A.101 through 8A.106, 8A.108 through

8A.110, 8A.112 through 8A.113, 9.118, and A8.404, repealing Section 16.110; and by re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency.

7/10/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Charter Amendment be SUBMITTED?**

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

- 41. 070724 [Charter Amendment - San Francisco Affordable Housing Fund] Supervisors Daly, Ammiano**

Charter amendment (Third Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of an annual tax of two and one-half cents [\$0.025] on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor to prepare an affordable housing plan every three (3) years; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and setting an expiration date of July 1, 2023.

7/10/2007, AMENDED.

7/10/2007, CONTINUED AS AMENDED. Continued to July 17, 2007 with the Board Sitting as a Committee of the Whole Supervisor Ammiano requested to be added as a co-sponsor.

**Question: Shall this Charter Amendment be SUBMITTED?**

- 42. 070938 [Charter Amendment - To provide retirement benefits for police department employees who were also airport police officers prior to December 27, 1997, as if they had been members of the Supervisor McGoldrick**

Charter amendment (Fourth Draft) to amend Sections A8.506-2 and A8.597-11(a) to authorize the Board of Supervisors to amend a contract with the Public Employees Retirement System in order to transfer to the San Francisco Employees' Retirement System the assets and liabilities of certain airport police officers, and by adding Section A8.597-10(d) to include time worked as an airport police officer in the calculation for retirement benefits for police department employees.

7/10/2007, AMENDED.

7/10/2007, CONTINUED AS AMENDED. Continued to July 17, 2007 with the Board Sitting as a Committee of the Whole

**Question: Shall this Charter Amendment be SUBMITTED?**

**NEW BUSINESS**

**Recommendations of the Budget and Finance Committee**

*Present: Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd*

- 43. 070814 [Increasing permit and license fees for motor vehicle for hire permits] Mayor**

Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1, to increase permit and license fees for certain motor vehicle for hire permits, and to repeal

obsolete provisions; amending Police Code Section 2.31 to authorize an annual adjustment to such fees to match changes in the Consumer Price Index; and ratifying fees previous collected.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**44. 070769 [Amending a contract with anticipated expenditure in excess of \$10 million]**

Resolution approving the Eighth Amendment to the agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, increasing the total compensation to the Contractor by \$1.3 million to \$12,415,000, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

(Fiscal Impact.)

**Question: Shall this Resolution be ADOPTED?**

**Recommendations of the Public Safety Committee**

*Present: Supervisors Mirkarimi, Maxwell, Dufty*

**45. 070682 [Prohibition of possession or sale of firearms or ammunition on county property] Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Section 617 to prohibit the possession or sale of firearms or ammunition on property controlled by the City and County of San Francisco.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**46. 070683 [Requirement that firearms located within a residence be kept in a locked container or secured with a trigger lock] Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Section 4512 to require that all handguns located within a residence be kept in a locked container or disabled with a trigger lock.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**47. 070684 [Requiring dealers to inventory firearms every six months] Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by amending Section 613.10 to require licensed firearms dealers to transmit to the Chief of Police an inventory of firearms every six months.

**Question: Shall this Ordinance be PASSED ON FIRST READING?**

**Recommendations of the Rules Committee**

*Present: Supervisors Ammiano, Elsbernd, Peskin*

**48. 070964 [Appointment - Association of Bay Area Governments Executive Board]**

Resolution appointing Supervisor Chris Daly and Supervisor Ross Mirkarimi, terms ending June 30, 2009, to the Association of Bay Area Governments Executive Board.

Supervisor Chris Daly, succeeding himself, term expired, seat 1, must be a member of the Board of Supervisors, for a new two-year term ending June 30, 2009.

Supervisor Ross Mirkarimi, succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for a new two-year term ending June 30, 2009.

**Question: Shall this Resolution be ADOPTED?**

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

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

#### *APPEAL PROCEDURES*

*Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:*

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

**49.           070708   [Public Hearing - Appeal of Final Mitigated Negative Declaration - 3400 Cesar Chavez Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on April 19, 2007, approving a Final Mitigated Negative Declaration (File No. 2005.0030E), for the proposed demolition of the existing building and construction of a new four-story building that would house a Walgreens store and up to three other small retail spaces on the ground floor, as well as 60 one-, two-, and three-bedroom owner-occupied residential units above. The building would be about 115,000 gross square feet in size and approximately 50 feet in height. A total of about 97 parking spaces would be provided, with most located in a basement parking garage. The ground-floor retail stores would serve as a podium for a residential courtyard above. Access to the residential and employee parking garage would be from Bartlett Street, while access to surface-level customer parking for the retail stores would be from Cesar Chavez Street. The project site is located within an NC-3 (Moderate Scale Neighborhood Commercial) zoning district and within a 50-X height and bulk district in the Mission neighborhood. (Appellant: Nick Pagoulatos on behalf of the Mission Anti-displacement Coalition.)

(Filed May 22, 2007; companion measure to Files 070709, 070710, 070711, District 9.)

6/26/2007, CONTINUED. Continued to July 17, 2007

**Action:** \_\_\_\_\_

*Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration 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.)**

- 50.           070709       [Affirming adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]**  
Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.  
  
6/26/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Motion be APPROVED?**

- 51.           070710       [Reversing adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]**  
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.  
  
6/26/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Motion be APPROVED?**

- 52.           070711       [Preparation of findings to reverse adoption of the mitigated negative declaration for 3400 Cesar Chavez Street]**  
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.  
  
6/26/2007, CONTINUED. Continued to July 17, 2007

**Question: Shall this Motion be APPROVED?**

**53.           ROLL CALL FOR INTRODUCTIONS**

*Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.*

**54.           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.*

## **APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST**

*These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.*

## **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.*

### **Items 55 through 58**

- 55. 071010 [Zoning - Extension of Planning Commission review period] Supervisor McGoldrick**
- Resolution extending by an additional 45 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Planning Code Sections 315.3 and 315.6 of the Residential Inclusionary Affordable Housing Program to extend the requirements of the Program from all housing projects of five (5) units or more to all housing projects of two (2) units or more.
- 7/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 56. 071011 [Endorsing the 2007 Immigrant Rights Summit] Supervisors Ammiano, Daly, Alioto-Pier, Maxwell, Sandoval, Dufty, Peskin**
- Resolution endorsing the 2007 Immigrant Rights Summit to be convened at the Bill Graham Civic Auditorium and declaring September 15, 2007 as Immigrant Rights Day in the City and County of San Francisco.
- 7/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 57. 071012 [New Portola Branch Library groundbreaking] Supervisors Maxwell, Ammiano**
- Resolution recognizing the groundbreaking ceremony for the new Portola Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.
- 7/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE  
AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**58. 071013 [Accept and Expend Foundation Grant - Department of the Environment] Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$15,000 from the California Breathing for the purpose of implementing the Bayview Hunters Point (BVHP) Healthy Homes Project.

7/10/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?**

**59. 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).*

*[Serious Injury Finding]*

*Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

*[Purely Commendatory Finding]*

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

*[Brown Act Finding]*

*Motion that the Board find by roll call vote that for the resolutions 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.*

**OFF-AGENDA LEGISLATION**

**PROPOSED ORDINANCES**

*Proposed ordinances received from July 3, 2007 through July 9, 2007 for reference by the President to appropriate committee on July 17, 2007.*

**070993 [Settlement of Lawsuit - Francisco Moreno, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Francisco Moreno, Maria Govea, Mauricio Moreno and Nancy Moreno against the City and County of San Francisco for \$112,000; the lawsuit was filed on November 18, 2005 in United States District Court, Case No. C05-4752; entitled Francisco Moreno, et al. v. City and County of San Francisco, et al. (City Attorney)

7/9/2007, RECEIVED AND ASSIGNED to Rules Committee.



**070994 [Settlement of Lawsuit - Dave Alba et al.]**

Ordinance authorizing the settlement of a lawsuit filed by Dave Alba et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$625,000.000; the lawsuit was filed on April 22, 2005, in the United States District Court for the Northern District, Case No. C05-01667, entitled Dave Alba, et al., v. City and County of San Francisco. (City Attorney)

7/9/2007, RECEIVED AND ASSIGNED to Rules Committee.

**070998 [MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]**

**Mayor**

Ordinance adopting and implementing the 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), to be effective July 1, 2007 through June 30, 2011.

7/10/2007, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**PROPOSED RESOLUTIONS**

*Proposed resolutions received from July 3, 2007 through July 9, 2007 for reference by the President to appropriate committee on July 17, 2007.*

**070995 [Settlement of Claim - Alexa Internet]**

Resolution approving the settlement of the unlitigated Claim No. 07-02244 filed by Alexa Internet on February 28, 2007 against the City and County of San Francisco for business payroll tax refund under the Federal Enclave Presidio Exemption in the amount of \$86,586.87. (City Attorney)

7/9/2007, RECEIVED AND ASSIGNED to Rules Committee.

**070996 [Raising a contract's dollar amount to more than \$10 million]**

Resolution approving the Third Amendment to the Agreement between the City and County of San Francisco (City) and Office Depot (Contractor) for office supplies, increasing the Agreement's not-to-exceed amount to more than \$10 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

7/9/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070997 [MOU, San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]**

**Mayor**

Ordinance adopting and implementing the 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), to be effective July 1, 2007 through June 30, 2011.

7/10/2007, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**PROPOSED MOTIONS**

*None*

**071041 [Petition and Communications]**

Petitions and Communications received from July 3, 2007 through July 9, 2007 for reference by the President to July 17, 2007.

From various City departments, submitting list of sole source contracts entered into during fiscal year 2006-2007:(1)

Employees' Retirement System

Mayor's Office

Department of Economic and Workforce Development

Mayor's Office of Community Development/Housing

San Francisco International Airport

From Public Utilities Commission, regarding status on removing graffiti on metal and wooden poles at various locations in District 5. (Reference 20070605-003) Copy: Supervisor Mirkarimi(2)

From Public Utilities Commission, regarding status on removing graffiti at various locations in District 5. (Reference 20070612-004) Copy: Supervisor Mirkarimi (3)

From Public Utilities Commission, regarding status on removing graffiti various locations in District 5. (Reference 20070619-004) Copy: Supervisor Mirkarimi(4)

From Office of the Legislative Analyst, regarding natural areas management plans. File 061559(5)

From Mayor Gavin Newsom, regarding signing two ordinances which together represent an initial step toward Community Choice Aggregation (CCA) for San Francisco. Copy: Each Supervisor, City Attorney(6)

From Planning Department, submitting summary of program Environmental Impact Report for the San Francisco Public Utilities Commission's water system improvement program. Copy: Each Supervisor(7)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Civic Center.(8)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for SMG (S.F. Convention Facilities).(9)

From Office of the Public Defender, submitting request for waiver of Administrative Code Chapter 12B for Chevron USA, Inc.(10)

From Department of Public Health, submitting monthly STD report for May 2007.(11)

From Vincent Poy, Ph.D, regarding the San Francisco Housing Authority.(12)

From concerned citizens, urging the Board to keep "Buster's Place" open. File 070773, 2 letters(13)

From Art Walker, submitting copy of letter written to the United Administrators of San Francisco. 2 letters(14)

From concerned citizens, submitting support for Fleet Week in San Francisco. File 070931, Copy: Each Supervisor, 2 letters(15)

From concerned citizens, submitting opposition to the proposed 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission. File 070919, 14 letters(16)

From concerned citizens, urging the Board to vote against the proposed ordinance to ban firearms on County property. File 070682, Copy: Each Supervisor, 3 letters(17)

From concerned citizens, urging the Board to vote against the proposed ordinance for mandatory dealer inventory. File 070684, Copy: Each Supervisor, 3 letters(18)

From concerned citizens, urging the Board to vote against the proposed handgun storage ordinance. File 070683, Copy: Each Supervisor, 4 letters(19)

From concerned citizens, urging the Board to vote against the proposed gun offender registry ordinance. File 070689, Copy: Each Supervisor, 2 letters(20)

From concerned citizens, submitting support for the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 2 letters(21)

From Francisco Da Costa, commenting on various issues with Lennar BVHP LLC.(22)

From Francisco Da Costa, commenting on the San Francisco Health Department.(23)

From Kim Crossman, regarding National Legislative XML.(24)

From Ted Trahan, commenting on various issues and concerns regarding Supervisor Jew.(25)

From Vicki Leidner, submitting support for the implementation of Community Choice Aggregation in San Francisco.(26)

From Ethics Commission, submitting Report of Payments Made at the Behest of an Elected Officer for Supervisor Peskin.(27)

From Kerry Hamill, regarding BART summer youth tours. Copy: Each Supervisor(28)

From Senator Dianne Feinstein, submitting copy of letter written to Supervisor Peskin. Copy: Each Supervisor(29)

From Unite Here! Strategic Affairs, submitting support for the appointment of Alan Flum to the Sweatfree Advisory Group.(30)

From Linda Tichy, commenting on the need for newspaper recycling. Copy: Each Supervisor(31)

From Library Users Association, regarding library funding ballot measure.(32)

From Christian Holmer, regarding immediate disclosure requests from various City departments. 3 letters(33)

From concerned citizens, commenting on various issues in opposition to the proposed Wi-Fi agreement with Google and Earthlink. File 070077, Copy: Each Supervisor, 6 letters(34)

From Fire Department, submitting Fire/Life Safety Inspection Report for San Francisco Youth Guidance/Juvenile Hall.(35)

From Police Department, submitting request for waiver of Administrative Code 12B and 12C for Chevron USA, Inc.(36)

From Department of Public Works, regarding restoration of Wilder Avenue for main sewer installation by A. Ruiz Construction.(37)

From Recreation and Park Commission, submitting policy on naming and/or changing the designation of facilities, resolution no. 12470. Copy: Each Supervisor(38)

From concerned citizens, urging the Board to adopt the proposed 2007-2008 budget as it relates to the Neighborhood Emergency Response Team. File 070773, Copy: Each Supervisor, 3 letters(39)

From Charles Bolton, regarding the 3400 Cesar Chavez Project (Kelly-Moore site) Negative Declaration appeal. File 070708(40)

From John Kollins, submitting opposition to the proposed Universal Healthcare policy.(41)

From Lennar Urban, regarding the first phase of redevelopment at the Hunters Point Shipyard. File 070881,(42)

From San Francisco Council of District Merchants Associations, regarding the Marina Certified Farmers' Market. File 070846, Copy: Each Supervisor(43)

From Gregory D. Brown MPA, commenting on San Francisco's golf courses. File 070961(42)

From Marylyn Tesconi, commenting on the Lorraine Hansberry Theatre. File 070935(43)

From Office of the Controller/City Services Auditor, submitting report concerning the review of The Family School and its compliance with the City ordinance prohibiting the use of City funds for political activity.(44)

From Department of Public Health, submitting status report on the San Francisco health care security ordinance.(45)

From The Original Library Movement, regarding the Library preservation fund. File 070730, Copy: Each Supervisor(46)

From San Francisco Beautiful, submitting opposition to Assembly Bill 830 that would allow for the conversion of existing billboards along California's landscaped highways to digital format. File 070957, Copy: Each Supervisor(47)

From Fire Department, submitting Fire/Life Safety Inspection Report for the San Francisco County Jail #2, 850 Bryant Street.(48)

From Kimo Crossman, regarding an immediate disclosure request from Supervisor Peskin's office.(49)

From Municipal Transportation Agency, regarding status on pedestrian safety measures at the intersection of Portola Drive, Vicente Street and Santa Clara Avenue. (Reference 20070605-

001) Copy: Supervisor Elsbernd(50)

From Cory Chechile, commenting on skateboard parks in San Francisco.(51)

From Parkmerced Residents' Organization, commenting on issues relative to the Parkmerced community. Copy: Land Use & Economic Development Committee Members, 2 letters(52)

From Clerk of the Board, regarding Diversity Tracking System, Administrative Code, Section 12D.A.18(D).(53)

#### APPOINTMENTS BY THE MAYOR

Human Rights Commission  
Michael A. Sweet

### ADJOURNMENT

#### Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

**USING LAPTOP COMPUTERS FOR PRESENTATIONS:** Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

**THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.** Agendas are available on the internet at [www.sfgov.org/site/bdsupvrs\\_index.asp?id=4383](http://www.sfgov.org/site/bdsupvrs_index.asp?id=4383) For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

**AVISO EN ESPAÑOL:** La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



#### Disability access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)