

Board of Supervisors

City and County of San Francisco

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



AGENDA

**Tuesday, January 9, 2007
2:00 PM**

Regular Meeting

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

Gloria L. Young, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for November 21, 2006, December 5, 2006 and December 12, 2006.

AGENDA CHANGES

COMMUNICATIONS

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

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

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

services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

Question: Shall this Resolution be ADOPTED?

9. 061678 [Appointment - Developmental Disabilities Area Board V]

Resolution appointing Donna Adkins, term ending December 31, 2007, to Developmental Disabilities Area Board V.

Donna Adkins, succeeding Jennifer Walsh, resigned, seat 2, must have a demonstrated interest and leadership in human services, for the unexpired portion of a three-year term ending December 31, 2007.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mirkarimi, Ammiano

10. 061590 [Appointment - SRO Task Force]

Resolution appointing Suresh Patel, Dipak Patel, Seth Katzman, Christina Olague and Wai Ching Kwan to the SRO Task Force, terms ending December 31, 2009, residency requirement waived.

Suresh Patel, new appointment, seat 2, must be a private SRO owner/operator, for a three-year term ending December 31, 2009.

Dipak Patel, new appointment, seat 3, must be a private SRO owner/operator, for a three-year term ending December 31, 2009.

Seth Katzman, new appointment, seat 4, must be a non-profit SRO owner/operator, for a three-year term ending December 31, 2009.

Christina Olague, new appointment, seat 5, must be a representative of the Mission SRO Collaborative, for a three-year term ending December 31, 2009.

Wai Ching Kwan, new appointment, seat 7, must be a representative of the Chinatown SRO Collaborative, for a three-year term ending December 31, 2009.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern, Bayview, Central and Richmond Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

11. 061453 [Police Foot Patrols]

**Supervisors Mirkarimi, Daly,
Ammiano, Maxwell, Sandoval**

Trust to quiet title as to the City and County of San Francisco in certain utility easements, in the action entitled Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. City and County of San Francisco, et al. (San Francisco Superior Court No. CGC-05-440100, filed April 5, 2005), for a total value of \$136,000.00. (Real Estate Department)

12/12/2006, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Daly, Dufty, Peskin

19. **061586** **[Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Emergency Services Division]** **Mayor**

Resolution authorizing the Department of Emergency Management, Emergency Services Division, to accept and expend a Federal pass through grant in the amount of \$776,000 from the Governor's Office of Homeland Security for the Buffer Zone Protection Program.

Question: Shall this Resolution be ADOPTED?

20. **061640** **[2007-2010 Children Services Allocation Plan]** **Mayor**

Resolution approving the Children Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter. (Mayor)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Jew

21. **061683** **[Amending the Open Video System Franchise Granted to RCN Telecom Services, Inc.]** **Mayor**

Ordinance amending the Open Video System Franchise Granted to RCN Telecom Services, Inc. in Ordinance No. 210-04 as a condition of the transfer of the franchise to Astound Broadband, LLC by amending Sections 1, 34, 46, and 92.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. **061684** **[Transfer of Open Video System Franchise]** **Mayor**

Resolution approving with certain conditions the transfer to Astound Broadband, LLC. of the open video system franchise granted to RCN Telecom Services, Inc.

Question: Shall this Resolution be ADOPTED?

23. **061530** **[Landmark Designation nomination for tree located at 733 27th Avenue]** **Supervisor McGoldrick**

Resolution of intent initiating the nomination of the Holly Tree (Ilex Aquifolium) located at 733 27th Avenue (Assessor's Block 1617, Lot 003) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

Question: Shall this Resolution be ADOPTED?

24. 061693 [Landmark Designation nomination for tree located at 730 28th Avenue] Supervisor McGoldrick

Resolution of intent initiating the nomination of the California Buckeye located at 730 28th Avenue (Assessor's Block 1617 Lot 030) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Elsbernd, Ammiano

25. 061211 [Post-Disaster Safety Assessment Placards] Mayor

Ordinance amending the San Francisco Building Code by adding Section 102.21 to require official placards to be used to warn of unsafe building occupancies following disasters; and adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 061114 [Amending the Board's Rules to include an item on the calendar once a month for the Mayor to appear in person before the Board and engage in formal policy discussions with members of the Board] Supervisor Peskin

Motion adding Rule 3.9.1 to the Board of Supervisors' Rules of Order, to include an item on the Board's calendar once a month for the Mayor to appear in person before the Board and engage in formal policy discussions with members of the Board.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

27. 061417 [Hearing - Tentative Parcel Map, 455 Buena Vista East]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 3, 2006, approving a proposed Tentative Parcel Map to create a 2-Lot Subdivision project located at 455 Buena Vista Avenue, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

(Filed October 13, 2006; companion measure to Files 061487, 061488, 061489; District 8.)

11/7/2006, CONTINUED. Continued to December 12, 2006.

12/12/2006, CONTINUED. Continued to January 9, 2007

Action: _____

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

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

MUNI Maintenance Facility]

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

11/14/2006, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing the same title.

12/5/2006, CONTINUED. Continued to January 9, 2007 at 3:00 p.m.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 061690.)

33. **061706 [Mayor's Appointment, Taxi Commission - Patricia Breslin]**

Hearing to consider the Mayor's appointment of Patricia Breslin to the Taxi Commission.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

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

34. **061707 [Mayor's Appointment, Taxi Commission - Patricia Breslin]**

Motion approving the Mayor's appointment of Patricia Breslin to the Taxi Commission, term ending March 1, 2007. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

35. **061708 [Mayor's Appointment, Taxi Commission - Patricia Breslin]**

Motion rejecting the Mayor's appointment of Patricia Breslin to the Taxi Commission, term ending March 1, 2007. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

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

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

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

Board to schedule multiple appeals in the following order at 4pm:

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

36. 061396 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 3300 Clay Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 26, 2006, granting a Categorical Exemption from the California Environmental Quality Act (Building Permit Application No. 2006.02.27.5519) the proposed project at 3300 Clay Street, Lot 003 in Assessor's Block 0997. The proposal to remodel the ground floor, excavate and install a six-car garage and install a new opening in the side of the building for access to the garage. (Appellant: Douglas D. Cain)

(Filed October 13, 2006; companion measure to Files 061397, 061398, 061399, District 2.)

11/21/2006, CONTINUED. Continued to January 9, 2007.

Action: _____

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

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

37. 061397 [Affirming the categorical exemption issued for 3300 Clay Street project]

Motion affirming the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act.

11/21/2006, CONTINUED. Continued to January 9, 2007.

Question: Shall this Motion be APPROVED?

38. 061398 [Disapproving the categorical exemption issued for 3300 Clay Street project]

Motion disapproving the determination by the Planning Department that the 3300 Clay Street project is categorically exempt from environmental review under the California Environmental Quality Act.

11/21/2006, CONTINUED. Continued to January 9, 2007.

Question: Shall this Motion be APPROVED?

39. 061399 [Preparation of findings related to the 3300 Clay Street

project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3300 Clay Street is exempt from environmental review under the California Environmental Quality Act.

11/21/2006, CONTINUED. Continued to January 9, 2007.

Question: Shall this Motion be APPROVED?

40. ROLL CALL FOR INTRODUCTIONS

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

41. 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.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 42 through 48

**42. 061690 [Committee of the Whole January 9, 2007 at 3:00 p.m.
- Consideration of Mayor's Appointment of Patricia
Breslin to the Taxi Commission]**

Motion directing the Board of Supervisors to sit as a Committee of the Whole on Tuesday, January 9, 2007 at 3:00 p.m. to consider Mayor's appointment of Patricia Breslin to the Taxi Commission.

12/20/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

43. 061698 [Modifying provisions of resolution 10,435] Supervisor Elsbernd

Resolution urging the San Francisco Public Utilities Commission to work with the San Francisco Recreation and Parks Commission to modify provisions of resolution 10,435.

12/12/2006, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE
AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

49. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

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

[Purely Commendatory Finding]

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

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 5, 2006 to December 29, 2006, for reference by President to appropriate committee on January 9, 2007.

**061663 [Public Works - Encroachment under Halleck Street
between Battery and Front Streets]**

Ordinance granting revocable permission pursuant to Public Works Code Section 786 to Steven M. David to occupy a portion of the public right-of-way to install an underground encroachment under Halleck Street between Battery and Front Streets to provide electrical service to 212 California Street (Assessor's Block 0237, Lot 007) conditioned upon the payment of an annual assessment fee as set forth in Public Works Code Section 2.1.1(h)(iii) for underground vaults 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)

12/6/2006, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

061666 [Settlement of Lawsuit - Omari McGee]

Ordinance authorizing settlement of the lawsuit filed by Omari McGee against the City and

County of San Francisco for \$75,000.00; the lawsuit was filed on March 10, 2006 in United States District Court, Case No. C06-1621 CRB; entitled Omari McGee v. City and County of San Francisco, et al. (City Attorney)

12/14/2006, RECEIVED AND ASSIGNED to Rules Committee.

061667 [Settlement of Lawsuit - John Curran]

Ordinance authorizing settlement of the lawsuit filed by John Curran against the City and County of San Francisco for \$32,186; the lawsuit was filed on April 4, 2006 in San Francisco Superior Court, Case No. 450-899; entitled John Curran v. City and County of San Francisco, et al; other material terms of said settlement are that Curran will receive the equivalent of six (6) working days of sick leave with pay credits and eight (8) working days of vacation allowance credits. (City Attorney)

12/14/2006, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 5, 2006 to December 29, 2006, for reference by President to appropriate committee on January 9, 2007.

061097 [Real Property Exchange Agreement]

Resolution approving a real property exchange agreement between the City and County of San Francisco and the Petrocchi Family Trust and Bravo 5 Trust (the "Trust") pertaining to property located at Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission ("SFPUC") to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

12/22/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061664 [Airport Lease and Operating Agreement]

Resolution approving the exercise of the first of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

12/6/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061665 [Approval of a 20 year agreement for sewage treatment and disposal services for the San Bruno Jail]

Resolution approving the Agreement between the City and County of San Francisco (Sheriff), The Westborough County Water District (Westborough) and The North San Mateo County Sanitation District (District) for sewage treatment and disposal services for the San Bruno Jail, resulting in a contract term of 20 years, pursuant to San Francisco Charter Section 9.118(b). (Sheriff)

12/11/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061704 [Settlement of Contractual Dispute and Unlitigated

Government Claim]

Resolution authorizing settlement of an unlitigated claim filed by Schram Construction, Inc. against the City and County of San Francisco for \$77,587.00; other material terms of said settlement are: (1) each party shall mutually release each other from all claims arising from the performance of PUC Contract CW 263R2 except for latent defect, warranty work, and punch list work as outlined in the settlement agreement; (2) Schram Construction, Inc. will withdraw the government claim #06-03356 it filed on or about June 22, 2006 against the City and County of San Francisco; and (3) Each party shall bears its own legal costs and fees. (City Attorney)

12/14/2006, RECEIVED AND ASSIGNED to Rules Committee.

061705 [Public Auction]

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

12/20/2006, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061718 [Petitions and Communications]

Petitions and Communications received from December 5, 2006 through December 29, 2006 for reference by the President to January 9, 2007.

Part 1.

From Office of the Sheriff, submitting the revised annual report of inmate welfare fund expenditures for the fiscal years ending June 30, 2005 and June 30, 2006. (1)

From Kenneally Construction, Inc., submitting opposition to continuance of public hearing for a Categorical Exemption appeal for 538 Laidley Street. File 061591 (2)

From Clerk of the Board, submitting notice that Frances Hsieh, Legislative Assistant to former Supervisor Ma and May Ling Lee, Legislative Assistant to Supervisor Ed Jew have submitted Form 700 Statement of Economic Interests to the Office of the Clerk of the Board. (3)

From Clerk of the Board, submitting notice that the Mayor's Office of Community Development has submitted its conflict-of-interest code notice to the Office of the Clerk of the Board. (4)

From Julie McKown, submitting her resignation as Vice-Chair of the San Francisco Asthma Task Force. Copy: Rules Clerk (5)

From Ann Chen, submitting support for continued funding of the Neighborhood Emergency Response Training (NERT) program taught by the Fire Department. (6)

From Department of the Environment, submitting the three-year report on the effectiveness of the precautionary principle. (7)

From the Clerk of the Board, submitting notice that the Clerk of the Board has sent a letter to the San Francisco delegation in Washington, DC and Sacramento, CA transmitting the results and text of Proposition J on the November 2006 ballot making it the policy of San Francisco to call for the impeachment of President George W. Bush and Vice President Richard Cheney (Reference No. 20061205-021) Copy: Supervisor Daly (8)

From Citizens to Save the Waterfront, expressing both support and concerns regarding the

Shorenstein and Farallon's revised proposal for Piers 27-31. File 051603 (9)

From Department of Emergency Management, submitting request for release of reserved funds in the amount of \$95,370 for AT&T Park Joint Exercise. (10)

From concerned citizens, submitting support for the Treasure Island Development Plan. File 061498, Copy: Each Supervisors (11)

From Clerk of the Board, submitting notice that the Clerk of the Board has not received any Watch Law requests during 2006. (12)

From Southeast Community Facility Commission, submitting the Southeast Community Facility Commission's internal attendance policy. (13)

From Arthur Roth, submitting support for proposed legislation that requires conditional use authorization for any project involving the change in use of an elementary or secondary school. File 061163, Copy: Land Use Committee members (14)

From Municipal Transportation Agency, regarding status of replacing the missing street sign at the intersection of Broderick and Grove Streets (the Broderick sign). (Reference No. 20061031-004) Copy: Supervisor Mirkarimi (15)

From Municipal Transportation Agency, regarding status of replacing the parking sign at the southwest corner of Stanyan and Parnassus, and the street cleaning sign at 415 Baker Street. (Reference No. 20060919-008) Copy: Supervisor Mirkarimi (16)

From Municipal Transportation Agency, regarding status of removing graffiti from various parking signs in District 5. (Reference Nos. 20060919-007, 20061003-008, 20060801-004, 20060912-007, 20060815-006, 20060912-008, 20060912-004) Copy: Supervisor Mirkarimi (17)

From Airport Commission, submitting the Airport Commission's internal attendance policy. Copy: Rules Clerk (18)

From Airport Commission, submitting response to an editorial in the SF Chronicle (To fly through the lines, December 6, 2006) regarding the Clear program, a preferential passenger screening program. (19)

From Kathy Graddy, submitting copy of email sent to BART inquiring if there are any plans to expand the parking facility at the Glen Park BART station. Copy: Each Supervisor (20)

From Health Service System, submitting the Health Service System's internal attendance policy. (21)

From Christian Holmer, regarding public records request from various City Departments. 7 letters (22)

From concerned citizens, submitting opposition to proposed legislation imposing interim zoning controls (establishing a requirement for conditional use authorization) for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities, for an eighteen month period. File 061493, 2 letters (23)

From Police Department, submitting copy of letter sent to the Honorable Mary Morgan, Judge of the Superior Court, of the placement of sexually violent predator Paul George into the City and County of San Francisco. (24)

From Office of the Sheriff, submitting the revised 2004-05 and 2005-06 fiscal year accounting for the Inmate Welfare Fund. (25)

From SF Association of Realtors, urging the Board to postpone proposed resolution establishing the Eastern Neighborhoods as a Community Plan Area to allow the parties at interest to attempt to come to a compromise that holds the promise of serving the housing needs of members of all economic groups. File 061342 (26)

From Office of the Treasurer, submitting correspondence and its attachments showing the investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. (27)

From Department of Public Works, regarding status of removing graffiti from light switchboxes at various locations in District 5. (Reference No. 20061205-013) Copy: Supervisor Mirkarimi (28)

From Department of Public Works, regarding status of removing graffiti from light switchboxes at various locations in District 5. (Reference No. 20061205-012) Copy: Supervisor Mirkarimi (29)

From Department of Public Works, regarding status of removing graffiti from mailboxes at various locations in District 5. (Reference No. 20061205-011) Copy: Supervisor Mirkarimi (30)

From Department of Public Works, regarding status of removing graffiti from garbage cans at various locations in District 5. (Reference No. 20061205-009) Copy: Supervisor Mirkarimi (31)

From Department of Public Works, regarding status of removing graffiti from newsstands at various locations in District 5. (Reference No. 20061205-010) Copy: Supervisor Mirkarimi (32)

From Library Users Association, commenting that the departmental performance measures for the San Francisco Public Library are inadequate. File 061509, Copy: Budget and Finance Committee (33)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20061205-008) Copy: Supervisor Mirkarimi (34)

From Department of Parking and Traffic, regarding status of removing graffiti from parking signs at various locations in District 5. (Reference Nos. 20060919-007, 20061003-008, 20060801-004, 20060912-007, 20060815-006, 20060912-008, 20060912-004) Copy: Supervisor Mirkarimi (35)

From Victor Traycey, submitting opposition to proposed ordinance that requires homeowners to be responsible for sidewalk repair in front of their homes. Copy: Supervisor Elsbernd (36)

From Department of Public Health, regarding status of adding four Public Health Nurse positions to the Department of Public Health. Copy: Budget and Finance Clerk (37)

From Mark Rennie, submitting request for transfer of a Type 48 On Sale General Public Premises transfer from 7404 Mission Street to 83 First Street for The Bar Downtown, LLC dba The Bar Downtown. (38)

From Clerk of the Board, submitting notice that the Department of Aging and Adult Services

and the Asian Art Museum have submitted its conflict-of-interest code notice to the Office of the Clerk of the Board. (39)

From Office of the Controller, submitting notice that Fidelity Bonds are on file for the following members of the Board of Supervisors: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean R. Elsbernd, Ed Jew, Jake McGoldrick, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval (40)

From Department of Human Resources, submitting the Workers' Compensation Council Report for fiscal years 2005-06 and 2006-07. (41)

From James Chaffee, submitting letter entitled Sunday in the Library – A Denial of Service regarding the San Francisco Public Library. (42)

From Eula Walters, submitting letter entitled Grave danger to the Vaillancourt Fountain if the Abraham Lincoln Brigade Monument is installed on the east side of the fountain. (43)

From Kenneally Construction, Inc., urging the Board of Supervisors to affirm the Planning Department's decision to categorically exempt from environmental review the project at 538 Laidley Street. File 061591, Copy: Supervisor Peskin (44)

From Commission on the Environment, submitting the Urban Forestry Council Attendance Policy. Copy: Rules Committee (45)

From T Mobile USA, Inc., submitting notification letter to California Public Utilities Commission regarding the cellular base site at 1688 Sacramento Street. (46)

From T Mobile USA, Inc., submitting notification letter to California Public Utilities Commission regarding the cellular base site at 945 Bryant Street. (47)

From T Mobile USA, Inc., submitting notification letter to California Public Utilities Commission regarding the cellular base site at 2410 Chestnut Street. (48)

From State Senate Rules Committee, submitting appointment of Jeffrey A. Danzinger of Fair Oaks as a member of the California Integrated Waste Management Board. (49)

From Office of the Controller, submitting report concerning the financial audit of NRG Energy Center. (50)

From Office of the Legislative Analyst, submitting report concerning a City employee suggestion to grant the Department of Planning's Enforcement Division the power to issue citations for minor violations of the Planning Code. (51)

From Citizen's General Obligation Bond Oversight Committee, submitting the 2006 Annual Report for the Citizens' General Obligation Bond Oversight Committee. (52)

From SF Convention & Visitors Bureau, responding to inquiry regarding Oracle Open World and the convention business in San Francisco in general. (Reference No. 20061024-013) Copy: Supervisor Peskin (53)

From Small Business Commission, submitting the amended Rules of Order and attendance policy for the Small Business Commission. Copy: Rules Clerk (54)

From Port Commission, submitting the Rules of Order incorporating its attendance policy for the Port Commission. Copy: Rules Clerk (55)

From Recreation and Park Department, submitting the 1st quarter report for fiscal year 2006-07 in response to the requirements of Resolution 157-99 (Lead Poisoning Prevention). (56)

From Office of the Controller, submitting report concerning the review of ABX Air, Inc. (57)

070004 [Petitions and Communications]

Petitions and Communications received from December 5, 2006 through December 29, 2006 for reference by the President to January 9, 2007.

Part 2.

From Office of the Mayor, submitting the reappointment of Nazly Mohajer to the Human Rights Commission. (58)

From Human Services Agency, submitting notice that the bi-annual count of unsheltered homeless people will take place on the evening of January 31, 2007 from 8 p.m. to 12 a.m. Copy: Each Supervisor (59)

From Eva Chuk, on behalf of all Falun Gong practitioners in San Francisco, regarding complaint filed in court asking the city to stop funding the Chinese Chamber of Commerce Chinese New Year Parade. (60)

From Francisco Da Costa, regarding the Treasure Island hearing on Wednesday, December 6, 2006. (61)

From Francisco Da Costa, regarding Bayview/Hunters Point and the Redevelopment Agency. (62)

From Sharon Johnson, submitting support for proposed legislation imposing interim zoning controls establishing a requirement for conditional use authorization for a change in use or reduction in size of any recreational space of 15,000 square feet or more including indoor or outdoor facilities, for an eighteen month period. File 061493 (63)

From Richard Skaff, regarding complaint by an individual with multiple chemical sensitivity and uses the City's bus transit system. 2 letters (64)

From Office of the Mayor, responding to the 2005-2006 Civil Grand Jury Continuity Report. (65)

From Clerk of the Board, submitting notice that the Office of the Clerk of the Board received a Donor/Disclosure/Gift Acknowledgement from the SF Film Commission reporting that the office is accepting a gift worth approximately \$7,500 from Paramount Pictures. (66)

From Library Users Association, regarding story in the SF Bay Guardian concerning lack of Sunday hours at public branch libraries. (67)

From Recreation and Park Department, submitting the attendance policy of the Recreation and Park Commissioners. Copy: Rules Clerk (68)

From Office of the City Attorney, submitting memorandum regarding the Bicycle Plan Litigation. File 050349 (69)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to the Office of the Treasurer/Tax Collector for the period ending November 30, 2006. (70)

From Office of Contract Administration, submitting request for waiver of Chapter 12B of the Administrative Code for HVB AE Power Systems. (71)

From Abdalla Magahed, concerning the Next Door Shelter at 1001 Polk Street. (72)

From SF Asthma Task Force, submitting resolution endorsing the San Francisco Tobacco Free Coalition proposed policies to expand protections from second hand smoke. Copy: Each Supervisor (73)

From SF Redevelopment Agency, submitting the attendance policy for the Redevelopment Agency Commissioners. Copy: Rules Clerk (74)

From Department of Elections, submitting the attendance policy for the Department of Election Commissioners. (75)

From Department of Elections, submitting the annual report for the Department of Elections Commission. (76)

From Office of the Mayor, submitting letter vetoing proposed legislation that mandates specific deployment of police officers by the Board of Supervisors. Copy: Each Supervisor, City Attorney (77)

From Department of Parking and Traffic, submitting Board of Supervisors inquiry report. (Reference Nos. 20060808-007, 20060912-006, 20060919-005, 20060919-006, 20061003-004, 20061017-006, 20061017-008, 20061024-006, 20061031-005, 20061031-007, 20061107-001, 20061107-005, 20061107-012, 20061114-013) Copy: Supervisor Mirkarimi (78)

From Public Utilities Commission, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 20061024-009) Copy: Supervisor Mirkarimi (79)

From Public Utilities Commission, regarding status of removing graffiti from utility and wooden poles at various locations in District 5. (Reference No. 20061206-006) Copy: Supervisor Mirkarimi (80)

From Public Utilities Commission, regarding status of removing graffiti from utility poles from various locations in District 5. (Reference No. 20061031-012) Copy: Supervisor Mirkarimi (81)

From Port Commission, submitting request for release of reserved funds in the amount of \$253,000 for Environmental Justice related projects in the Port's Southern Waterfront. (82)

From Port Commission, submitting request for release of reserved funds in the amount of \$301,474 to continue the Pier 70 Master Plan work, and \$155,756 for Piers 30-32 Cruise Terminal Development Implementation Strategy for a total of \$457,230. (83)

From Office of the Mayor, submitting notice that Supervisor Elsbernd will be Acting-Mayor from December 26 until December 30, 2006 and from January 3, 2007 until January 4, 2007. (84)

From Bruce Brugmann, regarding SF Bay Guardian/Media Alliance filing a legal motion to open key documents in the Hearst-Singleton Media Merger Case. (85)

From Mayor's Office of Community Development, submitting copy of letter sent to

constituent stating no requests under Sunshine laws made of MOCD for the time period indicated in your request. (86)

Number not used. (87)

From Citizens' General Obligation Bond Oversight Committee, submitting annual report for the Citizens' General Obligation Bond Oversight Committee. (88)

From Francisco Da Costa, regarding the California Public Records Act. (89)

From Francisco Da Costa, commenting on the Cash Not Care article that was recently printed in the Examiner. (90)

From Maggie Logie, regarding the recently installed parking meters on Ellis Street, between Van Ness Avenue and Franklin Street. (91)

From Gary Chin, regarding the homeless population in San Francisco. (92)

From R. Warren, regarding the parking situation at the Glen Park BART Station. (93)

From Asumchai, regarding alleged environmental homicide on Parcel A in Hunters Point. (94)

From Discovery West/Tom Jones Productions, requesting support and relief from injustices done against him. (95)

From Francisco Da Costa, commenting on plans and programs from the San Francisco County Transportation Authority. 2 letters (96)

From Francisco Da Costa, regarding the decision of the City Attorney and the invalidation of over 33,000 signatures linked to the declared Project Area by the San Francisco Redevelopment Agency. (97)

From Roger Brandon, regarding the traffic problem at Market and Sanchez Streets. Copy: Supervisor Dufty (98)

From Department of the Environment, submitting the new zero waste and environmental justice grant announcement. (99)

From Jim Meko, regarding the SoMa Leadership Council Policy Statement. (100)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20061212-008) Copy: Supervisor Mirkarimi (101)

From Department of Public Works, regarding status of removing graffiti from light switchboxes at various locations in District 5. (Reference No. 20061212-010) Copy: Supervisor Mirkarimi (102)

From Department of Public Works, regarding status of removing graffiti from garbage cans at various locations in District 5. (Reference No. 20061212-009) Copy: Supervisor Mirkarimi (103)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20061212-004) Copy: Supervisor Mirkarimi (104)

From Department of Public Works, regarding status of removing graffiti from utility boxes at various locations in District 5. (Reference No. 20061212-014) Copy: Supervisor Mirkarimi (105)

From Department of Public Works, regarding status of repairing the sidewalk at 1500 Page Street and filling a tree basin at 1200 Masonic Avenue. (Reference No. 20061017-009) Copy: Supervisor Mirkarimi (106)

From Municipal Transportation Authority, regarding status of removing graffiti on parking signs at various locations in District 5. (Reference No. 20061024-007) Copy: Supervisor Mirkarimi (107)

From Shawn Riney, commenting that the medical marijuana vote has made it harder for the neighborhood activist in the Lower Haight District to reduce the amount of crime, drug dealing, littering and vandalism in the area. Copy: Supervisor Ammiano (108)

From Office of Labor Standards Enforcement, on behalf of the Sweatfree Procurement Advisory Group regarding implementation of the Sweatfree Contracting Ordinance, Chapter 12U of the Administrative Code. (109)

From Public Utilities Commission, regarding graffiti at the intersection of Pierce and Page Streets. (Reference No. 20061031-015) Copy: Supervisor Mirkarimi (110)

From Public Utilities Commission, regarding status of removing graffiti from various locations in District 5. (Reference No. 20061212-003) Copy: Supervisor Mirkarimi (111)

From S.N. Thompson, regarding Monster Park's First Aide office. Copy: Recreation and Park Department (112)

From Herb Levine, regarding cookie-scented signs in bus shelters. (113)

From Clerk of the Board, submitting notice that the San Francisco Film Commission has submitted its conflict-of-interest code notice to the Office of the Clerk of the Board. (114)

From Alpine County Board of Supervisors, requesting the San Francisco Board of Supervisors adopt a resolution acknowledging January as National Glaucoma Awareness Month. (115)

From Office of the Controller, submitting report concerning the review of allegations that an assistant administrator improperly purchased linen and other supplies for the Laguna Honda Hospital and Rehabilitation Center. (116)

From Department of Public Health, submitting the San Francisco Monthly Sexually Transmitted Disease (STD) Report for November 2006. (117)

From Clerk of the Board, submitting notice that the Civil Grand Jury has submitted its conflict-of-interest code notice to the Office of the Clerk of the Board. (118)

From Office of the Controller, submitting report concerning the financial review of Bayview

Opera House for fiscal year 2004-05. (119)

From Office of the Controller, submitting report concerning the financial review of the African American Art and Culture Complex for fiscal year 2004-05. (120)

From State Department of Health Services, submitting notice of approval of San Francisco County's fiscal year 2006-07 Plan and Budget for carrying out Child Health and Disability Prevention Program. (121)

From Clerk of the Board, submitting notice that the Health Service System has submitted its conflict-of-interest code notice to the Office of the Clerk of the Board. (122)

From Clerk of the Board, submitting notice that Bill Barnes, Legislative Assistant to former Supervisor Fiona Ma has submitted Form 700 Statement of Economic Interests to the Clerk of the Board's Office. (123)

From Taxi Commission, submitting the Taxi Commission's internal attendance policy. (124)

From Francisco Da Costa, concerning removal and replacement of 40 trees at 800 Brotherhood Way. (125)

From David Grace, commenting that the EPA is closing its libraries and destroying documents. Copy: Supervisor Mirkarimi (126)

From Office of the Controller, submitting the Cost Allocation Plan year ending June 30, 2007. (127)

From Office of the Controller, submitting the Comprehensive Annual Financial Report for the 2005-2006 fiscal year. (128)

APPOINTMENTS BY THE MAYOR

Art Commission
P.J. Johnston

Taxi Commission
Patricia Breslin
Bruce Oka

Human Rights Commission
Faye Woo Lee
Cecilia Chung
Rabbi Yoel Kahn
Nazly Mohajer

Commission on the Status of Women
Jing Xu Lee

ADJOURNMENT

Meeting Procedures

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

measures which have been heard in committee.

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

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

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

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

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

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

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

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



Disability access

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

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

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

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

Know Your Rights Under the Sunshine Ordinance

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

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

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

Lobbyist Registration and Reporting Requirements

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