

# 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, January 24, 2006 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, FIONA MA, SOPHIE MAXWELL,  
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL  
Gloria L. Young, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

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

Supervisors Daly, Dufty, Peskin

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

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns

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

Supervisors McGoldrick, Dufty, Ma

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

Supervisors Ammiano, Alioto-Pier, Peskin

##### **Land Use Committee**

Supervisors Maxwell, Sandoval, McGoldrick

##### **Rules Committee**

Supervisors Mirkarimi, Elsbernd, Ammiano

##### **Select Committee on Ending Gun and Gang Violence**

Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty

#### Meeting Days

Wednesday  
1:00 PM

2nd Monday (Bi-monthly)  
4:00 PM

1st and 3rd Monday  
1:00 PM

2nd and 4th Monday  
1:00 PM

Wednesday  
1:00 PM

Thursday  
10:00 AM

1st and 3rd Monday  
10:00 AM

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

Volume 101 Number 3

**Members Present:** Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, 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 2:05 p.m. On the call of the roll Supervisors Ammiano and Alioto-Pier were noted absent.*

*There was a quorum.*

*Supervisor Ammiano was noted present at 2:06 p.m.*

*Supervisor Alioto-Pier was previously excused from attending the meeting for Jury Duty service.*

## AGENDA CHANGES

## COMMUNICATIONS

*Gloria L. Young, Clerk of the Board, informed the Board she was in receipt of a communication from the Mayor vetoing File No. 051822 legislation relating to Residential Housing Purchaser Protection Ordinance. The matter will be on the January 31, 2006 Board agenda for consideration.*

## CONSENT AGENDA

### Recommendations of the Budget and Finance Committee

**051942 [Amendment to Paratransit Broker Agreement]**

Resolution approving Amendment No. 6 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to lease up to 20 accessible vans to the Contractor to be subleased to Lift Van/ADA Access service providers participating in the City's Paratransit Program. (Municipal Transportation Agency)

**Resolution No. 40-06**

**ADOPTED**

- 052045 [Proposition J Certification, Status Offender Shelter and Intake Services]**  
Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees. (Juvenile Probation Department)
- Resolution No. 37-06**  
**ADOPTED**

### Recommendations of the Land Use Committee

- 051983 [Changing the official sidewalk width - Turk Street]**  
**Supervisor Daly**
- Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1568 to change the official sidewalk width on the southerly side of Turk Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)
- Ordinance No. 19-06**  
**FINALLY PASSED**
- 051984 [Changing the official sidewalk width - Market, Main, and Spear Streets]**  
**Supervisor Daly**
- Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1567 to change the official sidewalk widths on the southerly side of Market Street, easterly side of Main Street, and the westerly side of Spear Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes. (Public Works Department)
- Supervisor Daly requested to be added as sponsor.*
- Ordinance No. 18-06**  
**FINALLY PASSED**

### Recommendations of the Rules Committee

- 051871 [Settlement of Lawsuit - Kristen Odlaug v. City and County of San Francisco and Robert Palu]**  
Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of \$400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San Francisco and Robert Palu.
- Ordinance No. 20-06**  
**FINALLY PASSED**

**052043 [Settlement of Lawsuit -Frank Euphrate, et al.]**

Ordinance authorizing settlement of the lawsuit filed by Frank Euphrate against the City and County of San Francisco for \$925,000; the lawsuit was filed on September 10, 2003 in San Francisco Superior Court, Case No. 424-288; entitled Frank Euphrate, et al., v. City and County of San Francisco, et al. (City Attorney)

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

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

**051980 [Unlitigated Claim against Pacific Gas and Electric Company]**

Resolution authorizing settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for \$615,222.78 for damages caused by power outage of December 20-21, 2003. (City Attorney)

Resolution No. 39-06

**ADOPTED**

**051986 [Settlement of Claim - AMPCO System Parking]**

Resolution approving the settlement of the unlitigated claim for Parking Tax Refund filed by AMPCO System Parking against San Francisco for \$93,134.80. (City Attorney)

Resolution No. 38-06

**ADOPTED**

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

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### From the Clerk

**060101 [Adopting findings related to affirming the CEQA exemption determination issued for a proposed ordinance regulating off-street parking in C-3 zoning districts]**

Motion adopting findings affirming the determination by the Planning Department that the proposed ordinance regulating off-street parking in C-3 zoning districts is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-10

**APPROVED by the following vote:**

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

- 060059 [Motion adopting findings related to the categorical exemption issued for 733 27th Avenue]  
Motion adopting findings related to the determination by the Planning Department that the 733 27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.  
(Clerk of the Board)

(Companion measure to Files 051755, 051756, 051757, 051758.)

Motion No. M06-11

APPROVED by the following vote:

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

### Recommendation of the City Operations and Neighborhood Services Committee

- 051903 [Paratransit Reimbursement – Taxi Meter Rates]  
Supervisor Alioto-Pier

Ordinance amending Article 16, Section 1137.5 of the San Francisco Police Code to extend the taxi meter rate offset for the paratransit program to December 31, 2006.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

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

### Recommendation of the Land Use Committee

- 051637 [Subdivision Code – Planning Commission hearings on condominium conversions]  
Supervisor Daly

Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 3, 2006. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before March 3, 2006.

*Supervisor Mirkarimi previously excused from voting on this matter.*

FINALLY PASSED by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval  
Noes: 3 - Duffy, Elsbernd, Ma  
Excused: 2 - Alioto-Pier, Mirkarimi

## NEW BUSINESS

**Recommendations of the Rules Committee**

- 051539 [Confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority]  
Resolution confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority as the representative of the Municipal Transportation Agency Board of Directors, effective August 16, 2005. (Municipal Transportation Agency)

Resolution No. 42-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Mirkarimi

Excused: 1 - Alioto-Pier

- 051898 [Appointment - Local Homeless Coordinating Board]  
Resolution appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)

Resolution No. 41-06

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Mirkarimi

Excused: 1 - Alioto-Pier

**CALLED FROM THE CITY AND SCHOOL DISTRICT SELECT COMMITTEE****Board of Supervisors Sitting as a Committee of the Whole**

- 060073 [Hearing - S.F. Unified School District Superintendent Severance Package]  
Hearing to consider a proposed resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a \$375,000 severance package. (Clerk of the Board)

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

*Male Speaker; opposed to the resolution requesting the SFUSD Superintendent to forego her severance package*

*Amos Brown, former Supervisor; opposed to the resolution requesting the SFUSD Superintendent to forego her severance package*

*Pastor; opposed to the resolution requesting the SFUSD Superintendent to forego her severance package*

*Charlie Walker; opposed to the resolution requesting the SFUSD Superintendent to forego her severance package*

*The President of the Board declared the public hearing closed.*

**HEARD AT PUBLIC HEARING.**

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

- 051580 [Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a \$375,000 severance package]  
Supervisors Sandoval, Daly

Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a \$375,000 severance package.

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

Resolution No. 32-06

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Daly, Elsbernd, McGoldrick, Peskin, Sandoval  
Noes: 4 - Duffy, Ma, Maxwell, Mirkarimi  
Excused: 1 - Alioto-Pier

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

### Privilege of the Floor

Supervisor Ma, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

*Supervisor Ma welcomed, introduced and presented Certificate of Honors to the winners of the poster for Center for Independent Living Resource Center.*

## SPECIAL ORDER 4:00 P.M.

- 051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]  
Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

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

*Continued to February 7, 2006*

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

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

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

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

**051853 [Affirming the categorical exemption issued for 730 Great Highway]**

Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

**051854 [Disapproving the categorical exemption issued for 730 Great Highway]**

Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

**051855 [Preparation of findings related to the categorical exemption issued for 730 Great Highway]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

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



- 051936 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 2660 Harrison Street]**  
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 3, 2005, File Number 2004.0672E, for the proposed development project at 2660 Harrison Street.

(Filed 11/23/05; companion measure to Files 051936, 051937, 051938, 051939, District 9.)

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

*Continued to February 7, 2006*

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

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

*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 adopted.)**

- 051937 [Affirming adoption of the final mitigated negative declaration for 2660 Harrison Street]**  
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

- 051938 [Reversing adoption of the final mitigated negative declaration for 2660 Harrison Street]**  
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

- 051939 [Preparation of findings to reverse adoption of the final mitigated negative declaration for 2660 Harrison Street]**  
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

**SPECIAL ORDER 4:00 P.M.****051991 [Public Hearing - Conditional Use Appeal for 2660 Harrison Street]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17139 dated November 3, 2005, approving Conditional Use Application No. 2004.0672ECV, subject to certain conditions, to allow the construction of dwelling units within a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a) in order to demolish an existing vacant commercial building and construct two new four story over garage buildings containing a total of sixty-eight dwelling units and sixty-eight off-street parking spaces on a property within a C-M (Heavy Commercial) zoning district, the 'Housing/Mixed Use' sub-area of the Eastern Neighborhoods planning area as set forth in Planning Commission Resolution Number 16727, and a 40-X Height and Bulk District, located at 2660 Harrison Street, on the west side between 22nd and 23rd Streets. (Appellant: Sue Hestor, attorney for Nick Pagoulatos/Mission Anti-Displacement; subscribed by Supervisors Tom Ammiano, Chris Daly, Aaron Peskin, Sophie Maxwell and Jake McGoldrick.)

(Filed 12/5/05; companion measure to Files 051992, 051993, 051994; District 9.)

*Continued to February 7, 2006*

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

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

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

**(Only one of the following two motions should be adopted.)****051992 [Approving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**

Motion approving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

**051993 [Disapproving Planning Commission decision related to Conditional Use Appeal for 2660 Harrison Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 17139, approving Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

- 051994 [Preparation of findings related to the Conditional Use Appeal for 2660 Harrison Street]**  
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0672ECV on a property located at 2660 Harrison Street, for action by the Board at its next meeting. (Clerk of the Board)

*Continued to February 7, 2006*

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

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

## COMMITTEE REPORTS

- 051142 [Construction and Demolition Debris Recovery]**  
Mayor, Supervisors Ma, Sandoval

Ordinance amending the Building Code by amending Chapter 13 of the Building Code to change the title of the Chapter from "Energy Conservation" to "Resource Conservation" and adding Chapter 13B entitled "Construction and Demolition Debris Recovery Program;" amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 14, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties; amending the Police Code Section 39-1 to implement the new program; setting an operative date; and making environmental findings.

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

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

- 051818 [Green Business Program]**  
Supervisors Maxwell, Sandoval

Ordinance amending the Environment Code by adding Chapter 15 to authorize a City-wide Green Business Program and amending Business and Tax Regulations Code Section 906.2 to require a clean technology business to be a recognized Green Business in order to be eligible for a payroll tax exclusion under that section.

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

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

*Supervisor Alioto-Pier was noted present at 3:15 p.m.*

## ROLL CALL FOR INTRODUCTIONS

## PUBLIC COMMENT

Rodney; showed interest in approving no-smoking in bus shelters and banning medical marijuana dispensaries

James Chaffee; expressed concern with Friends and Foundation of the SF Library

Walter; showed interest in general issues

Eugene Gordon, Jr. expressed concern with issues relating to language adaptive visuals

Walter Turner; expressed concern with naming Seattle Seahawks as San Francisco's official football team for 2006 playoff season

Ida Stranton; expressed concern with the merging of the John Swett Elementary School

Ann Connery; expressed concern with the merging of the John Swett Elementary School

Junta Wilson; expressed concern with the merging of the John Swett Elementary School

Abduallah Megaheed; expressed concern with issues relating to closing schools

Rata Daly; expressed concern with the merging of the John Swett Elementary School

Jeremy Jeffries; expressed concern with the merging of the John Swett Elementary School

Brett Middler; expressed concern with issues relating to the Falun Gong practitioners

Dr. Charles Lee; expressed gratitude to the Board for signing a resolution supporting him while in prison and expressed concern with issues relating to the Falun Gong practitioners

Sherry Wong; expressed gratitude to the Board for signing a resolution supporting Dr. Lee while in prison and expressed concern with issues relating to the Falun Gong practitioners

Stephen Dreyfus; expressed concern with street artist performers permits and process

Eva; expressed concern with street artist performers permits and process

Densel Adams; expressed concern with street artist performers permits and process

Michael Adams; expressed concern with street artist performers permits and process

Rubin David Goodman; expressed concerned with issues relating to the Empress Hotel and evictions

Michael; expressed concern with issues relating to Public Access TV (Channel 29)

Ace Washington; expressed concern with issues relating to Public Access TV (Channel 29) and the availability of the press room in City Hall

Ron Martin; expressed concern with naming Seattle Seahawks as San Francisco's official football team for 2006 playoff season

Female speaker; expressed concern with issues relating to the Falun Gong practitioners

Gil Criswell; expressed concern with issues relating to PUC and street light outages

Steve Zeltzer; expressed concern with issues relating to Public Access TV (Channel 29)

Gypsy; employee of Public Access TV, showed support of Public Access TV (Channel 29)

David Pap; producer of Public Access TV; showed support of Public Access TV (Channel 29)

Daniel; expressed concern with the merging of the John Swett Elementary School

Bonnie Zeigler; expressed concern with issues relating to Public Access TV (Channel 29)

Diana Gear; producer at Public Access TV; expressed concern with issues relating to Public Access TV (Channel 29)

C. Toya; producer at Public Access TV; expressed concern with issues relating to Public Access TV (Channel 29)

## 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.*

- 060067 [Affirming the San Francisco's City of Refuge Ordinance and condemning the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act", HR 4437]  
Supervisors Daly, Sandoval, Mirkarimi

Resolution affirming the City and County of San Francisco's City of Refuge Ordinance and its commitment to providing a safe, healthy and dignified place to live for its immigrant communities, regardless of immigration status and condemning the "Border Protection, Anti-Terrorism, and Illegal Immigration Control Act" – HR 4437.

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

Resolution No. 33-06

ADOPTED

- 060068 [National Blood Donor Month]  
Supervisor Ma

Resolution recognizing January 2006 as "National Blood Donor Month".

Resolution No. 36-06

ADOPTED

- 060070 [Commending the Martin Luther King-Marcus Garvey Cooperative Square Apartments]  
Supervisor Mirkarimi

Resolution commending the Martin Luther King-Marcus Garvey Cooperative Square Apartments.

Resolution No. 34-06

ADOPTED

- 060071 [Endorsing Old Mint Grant Application]  
Supervisor Peskin

Resolution endorsing the application to the California Cultural and Historical Endowment (CCHE) by the San Francisco Museum and Historical Society for CCHE Grant Funds to assist in the seismic retrofit of the historic Old Mint as a central part of the effort to rehabilitate and restore the historic building and create therein a San Francisco History Museum and supporting continued site control by the San Francisco Museum and Historical Society of the Old Mint for such purposes.

Resolution No. 65-06

ADOPTED

The foregoing items were acted upon by the following vote:

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

### Severed from the Without Reference to Committee Agenda

*Supervisor McGoldrick requested that this matter be severed so that it might be considered separately*

**060069 [19th Avenue & Park Presidio Blvd. - Signal Upgrades]  
Supervisors Ma, Elsbernd, Mirkarimi**

Resolution urging the California Department of Transportation (CalTrans) to promptly upgrade the traffic signals on 19th Avenue.

*Amended on page 1, line 4, after "19th Avenue" by inserting "Park Presidio Blvd." and on page 2, line 5, after "19th Avenue" by inserting "Park Presidio Blvd." New Title.*

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

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

Resolution urging the California Department of Transportation (CalTrans) to promptly upgrade the traffic signals on 19th Avenue and Park Presidio Blvd.

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

**Resolution No. 35-06**

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

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

*Supervisor Elsbernd requested that this matter be severed so that it might be considered separately*

**060072 [Recommending that the City and County of San Francisco adopt the Seattle Seahawks as its official football team for the duration of the 2006 playoff season]  
Supervisor Sandoval**

Resolution recommending that the City and County of San Francisco adopt the Seattle Seahawks as its official football team for the duration of the 2006 playoff season.

**REFERRED** to the City Operations and Neighborhood Services Committee.

## OFF-AGENDA LEGISLATION

### Introduced by Supervisors or Mayor

**Ordinances****060074 [Reenacting a Disadvantaged Business Enterprise Program]  
Supervisor Ma**

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

1/24/06, ASSIGNED to Board of Supervisors.

**060076 [To appropriate \$5,216,754 to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for DPW for Fiscal Year 2005-06]  
Mayor**

Ordinance appropriating \$5,216,754 of Fiscal Year 2005-2006 State Traffic Congestion Relief Funds to fund the maintenance and reconstruction of public streets, roads, and the 4th Street Bridge for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060077 [Raising taxi fares and the cap on gate fees; re-instating the cap on taxicab lease fees; providing for biennial review of the lease fee cap]  
Supervisor Ma**

Ordinance amending the San Francisco Police Code by amending Sections 1135, 1135.2, 1135.2, and 1137, to: (1) raise taxi fares from \$2.85 to \$3.05 for the first fifth of a mile, from \$.45 to \$.50 for each additional fifth of a mile, and from \$.45 to \$.50 for each minute of waiting time; (2) raise the cap on taxicab gate fees from \$85.00 to \$94.00 per 10-hour shift, and eliminate the second-tier gate cap for certain taxi companies; (3) re-instate the cap on taxicab lease fees at \$1,800 per month; and (4) provide that the Controller's biennial review of taxicab rates and caps shall include a review of the lease fee cap; and setting an operative date.

1/24/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/23/2006.

01/31/06 - Referred to Taxi Commission and Small Business Commission. Referred Planning for environmental review.

**060078 [Capital Expenditure Plan; timeline amendments for initial submission and approval]  
Supervisor Elsbernd**

Ordinance amending Administrative Code Section 3.20 to provide that the initial ten-year capital expenditure plan to be prepared thereunder shall be submitted to the Mayor and the Board of Supervisors by May 1, 2006 and that the Mayor and the Board of Supervisors shall review, update, amend and adopt such plan by resolution by August 1, 2006.

1/24/06, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/23/2006.

**060081 [Minor Sidewalk Encroachments - Repeal of public right-of-way occupancy assessment fee]  
Supervisors Alioto-Pier, Dufty, Maxwell**

Ordinance amending Public Works Code Section 723.2 to repeal the public right-of-way occupancy assessment fee for minor sidewalk encroachments; requesting the Department of Public Works to prepare and submit to the Board a report describing the number and types of minor sidewalk encroachment permits; and making repeal of the fee retroactive to August 29, 2005.

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. 01/31/06 - Referred to Public Works.

**060083 [Public Works Code – enclosure of garbage receptacles]  
Supervisor McGoldrick**

Ordinance amending Public Works Code Section 170 to require replacement of garbage receptacles after collection into an enclosed area or other area the blocks views of the receptacle from the public right-of-way; and making environmental findings.

1/24/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/23/2006.

**060084 [Amending the requirements of the Inclusionary Affordable Housing Program]  
Supervisors Maxwell, Mirkarimi, McGoldrick**

Ordinance amending Planning Code Sections 315.2, 315.3, 315.4, 315.5, 315.6, and 315.8 related to the Inclusionary Affordable Housing Program to provide that the amendments apply to any housing project that has not received a first site or building permit by the effective date of this legislation; to provide for mandatory lotteries to market new inclusionary units and the maintenance of a list generated from a lottery for units that become available; to require a project sponsor that elects an alternative to providing on-site inclusionary housing to make its election at the time of project approval; to allow project sponsors to use California Debt Limit Allocation Committee (CDLAC) tax-exempt bonds to finance inclusionary units under certain circumstances; to build all off-site inclusionary units within one mile of the principal project and to offer those units as rental housing or as ownership housing affordable to households earning no more than 80% of median income; requiring the Mayor's Office of Housing to adjust the in lieu fee annually and no later than July 1 and to report the adjustment to the Board of Supervisors; requiring the Mayor's Office of Housing to evaluate its monitoring procedures and those of the San Francisco Redevelopment Agency with the goal of establishing one monitoring system for all inclusionary units in the City and County of San Francisco; requiring the Planning Department to submit a completed impact study to the Board of Supervisors and Planning Commission no later than July 1, 2006, requiring that the Planning Department form a Technical Advisory Committee to assist in the impact study; and making findings including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

1/24/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/23/2006.

**060086 [Providing for public notice of installation of community safety cameras]  
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Chapter 19, Sections 19.1 through 19.8, to regulate the installation of community safety cameras, prescribe a notification and approval process for the installation of cameras, and establish protocols for oversight and access to video recordings.

1/24/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/23/2006.



**060087 [Administrative Code Revision: Health Service System]  
Supervisors Elsbernd, Ammiano**

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060106 [To appropriate funding to increase security staff at the Asian Art Museum]  
Supervisor Ma**

Ordinance appropriating \$67,325 in salaries and \$22,468 in related fringe benefits to support four additional museum security guards at the Asian Art Museum.

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060107 [Child Product Safety]  
Supervisors Ma, Maxwell, Alioto-Pier**

Draft Ordinance amending the San Francisco Health Code by adding Chapter 34, Sections 34.1 through 34.3, to prohibit the manufacture, sale, or distribution in commerce of any toy or child care article that is intended for use by a child under three years of age if it contains bisphenol-A or other specified chemicals, and to require manufacturers to use the least toxic alternative to those substances.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060050 [Dissolving the Drug Abuse Advisory Board and the Citywide Alcoholism Advisory Board]  
Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by repealing Sections 15.17 and 15.19, to dissolve the Drug Abuse Advisory Board and the Citywide Alcoholism Advisory Board.

1/24/06, RECEIVED AND ASSIGNED to Rules Committee.

**060032 [Exempting certain medical cannabis dispensaries from the requirement that all new dispensaries be located not less than 1000 feet from a school, community facility, or recreation building]  
Supervisors Mirkarimi, Ma**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to exempt certain medical cannabis dispensaries from the requirement that all medical cannabis dispensaries that commenced operation after April 1, 2005 be located not less than 1000 feet from the parcel containing a school, community facility, or recreation building; amending the San Francisco Health Code by amending Section 3304 to conform to the San Francisco Fire Code and Section 3305 to provide for referral of permit applications to the Department of Building Inspection; and making environmental findings and findings of consistency with the priority planning policies of Planning Code Section 101.1 and the General Plan.

1/10/06, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 2/9/2006.

1/18/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

1/24/06, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing same title.

1/24/06, ASSIGNED to Land Use Committee.

**050298 [Repealing Ordinance Number 72-04 Conditionally Designating 690 Market as a Landmark]  
Supervisor Peskin**

Ordinance Repealing Ordinance Number 72-04 Conditionally Designating 690 Market, the Chronicle Building, As Landmark No. 243 under Article 10 of the Planning Code.

2/22/05, RECEIVED AND ASSIGNED to Rules Committee.

2/25/05, REFERRED TO DEPARTMENT. Referred to Planning Department and Landmarks Preservation Advisory Board for review and recommendation.

3/3/05, RESPONSE RECEIVED. Exempt from CEQA Guidelines Section 15060(c)(2); non-physical exemption.

10/13/05, FILED PURSUANT TO RULE 5.37.

1/24/06, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Peskin requested this matter be reactivated and placed on the Budget and Finance pending list.

1/24/06, ASSIGNED to Budget and Finance Committee.

### **Resolutions**

**060079 [Lease of Real Property at One South Van Ness Avenue]  
Mayor**

Resolution authorizing the lease of approximately 66,565 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency and the City and County of San Francisco's 311 Call Center.

(Fiscal impact.)

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060080 [Waterline Relocation Agreement with Mills Peninsula Health Services]  
Supervisor Dufty**

Resolution approving and authorizing the execution and delivery of a Waterline Relocation Agreement with Mills Peninsula Health Services; authorizing the exchange of real property interests in the City of Burlingame, San Mateo County following the completion of construction of a new water pipeline; adopting findings of consistency with the General Plan and priority policies of Planning Code Section 101.1; and adopting environmental findings.

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060085 [Hunters Point Shoreline Interim Controls]  
Supervisors Maxwell, McGoldrick, Alioto-Pier**

Resolution adopting interim zoning controls in the Hunters Point Shoreline area for a period of eighteen (18) months that would, within the currently zoned M-1 and M-2 areas generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay, permit new housing as an accessory use to certain designated uses, or if it is contained within a permitted institutional use, or with a required ratio of four (4) square feet of permitted non-residential use for every one (1) square foot of residential space built; that would, within the currently zoned NC-2 area abutting Innes Avenue and Hunters Point Boulevard between Jennings Street and Earl Street, permit new housing on other than the ground floor and in conjunction with non-residential development; that would require a conditional use permit for all new construction or change in use in the M-1 and M-2 zoning districts and for all uses that include new housing in the NC-2 zoning district, and adopting findings.

1/24/06, RECEIVED AND ASSIGNED to Land Use Committee.

**060088 [Temporary "Street Closure to Vehicular Traffic" on O'Farrell St. between Steiner and Fillmore]  
Supervisor Mirkarimi**

Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 29, 2006 and November 18, 2006.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060108 [Parking Regulations]  
Supervisor Mirkarimi**

Resolution enacting and rescinding parking regulations at various locations.

TOW AWAY, NO STOPPING ANYTIME - ESTABLISH  
Scott Street, west side, from Fell Street to Oak Street.

(1/18/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060109 [Traffic Regulations]  
Supervisor Mirkarimi**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANE - ESTABLISH  
Scott Street, northbound, from Haight Street to Oak Street.

LEFT TURN BICYCLE LANE - ESTABLISH  
Scott Street, northbound, from Oak Street to Fell Street.

NO TURN ON RED - ESTABLISH  
Scott Street, northbound, at Oak Street.

(1/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060110 [Commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition]  
Supervisors Dufty, Maxwell, Ammiano, Daly**

Resolution commending Bishop Yvette Flunder, Reverend Al Sharpton, and the National Black Justice Coalition for their leadership in convening the Black Church Summit and in seeking equality for lesbian, gay, bisexual and transgendered members of the African-American community.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060111 [Commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department]  
Supervisors Dufty, Elsbernd**

Resolution commending Inspector Farrell Suslow for his 35 years of dedicated service to the San Francisco Police Department.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060112 [Commending Lost in the Fog and owner Harry J. Aleo for winning the Eclipse Award as the year's champion sprinter]  
Supervisor Dufty**

Resolution commending Lost in the Fog and owner Harry J. Aleo for winning the Eclipse Award as the 2006 champion sprinter in the United States.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060113 [Supporting the Musicians of the San Francisco Symphony]  
Supervisors Ma, Ammiano**

Resolution supporting the Musicians of the San Francisco Symphony in their effort to be compensated at a level comparable to what musicians in other leading orchestras receive -- not more and not less.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060115 [Supporting Immigrant and Human Rights]  
Supervisors Maxwell, Peskin, Daly**

Resolution affirming the City and County of San Francisco's support for immigrant and human rights in the face of growing border vigilantism.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060116 [Recognizing the month of February as Black History Month]  
Supervisors Maxwell, Dufty**

Resolution recognizing the month of February as Black History Month.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060117 [Accept-Expend Regional Grant - Department of the Environment]  
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$430,500 from the Bay Area Air Quality Management District to retrofit diesel engines in forty-one (41) Heavy Duty Vehicles (HDV) with diesel emission control equipment.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060118 [Approval of Port Lease for Living Classroom at Heron's Head Park]  
Supervisor Maxwell**

Resolution approving the Lease between the San Francisco Port Commission and Literacy for Environmental Justice, a non-profit organization, for the Living Classroom Project, located at Heron's Head Park, for a total term of ten years.

1/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060120 [Blue Diamond Growers]  
Supervisors McGoldrick, Dufty, Mirkarimi, Ma**

Resolution supporting the workers of Blue Diamond Growers and their efforts to join the International Longshore and Warehouse Union Local 17 (ILWU) and condemning Blue Diamond for waging an aggressive anti-union campaign and violating the National Labor Relations Act.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060121 [Incorporating Street Performers into the Street Artist Program and designating sound appropriate sales areas for certified Street Artists]  
Supervisor McGoldrick**

Resolution recognizing that qualified Street Performers are eligible to participate in the Street Artist Program and urging the designation of sales areas within the Program that are appropriate for amplified sound.  
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060122 [Zoning - Extension of Planning Commission Review Period]  
Supervisor Mirkarimi**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Zoning Map in order to reclassify both sides of the 600 Block of Haight Street to NC-2 (Small-Scale Neighborhood Commercial District).  
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060123 [Opposing the Closure to John Swett Alternative School]  
Supervisors Mirkarimi, Daly, Ammiano**

Resolution opposing San Francisco's Board of Education's decision to close the John Swett Alternative School.  
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060124 [Welcoming Qantas Airways to San Francisco]  
Supervisors Peskin, Elsbernd, Dufty**

Resolution commending Qantas Airways on new service to San Francisco International Airport, starting March 29, 2006 and welcoming the new airline to San Francisco.  
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 060125 [1906 Great Earthquake and Fire Expo Endorsement]  
Supervisors Peskin, Dufty, Ma**

Resolution endorsing the San Francisco Fire Department and Historical Society 1906 Great Earthquake and Fire Expo and declaring said Expo an official event of the City's Centennial observances.  
1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

### Motion

**060114 [Emergency Disadvantaged Business Enterprise Program - January 31, 2006, Committee of the Whole]  
Supervisor Ma**

Motion for the Board of Supervisors to convene as a committee of the whole on January 31, 2006, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

1/24/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Requests for Hearing**

**060075 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**

Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

1/24/06, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on January 31, 2006, at 4:00 p.m.

**060082 [Public Hearing - Resolution amending the Articles of Formation of the South of Market Project Area Committee]**

Hearing to consider a proposed resolution amending the Articles of Formation of the South of Market Project Area Committee to (1) require new elections and (2) add a representative who shall be a parent of a student of the Bessie-Carmichael School as a category of membership thereof following the adoption of the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area. (Clerk of the Board)

1/24/06, ASSIGNED to Board of Supervisors. Companion measure to File 052022.

**060089 [Crime Stoppers]  
Supervisor Alioto-Pier**

Hearing on the Crime Stoppers program.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060090 [Status of San Francisco's Economic Strategy]  
Supervisor Alioto-Pier**

Hearing on the status of San Francisco's Economic Strategy to include: (1) a presentation of the Economic Strategy plan, (2) explanation of the process used in formulating goals, (3) the public outreach strategy, (4) types of data analysis to be performed, (5) the relationship of strategy to Prop I and the timeline.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060091 [Controller's Six Month Report]  
Supervisor Daly**

Hearing to consider the Controller's Six Month Report.

1/24/06, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests this item be scheduled at the February 8, 2006 meeting.

**060092 [Impact of impending school closures, police department reassignments, and gang-related activity]  
Supervisor Dufty**

Hearing to examine the impact of impending school closures and reassignments on the police department and gang-related activity.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060093 [Drinking Water Services for City Departments]  
Supervisor McGoldrick**

Request for hearing on: (1) the status of the reduction of free bottled water services for City Departments; (2) the City's latest contract with Danone for its drinking water services, and (3) the amount of cost saving generated since FY 2004-05.

1/24/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060103 [MUNI Fare Collection Problems]  
Supervisor McGoldrick**

Hearing to discuss issues regarding MUNI fare collection problems.

1/24/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this matter be referred to Government Audit and Oversight Committee.

**060104 [Redevelopment Plan for Treasure Island]  
Supervisor Maxwell**

Hearing for the Treasure Island Development Authority to provide an update on the redevelopment plan for Treasure Island.

1/24/06, RECEIVED AND ASSIGNED to Land Use Committee. Sponsor requests this item be referred to Land Use Committee.

**060105 [Update from Mayor's Office on efforts to stem community violence]  
Supervisor Maxwell**

Hearing regarding update from Mayor's Office on efforts to stem community violence.

1/24/06, RECEIVED AND ASSIGNED to Select Committee on Ending Gun and Gang Violence. Sponsor requests this item be referred to select Committee on Ending Gun and Gang Violence.

## **PROPOSED ORDINANCES**

## **PROPOSED RESOLUTIONS**

**060048 [Public Auction]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

1/10/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.



**060049 [Contract funds to receive reimbursement for children enrolled in the Healthy Kids insurance program]  
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH), to enter into a two year agreement with the California Managed Risk Medical Insurance Board (MRMIB) to receive reimbursement for children enrolled in the Healthy Kids insurance program, and expend funds in the amount of up to \$4,378,351; for the period of July 1, 2005, through June 30, 2007. (Public Health Department)

1/10/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 1/23/06, Supervisor Dufty requested to be added as sponsor.

**060054 [MUNI Operator Restrooms at Various Locations]**

Resolution granting revocable permission to Municipal Transportation Agency (MTA), to occupy a portion of the public right-of-way to install and maintain one (1) MUNI Operator Restroom at each of the following locations: within an existing traffic island on Geneva Avenue at Munich Street; on the westerly sidewalk of Main Street, southerly of Howard Street; on the easterly sidewalk of Main Street, northerly of Mission Street, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

1/12/06, RECEIVED AND ASSIGNED to Land Use Committee.

**060056 [Contract funds to provide evaluations for the SAGE Health Education and Prevention Services Project]  
Supervisors Dufty, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFPDH), to enter retroactively into a subcontract agreement with the SAGE Project, Inc., the primary contractor, and expend funds in the amount of \$205,000 to provide local process and outcome evaluations for the SAGE Health Education and Prevention Services Project for the period of September 30, 2005, to September 29, 2010. (Public Health Department)

1/12/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 1/23/06, Supervisor Dufty requested to be added as sponsor.

**060058 [Contract approval - Municipal Transportation Quality Review]**

Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 05-914, Municipal Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed \$50,000 and for a term of two years, with an option to extend up to an additional two years to cover the next review period. (Municipal Transportation Agency)

1/12/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**Requests Granted**

*From: Supervisor Mirkarimi*

*To: Director, Department of Parking and Traffic*

*Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the process of the installation of the pedestrian pass at the median of Lincoln and 9th Avenue.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the procedures of permitting of trees and planter boxes in front of a residential establishment and the annual assessment of the planter box.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal of:*

- Green box at the southeast corner of Oak Street and Steiner Street*
- Mailbox at the southeast corner of Oak Street and Fillmore Street*
- Green box at the northeast corner of Oak Street and Webster Street*
- Light pole at the northeast corner of Oak Street and Webster Street*
- Green box at the northeast corner of Fell Street and Buchanan Street*
- Telephone pole at the northeast corner of Fell Street and Buchanan Street*
- Green box at the northeast corner of Buchanan Street and Linden Street*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the condition of the trees on the 800 block of Haight Street.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Requesting the Department of Public Works to report on the status of graffiti removal at the address of 750 Oak Street and 776 Oak Street.*

*From: Supervisor Mirkarimi  
To: City Attorney  
Requesting/Inquiring:*

*The Golden Gate National Recreation Area (GGNRA) is proposing to restrict recreation by people and pets on 60% of all parklands in the City. Can the City pressure the GGNRA to institute the current Court mandated 1979 Pet Policy as the Section Seven Special Regulation requires?*

*Instead of instituting the 1979 Pet Policy, the GGNRA has proposed "Negotiated Rulemaking", and the City is not participating in the process. Can you describe the rules that govern "Negotiated Rulemaking", and what rights the City and GGNRA have in relation to it?*

*The deeds, which transferred property to the GGNRA, contain reversion clauses for these properties. If the GGNRA violates the mandate in the property deed that requires that recreation be the primary use for GGNRA properties, can the City reclaim the deeds?*

*From: Supervisor Mirkarimi  
To: City Attorney*

*Requesting/Inquiring: Requesting the City Attorney to draft legislation creating a San Francisco Public School Citizens Blue Ribbon Task Force - to specifically develop a master plan to address declining enrollment and the concomitant issue of school closures, mergers, and relocation, as well as methods to improve the closure process. The Joint Task Force would be appointed by the Mayor, Board of Supervisors and the Board of Education, with appointment composition including, but not limited to: parents, union labor/teachers, civic/civil rights leaders, business community, youth, public safety, Planning Department, and City Controller. Staff support would be required.*

*From: Supervisor Maxwell  
To: Director, Planning Department*

*Requesting/Inquiring: Supervisor Maxwell directs the Planning Department to provide a report with the following information no later than Friday, February 3, 2006. The Plan Areas are defined as Mission, East SOMA, Potrero/Showplace Square, Central Waterfront.*

*1. For each Plan Area, provide a list of the housing projects that have submitted applications to the Planning Department and are awaiting review/approval.*

- For each project, provide the date on which the application was filed with the Planning Department.*
- For each project, provide the proposed unit mix.*
- For each project, provide the proposed number of market rate units and the proposed number of affordable units.*
- For those projects that filed applications prior to January 1, 2006 and therefore would be exempt from restrictions on the demolition of PDR buildings, for each project provide the number of square feet of existing building space proposed to be demolished and the square feet of proposed PDR space to be rebuilt.*
- Provide an overlay for the department's maps for each Plan Area that shows the locations of each proposed housing project.*

*2. Using the most recent data available (such as the Dun & Bradstreet business database), provide the number of businesses and jobs that currently exist in areas that are designated under the Department's proposal for new housing development, those areas designated as either Neighborhood Commercial or Urban Mixed Use zones. Provide this information for each Plan Area, and provide by business category, such as SIC code.*

*3. For each Plan Area, provide the average parcel size.*

4. Provide the Planning Department's definition of bioscience and digital media. Based upon these definitions, would the Planning Department allow these uses to locate into the Employment & Business Development and Urban Mixed Use zones under the Department's current interim controls proposal?
5. Describe how the Planning Department is implementing the recommendations of the Bioscience Task Force.
6. From 1995 to present, provide the amount of land in the industrially zoned areas of San Francisco that has been converted to either housing or live/work office uses.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of installing a stop sign at Miraloma Way and Yerba Buena Boulevard.

### **In Memoriams**

#### *In Memoriams*

Sean O'Flaherty Fahey - Sueprvisors Ma, Dufty, and Daly

Col. Guillermo "Willy" Boayes - Supervisor Daly

David Mantel - Supervisor Dufty

Gloria M. Root - Supervisor Dufty

Charlie Goodman - Supervisor Sandoval

## ADJOURNMENT

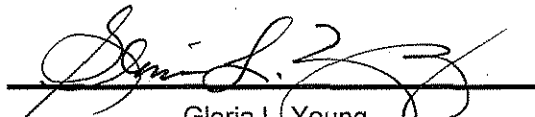
*There being no further business the Board adjourned at the hour of 4:28 p.m.*

*Gloria L. Young, 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 February 28, 2006.*

*I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.*

  
Gloria L. Young  
Clerk of the Board