

# 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, July 17, 2007 2:00 PM

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

Regular Meeting

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

### BOARD COMMITTEES

#### Committee Membership

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

Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd

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

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

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

Supervisors McGoldrick, Alioto-Pier, Jew

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

Supervisors Elsbernd, Alioto-Pier, Daly

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

Supervisors Maxwell, Sandoval, McGoldrick

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

Supervisors Mirkarimi, Maxwell, Dufty

##### **Rules Committee**

Supervisors Ammiano, Elsbernd, Peskin

#### Meeting Days

Wednesday  
1:00 PM

1st and 3rd Thursday  
3:30 PM

2nd and 4th Thursday  
1:00 PM

1st and 3rd Mondays  
10:00 AM

Monday  
1:00 PM

2nd and 4th Monday  
10:00 AM

1st and 3rd Thursday  
10:00 AM

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

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## ROLL CALL AND PLEDGE OF ALLEGIANCE

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

*There was a quorum.*

## APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Dufty, moved to approve Board Meeting Minutes for June 5, 2007, June 12, 2007 and Special Meeting of the Board of Supervisors of the Budget and Finance Committee Meeting. The motion carried by the following vote:

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

## CONSENT AGENDA

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

070657 [Repealing expired and superceded provision establishing Heavy Truck Loading Zones]  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)

**Ordinance No.** 171-07  
**FINALLY PASSED**

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)

**Ordinance No.** 172-07  
**FINALLY PASSED**

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)

Ordinance No. 173-07  
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendations of the Budget and Finance Committee

### 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.*

*The President resumed the Chair shortly thereafter.*

**070773 [Government Funding for Fiscal Year 2007-2008]  
Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2008.

(Fiscal Impact.)

*Supervisor Peskin, seconded by Supervisor Elsbernd, moved to amend and further amended with technical and financial amendments to the 2007-08 Consolidated Budget and Annual Appropriation. (See File for Details) Motion to amend passed without objection.*

*Supervisor Daly moved to further amend. Failed for a lack of second.  
(See File for details)*

*Supervisor Daly move to further amend to reallocate \$700,000 from SFPD by delaying the hiring of Police Officers and allocate \$700,000 to reinstate public health nurses at DPH. Failed for lack of second.*

*Supervisor Daly was noted absent at 2:49 p.m.  
Supervisor Daly was noted present at 3:25 p.m.*

*Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to amend to by inserting "that if these positions are not filled within 6 months the money would to be restored to the General Fund."*

*The motion to amend failed by the following vote:*

*Ayes: 4 - Alioto-Pier, Elsbernd, Jew, Sandoval*

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

*Supervisor Peskin, seconded by Supervisor McGoldrick, moved to reallocate from the add back funding for affordable housing by \$244,000 and allocate*

*\$244,000 to fund 2 public health nurses at DPH.*

*The motion to amend passed by the following vote:*

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

*Noes: 1 -Sandoval*

*Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to reallocate \$75,000 from PUC and allocate \$75,000 to the Garden of the Environment.*

*Motion to amend passed without objection.*

*Supervisor McGoldrick requested to divide the question relating to funding \$200,000 for the installation of security cameras.*

*On the question to fund \$200,000 for the installation of security cameras passed by the following vote:*

*Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Peskin, Sandoval*

*Noes: 4- Daly, Maxwell, McGoldrick, Mirkarimi*

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

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

*Noes: 1 - Daly*

**070774 [Public Employment for Fiscal Year 2007-2008]  
Mayor**

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2008, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal Impact.)

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

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

*Supervisor Daly was noted absent at 2:49 p.m.*

**070826 [Redevelopment Agency Budget and Bonds]**

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2007-2008, approving the Issuance by the Redevelopment Agency of Bonds in an aggregate principal amount of not to exceed \$128,300,000 to finance a portion of redevelopment activities described in such approved Budget for fiscal year 2007-2008; and approving additional General Fund loans to the Redevelopment Agency in the aggregate amount of \$463,000, consisting of a \$303,000 loan to complete a potential redevelopment plan for the Visitacion Valley Survey Area and a \$160,000 loan for Bayview Hunters Point Survey Area C planning costs. (Redevelopment Agency)

(Fiscal Impact.)

(Supervisor Mirkarimi dissented in committee.)

**Resolution No. 398-07**

**ADOPTED by the following vote:**

Ayes: 9 - Alioto-Pier, Ammiano, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 1 - Mirkarimi  
Absent: 1 - Daly

**070840 [Treasure Island Development Authority Budget]  
Mayor**

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2007-2008.

(Fiscal Impact.)

**Resolution No. 404-07**

**ADOPTED by the following vote:**

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

**070739 [Accept-Expend Federal Grant - Department of Economic and Workforce Development]  
Supervisors Mirkarimi, Ammiano**

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.

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

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

**070740 [Accept-Expend Federal Grant - Department of Economic and Workforce Development]  
Supervisors Mirkarimi, Ammiano**

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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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

**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.

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

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



**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.

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

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

**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.

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

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

**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.

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

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

**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)

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

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

**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.)

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

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

Noes: 1 - Jew

Absent: 1 - Dufty

**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)

**Resolution No.** 396-07

**ADOPTED by the following vote:**

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

Absent: 1 - Daly

**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)

**Resolution No.** 392-07

**ADOPTED by the following vote:**

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

Absent: 1 - Daly

**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)

**Resolution No.** 393-07

**ADOPTED by the following vote:**

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

Absent: 1 - Daly

**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)

**Resolution No.** 395-07

**ADOPTED by the following vote:**

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

Absent: 1 - Daly

- 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)
- Resolution No.** 394-07  
**ADOPTED by the following vote:**  
Ayes: 10 - Alioto-Pier, Ammiano, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Absent: 1 - Daly
- 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)
- Resolution No.** 391-07  
**ADOPTED by the following vote:**  
Ayes: 10 - Alioto-Pier, Ammiano, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Absent: 1 - Daly
- 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.)
- Resolution No.** 408-07  
**ADOPTED by the following vote:**  
Ayes: 10 - Alioto-Pier, Ammiano, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Absent: 1 - Daly
- 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.
- Resolution No.** 406-07  
**ADOPTED by the following vote:**  
Ayes: 10 - Alioto-Pier, Ammiano, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Absent: 1 - Daly

**070827 [Disbursements from Budget Savings Fund]****Mayor**

Resolution approving disbursements from the Budget Savings Incentive Fund.

(Fiscal Impact.)

**Resolution No.** 407-07**ADOPTED by the following vote:**Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Absent: 1 - Daly**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.

**Resolution No.** 399-07**ADOPTED by the following vote:**Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval  
Absent: 1 - Daly**From the Budget and Finance Committee Without Recommendation***Supervisor Daly was noted present at 3:15 pm.***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.

**Supervisor Maxwell, seconded by Supervisor McGoldrick, moved that this Resolution be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:**Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin  
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Jew, Sandoval**Recommendations of the Rules Committee**

- 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, Sandoval

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.

*Supervisor Sandoval requested to be added as a co-sponsor.*

**ORDERED SUBMITTED by the following vote:**

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

### From the Rules Committee Without Recommendation

- 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 of the Board]**  
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.

**ORDERED SUBMITTED by the following vote:**

Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval  
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Jew, Maxwell

- 070727 [Ability of Mayor and Board to amend MTA budget and regulate MTA operations; Controller to administer MTA quality review; MTA Director as ex officio Parking Authority Director; transit survey to set floor rather than ceiling for carmen salaries]**  
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.

**AMENDED.**

Charter amendment (Second Draft) to amend Sections 8A.102, 8A.106, 8A.107, 8A.112, and A8.404, 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; the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study; the Director of Transportation may serve ex officio as the Parking Authority Executive Director; and, the salaries of platform employees and coach or bus operators shall be no less than, rather than no more than, the average of the two highest wage schedules for the same job classes in comparable transit systems.

*Continued to July 24, 2007 with the Board Sitting as a Committee of the Whole*

**Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:**

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

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

Charter amendment (Second Draft) to amend Sections 8A.100 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, 9.118, and A8.404; repealing Section 16.110; re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively; and requiring the Board of Supervisors to adopt an ordinance amending the Traffic Code to repeal any provision in conflict with this measure and convert such provisions to rules and regulations of the Municipal Transportation Agency Board of Directors, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency and to reduce greenhouse gas emissions from San Francisco's transportation sector.

*Continued to July 24, 2007*

**Supervisor Jew, seconded by Supervisor Dufty, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:**

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

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

### 070724 [Charter Amendment - San Francisco Affordable Housing Fund] Supervisors Daly, Ammiano, Mirkarimi

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.

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

*James Tracy; support of the Affordable Housing Charter Amendment*

*Ruis; support of the Affordable Housing Charter Amendment*

*Peter Maziak; support of the Affordable Housing Charter Amendment*

*Jane Martin; support of the Affordable Housing Charter Amendment*

*Shannon Dodge; support of the Affordable Housing Charter Amendment*

*Male speaker; support of the Affordable Housing Charter Amendment*

*Eric Quesada; support of the Affordable Housing Charter Amendment*

*Sylvia Johnson; support of the Affordable Housing Charter Amendment*

*Female speaker; support of the Affordable Housing Charter Amendment*

*James Chaffee; expressed issues with set asides*

*The President declared the public hearing closed.*

*Supervisor Mirkarimi requested to be added as a co-sponsor.*

**NOT ORDERED SUBMITTED** by the following vote:

Ayes: 4 - Ammiano, Daly, Mirkarimi, Sandoval

Noes: 7 - Alioto-Pier, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Peskin

### 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 police department during their service as airport police officers] 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.

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

*Sylvia Johnson*

*The President declared the public hearing closed.*

**ORDERED SUBMITTED** by the following vote:

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

Noes: 1 - Daly

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

#### Supervisor Jew Excused From Voting

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

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

**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.

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

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

**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.)

**Resolution No.** 403-07

**ADOPTED by the following vote:**

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

### Recommendations of the Public Safety Committee



**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.

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

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

**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.

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

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

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

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

**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.

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

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

### **Recommendations of the Rules Committee**

### **Supervisors Daly and Mirkarimi Excused From Voting**

Supervisor McGoldrick, seconded by Supervisor Jew, moved to excuse Supervisors Daly and Mirkarimi, because of possible conflict of interest, from voting on this matter. The motion carried by the following vote:

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

**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.

**Resolution No.** 397-07

**ADOPTED** by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Peskin, Sandoval

Excused: 2 - Daly, Mirkarimi

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

### **Privilege of the Floor**

It was decided to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

*Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to Joe Niacin in recognition of his dedication to New Leaf.*

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

**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.)

*Sue Hestor, Attorney for the appellant*

*Viktoriya Wise, Carol Roos, AnMarie Rodgers and other Representatives for the Planning Department reviewed with the Board the Planning Department's recommendation. Matt Franklin, Mayor's Office of Housing responded to questions from Board members.*

*Steve Vittel, Attorney for the project sponsor, Seven Hills Group*

*Luis Granados speaker; support of appellant*

*Female speaker; support of appellant*

*Louis Carneros; support of appellant*

*Alex; support of appellant*

*John Melone; support of appellant*

*Cony Ford, SF Labor Council; support of appellant*

*Connie Weber; support of project sponsor*

*Calvin Welch; support of appellant*

*Julio Sorro; support of appellant*

*Female speaker; support of appellant*

*Jake Coleman; support of the project sponsor*

*Representative from St. Peter's Housing Committee; support of appellant*

*Representative from St. Peter's Housing Committee; support of appellant*

*Dan Grubb; support of appellant*

*Male speaker; support of appellant*

*Shannon Dodge; support of appellant*

*Jessica Files; support of appellant*

*Emma Darrell; support of appellant*

*Rubin Garcia; support of appellant*

*Oscar Dominquez; support of appellant*

*Female Speaker; support of appellant*

*Jane Martin; support of appellant*

*Female speaker; support of appellant*

*Robert Haaland, Local SEIU; support of appellant*

*Claire Bowman; support of appellant*

*Howard Wallace; support of appellant*

*Cathy Lumpskin; support of appellant*

*Frank Martin del Campo, Labor Council; support of appellant*

*A. Sanchez, Coleman Advocates; support of appellant*

*Blanca; support of appellant*

*Representative of St. Peter's Housing Committee and Day Labor program; support of appellant*

*Female speaker; support of appellant*

*Male speaker; support of appellant*

*Student at Mercy High School; support of appellant*

*Female speaker; support of appellant*

Renee Saucedo; support appellant  
Denise Jones; support of appellant  
Julio Iglesias; support of appellant  
Anna Maria Loya; support of appellant  
Laura Guzman; support of appellant  
Eilzabeth Alexander; support of appellant  
Enriques Salsado; support of appellant  
Iris Biblowitz; support of appellant  
Carlos Villareal; support of appellant  
Bruce Ellison; support of appellant  
Marion Miedra; support of appellant  
Terry Frye; support of appellant  
Michael Therriot; support project sponsor  
Female speaker; support of appellant  
T. Romero; support of appellant  
David Campos; support of appellant  
Robert Hemminger; support of appellant  
Arlene LaFarnari; support of appellant  
Tim Coleman; support of the project sponsor  
Male speaker; support of the project sponsor  
Alex Tom; support of appellant  
Joe Piccoro; support of the project sponsor  
Michael Miller; support of the project sponsor  
Rosebella Safont; support of appellant  
Hector Molina; support of appellant  
Lana Alviar; support of appellant  
Anita; support of the project sponsor  
Melissa; support of the project sponsor  
Female speaker; support of the project sponsor  
Vicki Dascaslow; support of the project sponsor  
Robert Danelli; support of the project sponsor  
John Joseph; support of the project sponsor  
Female speaker; support of the project sponsor  
Female speaker; support of appellant  
Mauricio Vela; support of appellant  
Edward Barrajo; support of appellant  
Chris Peterson; support of the project sponsor  
Paul Vanderall; support of the project sponsor  
Rita Alviar; support of the project sponsor  
Roberta Gubino; support of the project sponsor  
Jim Salinas, Carpenters Union; support of the project sponsor  
Brad Matten; support of the project sponsor  
Franchesca Pesci; support of the project sponsor  
Tom Loganstein; support of the project sponsor  
Male speaker; support of the project sponsor  
John Lera; support of the project sponsor  
Jezzie Collins; support of appellant  
Larry Mazzola, Plumbers Union; support of the project sponsor  
Wendy Phillips; support of appellant  
Female speaker, student at John O'Connell School; support of the appellant  
Female Speaker, student at John O'Connell School; support of the appellant  
Female speaker; student at Mercy High School; support of the appellant  
Cynthia Munoz, St. Peter's Housing Committee; support of the appellant  
Julie Leadbetter; support of appellant  
Female speaker; support of the project sponsor

David Mango; support of the project sponsor  
Erica Levin; support of the project sponsor  
David; support of the project sponsor  
Caroline Devy; support of the project sponsor  
Cristin Sullivan; support of the project sponsor  
John Sullivan; support of the project sponsor  
Male speaker; support of the project sponsor  
Gail Moser; support of the project sponsor  
Laura Melgarejo; support of the project sponsor  
Jeremy Burnett; support of the project sponsor  
Andrew Dunbar; support of the project sponsor  
Zoe; support of the project sponsor  
Fran Taylor; support of the appellant  
T.J. Walkup; support of the project sponsor  
Female Speaker; support of appellant  
Louis Herrera; support of appellant  
Louis Almeiento; support of appellant  
Larry Del Carlo; support of the project sponsor  
Louisa Ezquirra; support of the project sponsor  
Espanola Jackson; support of appellant  
Judy West; support of the project sponsor  
Male speaker; support of project sponsor  
Robert Eringer; support of appellant  
Male speaker; support of the project sponsor  
Male speaker; support of the project sponsor  
Eric Arguerro; support of project sponsor  
Phil Lesser; support of project sponsor  
Female speaker; support of the project sponsor  
John Wilson; support of the project sponsor  
Female speaker; support of the project sponsor  
Debra Newman; support of the project sponsor  
Vicki Rosen; support of the project sponsor  
Male speaker; support of the project sponsor  
John Mendoza; support of the project sponsor  
Leora Bussel; support of the project sponsor  
Mr. Salazar; support of the project sponsor  
Andrew Woods; support of the project sponsor  
Lisa; support of the project sponsor  
Male speaker; support of the project sponsor  
Scott Kelfer; support of the project sponsor  
Veronica Gannun; support of the project sponsor  
Arian Tchacova; support of the project sponsor  
John Arvey; support of the project sponsor  
John Cantwell; support of the project sponsor  
Sylvia Johnson; support of appellant  
Jane Wong; support of appellant  
Maria Chavez; support of appellant  
Johnny Shamless; support of appellant  
Eliose Bates; support of the project sponsor  
Laura Muniz; support of the project sponsor  
Eric Quezada; support of appellant  
Oscar Grande; support of appellant  
Burt Hill; support of the project sponsor  
Male speaker; support of appellant  
Gillian Gillette; support of the project sponsor

The President declared the public hearing closed.  
**HEARD AT PUBLIC HEARING.**

### **Appointment of President Pro Tempore**

At the request of the President, Supervisor Duffy 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.

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

- 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.  
*Continued to July 31, 2007*  
Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:  
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 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.  
*Continued to July 31, 2007*  
Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:  
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 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.  
*Continued to July 31, 2007*  
Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:  
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

*An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

*James Chaffee; expressed concern with issues relating to the SF Public Library  
Walter; shared memorabilia with the Board members  
Sylvia Johnson; expressed concern with general issues  
Espanola Jackson; expressed concern with issues relating to Power Plant Task Force appointments*

## 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.*

**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.

(No Economic Impact)

**Resolution No. 400-07**

**ADOPTED**



**071011 [Endorsing the 2007 Immigrant Rights Summit]  
Supervisors Ammiano, Daly, Alioto-Pier, Maxwell, Sandoval, Dufty, Peskin, Mirkarimi, Elsbernd**

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.

(No Economic Impact)

*Supervisors Mirkarimi and Elsbernd requested to be added as co-sponsors.*

**Resolution No. 405-07**

**ADOPTED**

**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.

(No Economic Impact)

**Resolution No. 401-07**

**ADOPTED**

**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.

(No Economic Impact)

**Resolution No. 402-07**

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

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

**OFF-AGENDA LEGISLATION**

**Introduced by Supervisors or Mayor**

**Ordinances**

**071050 [Establishing a Process for Adoption of Neighborhood Impact Fees]  
Supervisor Alioto-Pier**

Ordinance adding Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/17/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/16/2007.

**071056 [Centralization of Workforce Development Efforts Under the Department of Economic and Workforce Development]  
Supervisors Mirkarimi, Peskin, Ammiano, Maxwell**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 27 to: 1) require the Mayor to centralize the City's workforce development efforts under the Mayor's Office of Economic and Workforce Development (MOEWD), or successor agency; 2) require the Mayor to manage all general fund expenditures on workforce development, create City-wide workforce development policy, submit all grant applications to the State or federal government for workforce development funding on behalf of the City, subject to approval by the Board of Supervisors, and annually report to the Board of Supervisors workforce development policies, among other things; 3) require City departments to enter into Memoranda of Understanding with the Mayor's Office as a condition of funding for workforce development dollars.

(Fiscal Impact.)

7/17/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/16/2007. (Referred to Small Business Commission)

## **Resolutions**

**071052 [Issuance and Sale of Tax-Exempt Bonds - San Francisco Friends School]  
Supervisor Dufty**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$27,100,000 to finance various capital facilities owned by San Francisco Friends School or an affiliate.

7/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**071053 [Approval to Execute the Lease Agreement between the San Francisco International Airport and Verified Identity Pass, Inc. for Registered Traveler Services]  
Supervisor Elsbernd**

Resolution approving and authorizing the Lease Agreement between the San Francisco International Airport and Verified Identity Pass, Inc. for Private Sector Registered Traveler Services for approximately five years three months commencing on a date to be mutually agreed upon but no later than October 1, 2007 through December 31, 2012.

(Fiscal Impact.)

7/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**071054 [Settlement of Claim - Pennie Sempell]  
Supervisor Elsbernd**

Resolution approving the settlement of the unlitigated claim filed by Pennie Sempell against San Francisco for \$350,000; claim was filed on December 19, 2006.

7/17/07, RECEIVED AND ASSIGNED to Rules Committee.

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

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

7/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**071057 [Accept-Expend Regional Grant - Airport Commission]  
Mayor**

Resolution authorizing the Airport Commission to accept and expend a grant of \$609,711 from the Bay Area Air Quality Management District (Air District), and a matching grant of \$500,000 from the California Department of Transportation for the retrofit of diesel buses by Airport transportation operators.

7/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**071058 [Support for development of City-owned electric generation project]  
Supervisors Maxwell, Dufty, Ammiano**

Resolution urging the Public Utilities Commission to move expeditiously to complete and present for Board of Supervisors consideration agreements necessary for the development of a City-owned combustion turbine project to promote the goals of the City's Electricity Resource Plan.

7/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**071059 [Accept-Expend US Department of Homeland Security/Transportation Security Administration Grant]  
Supervisor Alioto-Pier**

Resolution authorizing the Department of Airport Commission to accept and expend a grant in the amount of \$1,375,694 from the US Department of Homeland Security/Transportation Security Administration (TSA) for an Airport perimeter Security Technology Enhancement Program.

7/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 071060 [Commending KDRC and SJVPA on installing the nation's largest planned solar power generating facility]**  
**Supervisor Mirkarimi**

Resolution commending San Joaquin Valley Power Authority on its plans to install the nation's largest planned solar power generating facility and retaining a San Francisco-based company to build the facility and urging the San Francisco Public Utilities Commission to expeditiously pursue Community Choice Aggregation for the City and County of San Francisco.

7/3/07, APPROVED.

7/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 071061 [Supporting the reclassification of "Alcopop" type flavored malt beverages from a beer/wine product to a distilled spirit product]**  
**Supervisors Mirkarimi, Ammiano**

Resolution supporting the reclassification of "Alcopop" type flavored malt beverages from a beer/wine product to a distilled spirit product.

7/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### **Requests for Hearing**

- 071047 [Coyotes in City Parks and Neighborhoods]**  
**Supervisor Jew**

Hearing to determine why coyotes have been tolerated on public lands by city personnel in violation of the Health Code; why the Presidio Trust has permitted coyotes to proliferate, despite complaints from Presidio tenants of threatening behavior and at least one lethal attack on a companion animal; to determine what plan of action the city has in place to protect people and their companion animals who frequent city parks; and how city personnel propose to find the remaining coyotes and relocate them to a place that is more appropriate in order to restore public confidence in the safety of our parks and neighborhoods.

7/17/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 071048 [Controller's report on occupancy, revenue collections and enforcement of parking meters in San Francisco]**  
**Supervisor McGoldrick**

Hearing on the Controller's report on occupancy, impact of occupancy, revenue collections and enforcement of parking meters in San Francisco.

7/17/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 071049 [Loss of arts facilities in San Francisco including the potential closure of the Lorraine Hansberry Theater]**  
**Supervisors Peskin, Ammiano**

Hearing to discuss the loss of arts facilities in San Francisco including the potential closure of the Lorraine Hansberry Theater.

7/17/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**Charter Amendment**

- 071051 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]  
Supervisor Alioto-Pier**

Charter amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

7/17/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/16/2007.

**PROPOSED ORDINANCES**

- 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)

7/9/07, 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 \$625,000.00; 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)

7/9/07, 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.

(Fiscal Impact)

(No Economic Impact)

7/10/07, RECEIVED AND ASSIGNED to Government Audit and Oversight 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.

(Fiscal Impact)

(No Economic Impact)

7/10/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

## PROPOSED RESOLUTIONS

**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)  
7/9/07, 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)  
7/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## PROPOSED MOTIONS

**Requests Granted**

*From: Supervisor Elsbernd*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate re-timing the left turn lane light from northbound Portola Avenue to westbound Laguna Honda. The light does not clear the traffic waiting in the marked lane when it cycles and as a result, drivers frequently run the light.*

*From: Supervisor Elsbernd*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to investigate the possibility of pruning the shrubbery and trees at the intersection of Sloat Boulevard turning left onto 26th Avenue as this could be a potential traffic hazard.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Light Switch Box*

- Northwest corner of Sutter and Laguna*
- Southeast corner of Divisadero and Sutter*
- Northwest corner of Divisadero and Pine*
- Southwest corner of Scott and California*

*Phone Switch Box*

- Northeast corner of Bush and Webster*
- Southwest corner of Divisadero and California*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

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

- Post between Divisadero and Fillmore*
- Sutter between Laguna and Webster*
- Divisadero between Sutter and Bush*
- Fillmore between Sutter and Geary*
- Pine between Laguna and Divisadero (Black Frames only)*
- Grove between Webster and Fillmore (Black Frames only)*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

- Northwest corner of Fillmore and Sutter*
- Southwest corner of Bush and Scott*
- Southwest corner of Gough and Haight*

*From: Supervisor Mirkarimi*

*To: Director, Public Utilities Commission*

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

- Southeast corner of Sutter and Laguna*
- 1948 Bush*
- California between Divisadero and Scott*
- Northwest corner of Haight and Divisadero*

· 2251 Post

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

· 1056 Divisadero

· 1750 Divisadero (1750C Wells Fargo Signage)

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing cleaning the median of Geary between Divisadero and Gough.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from DPT property at the following locations:*

· Pedestrian Crossing signals all four corners of Pine and Fillmore

· School Crossing Sign at the southwest corner of Pine and Pierce

### **In Memoriams**

*Joe Konopka - Supervisor Mirkarimi*

*Harry Driggs - Supervisor Mirkarimi*

*Matthew E. Anderson - Supervisor Alioto-Pier*



## ADJOURNMENT

*There being no further business the Board adjourned at the hour of 5:47 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 August 14, 2007.*



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Angela Calvillo  
Clerk of the Board