

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 9, 2007 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, 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, Commissioners Chin, Commissioner Kelly, Commissioner Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Jew

Government Audit and Oversight Committee

Supervisors Ammiano, Alioto-Pier, Peskin

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Mirkarimi, Elsbernd, Ammiano

Select Committee on Ending Gun and Gang Violence

Supervisors Maxwell, Mirkarimi, Ammiano

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 102 Number 2

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick moved to approve the Board Meeting Minutes for November 21, 1006, December 5, 2006 and December 12, 2007. The motion carried by the following vote:

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

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

061584 [Defining material collected for recycling to be solid waste under prevailing wage/displaced worker ordinance pertaining to City Contracts for hauling of solid waste.]

Supervisors Peskin, Daly, Duffy, Mirkarimi, Ammiano

Ordinance amending Administrative Code Section 21.25-5 - requiring payment of prevailing wages to workers engaged in the hauling of solid waste generated by the City in the course of City operations, and retention of such workers upon a change in contractor - to include material collected for recycling in the definition of solid waste.

Ordinance No. 5-07

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

- 061469 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program]**
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$95,030 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program" for fiscal year 2006/2007. (District Attorney)
- Resolution No. 1-07**
ADOPTED
- 061528 [Accept-Expend Federal Grant - Disability and Healthcare Insurance Fraud Program]**
Supervisor Elsbernd
- Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$100,000 through the California Department of Insurance for a program entitled "Disability and Healthcare Insurance Fraud Program" for fiscal year 2006/2007.
- Resolution No. 2-07**
ADOPTED
- 061620 [Reprogramming of \$128,157 from SFGH's equipment budget to purchase a third van for the Mobile Methadone Program]**
Supervisor Dufty
- Resolution authorizing the San Francisco Department of Public Health (DPH), to reprogram \$128,157 in funding approved in the budget for San Francisco General Hospital (SFGH) for medical chairs, tables and information technology, to purchase instead, a large RV-size vehicle (Van) for the DPH Mobile Methadone Program in FY 2006-07. (Public Health Department)
- Resolution No. 3-07**
ADOPTED
- 061642 [Accept-Expend Funds - Cold Case Program]**
Supervisor Elsbernd
- Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$394,891 from the Department of Justice, Office of Justice Programs, for a program entitled "Cold Case Program," for the period October 1, 2005 to September 30, 2007.
- Resolution No. 4-07**
ADOPTED
- 061670 [Gift - Private - Department of Public Health, Laguna Honda Hospital & Rehabilitation Center]**
Supervisor Elsbernd
- Resolution authorizing the Department of Public Health, Laguna Honda Hospital & Rehabilitation Center to accept a gift of van valued in the amount of \$39,889.16 from the Laguna Honda Hospital Volunteers Inc., for use in the transportation of LHH residents off campus. (Public Health Department)
- Resolution No. 5-07**
ADOPTED

Recommendations of the Rules Committee**061611 [Extending term of Back Streets Business Advisory Board]
Supervisor Maxwell**

Ordinance extending for an additional nine months the term of the Back Streets Business Advisory Board.

Ordinance No. 4-07

FINALLY PASSED

061677 [Appointment - Shelter Monitoring Committee]

Resolution appointing Maxine Pauson, Elizabeth Olsen, Diana Valentine, Kim Clark and Damian Ochoa, terms ending November 23, 2008, to the Shelter Monitoring Committee.

Maxine Pauson, succeeding herself, term expired, seat 1, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

Elizabeth Olsen, succeeding herself, term expired, seat 2, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

Diana Valentine, succeeding herself, term expired, seat 3, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2008.

Kim Clark, succeeding Bianca Henry, term expired, seat 4, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

Damian Ochoa, succeeding himself, term expired, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people and be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2008.

Resolution No. 6-07

ADOPTED

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.

Resolution No. 7-07

ADOPTED

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.

Resolution No. 8-07

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

**061453 [Police Foot Patrols]
Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval**

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code 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.

NOTE: This action requires a 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 December 15, 2006. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 14, 2007.

Motion to override the Mayor's Veto passed by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Elsbernd, Jew

Ordinance No. 1-07

FINALLY PASSED by the following vote:

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

From the Clerk

061096 [Adopting findings related to affirming the categorical exemption issued for the 538 Laidley Street project]

Motion adopting findings related to affirming the determination by the Planning Department that the project at 538 Laidley Street is categorically exempt from environmental review under the California Environmental Quality Act ("CEQA").

Motion No. M07-2

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Jew, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Budget and Finance Committee

- 061478 [Appropriating \$2,006,473 for Violence Prevention Programming in the Juvenile Probation Department and the Department of Children, Youth and Their Families for Fiscal Year 2006-2007]
Supervisors Daly, Dufty, Mirkarimi

Ordinance appropriating \$1,000,000 from the Children's Fund, \$779,370 of General Fund Reserve and \$227,103 in Juvenile Probation Title IV-E (Foster Care) funds for violence prevention programs, including \$423,021 in the Juvenile Probation Department for six additional Deputy Probation Officers and two Juvenile Counselors, and \$1,583,452 in the Department of Children, Youth and Their Families for violence prevention contracts for Fiscal Year 2006-2007.

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

Ordinance No. 3-07

FINALLY PASSED by the following vote:

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

- 061497 [Public Employment - Department of Elections]
Supervisor Sandoval

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of a 9770, Community Development Assistant, and a 9772, Community Development Specialist in the Department of Elections, REG.

Ordinance No. 2-07

FINALLY PASSED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee**Supervisors Dufty and Mirkarimi excused from voting**

**061519 [Condominium conversion lottery extension to 2008]
Supervisor McGoldrick**

Ordinance amending Subdivision Code Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; repealing Section 1396.1 to delete condominium conversion lottery provisions that are void by their own terms; adding Section 1396.1 to reenact the condominium conversion lottery process from 2005 and to establish provisions concerning the standby list selection process; and making environmental findings. (Public Works Department)

Supervisors Dufty and Mirkarimi were previously excused.

Ordinance No. 6-07

FINALLY PASSED by the following vote:

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

Excused: 2 - Dufty, Mirkarimi

**061538 [Exemption of housing for victims of domestic violence from compliance with the Uniform Visitor Policy for Residential Hotels]
Supervisors Peskin, Mirkarimi**

Ordinance amending Section 41D.1 those of the San Francisco Administrative Code to exempt from the requirements of Chapter 41D residential hotels that are operated by non-profit agencies to provide housing and supportive services to victims of domestic violence.

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

Ordinance No. 7-07

FINALLY PASSED by the following vote:

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

Noes: 1 - Daly

**061342 [Establishing City and County of San Francisco Policy for the Eastern Neighborhoods Rezoning and Community Plans Area]
Supervisors Maxwell, Ammiano, Peskin, McGoldrick**

Resolution establishing City and County of San Francisco policy for the Eastern Neighborhoods Rezoning and Community Plans Area.

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

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

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

Resolution No. 20-07

ADOPTED AS AMENDED by the following vote:

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

Recommendation of the Rules Committee

061545 [Settlement of Lawsuit - Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable Trust v. CCSF, et al.]

Ordinance approving settlement of litigation brought by Peter P. Naughton and Bernadette A. Naughton as Trustees of the 2004 Peter P. Naughton and Bernadette A. Naughton Revocable 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)

Ordinance No. 8-07

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

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.

Resolution No. 9-07

ADOPTED by the following vote:

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

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)

Resolution No. 10-07

ADOPTED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee

**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.

PASSED ON FIRST READING by the following vote:

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

**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.

Resolution No. 11-07

ADOPTED by the following vote:

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

**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.

Resolution No. 12-07

ADOPTED by the following vote:

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

**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.

Resolution No. 13-07

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

**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.

PASSED ON FIRST READING by the following vote:

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

**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.

Amended by replacing "Tuesday" with the "regularly scheduled meeting."

Motion No. M07-6

APPROVED AS AMENDED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

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 East, Lot 270 in Assessor's Block 2607. (Appellant: Peter Yedidia).

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

*The President inquired as to whether or not any member of the public wished to address the Board.
Continued to January 23, 2007*

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

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

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 adopted.)

061487 [Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 455 Buena Vista East]
Motion approving decision of the Director of Public Works and approving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 23, 2007

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

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

061488 [Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 455 Buena Vista East]
Motion disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 23, 2007

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

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

061489 [Preparation of findings related to the Tentative Parcel Map appeal for 455 Buena Vista East]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision project at 455 Buena Vista East, Lot 270 in Assessor's Block 2607, and making environmental and General Plan findings.

Continued to January 23, 2007

CONTINUED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

061379 [Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]

Hearing of persons interested in or objecting to proposed resolution authorizing the 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.

*The President inquired as to whether or not any member of the public wished to address the Board.
Continued to January 23, 2007*

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

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

Committee of the Whole Adjourn and Report Without Recommendation

**061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]
Supervisor Maxwell**

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.)

Continued to January 23, 2007

Supervisor Maxwell, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

- 061706 [Mayor's Appointment, Taxi Commission - Patricia Breslin]
Hearing to consider the Mayor's appointment of Patricia Breslin to the Taxi Commission.
*The President inquired as to whether or not any member of the public wished to address the Board.
Patricia Breslin
The President declared the public hearing closed.*
HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

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

Supervisor Jew Excused from Voting

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

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

- 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)
TABLED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Jew
- 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)
TABLED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Jew

SPECIAL ORDER 4:00 P.M.

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.)

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

Douglas Cain, Appellant

Lisa Gibson, Planning Department representative reviewed with the Board the Planning Department's recommendation.

Scott Jacks, Project sponsor

Rebuttal Period:

Douglas Cain, Appellant

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

HEARD AT PUBLIC HEARING.

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.)

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.

Motion No. M07-3

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

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

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.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

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

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.

Motion No. M07-4

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

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

ROLL CALL FOR INTRODUCTIONS**PUBLIC COMMENT**

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

Abdullah Megaheed; expressed concern with issues relating to the homeless

James Chaffee; expressed concern with issues relating to the SF Library

Michael Kwok; showed support for Patricia Breslin for Taxi Commissioner

Walter; shared with the Board memorabilia

Alex Reyes; expressed concern with issues relating to DPT and MTA.

Rodney; expressed concern with issues relating to SFGiants and Police patrols

Peter Warfield; expressed concern with issues related to the SF Library

Slyvia Johnson; expressed concern with general issues

Taxi cab driver; expressed concern with issues relating to unqualified taxi ca drivers

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.

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.

Resolution No. 14-07

ADOPTED

**061699 [Urging the Recreation and Park Department to install a new bathroom at Alamo Square Park]
Supervisor Mirkarimi**

Resolution urging the Recreation and Parks Department to install a new bathroom at Alamo Square Park.

Resolution No. 15-07

ADOPTED

**061701 [Accept-Expend Foundation Grant - Department of the Environment]
Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$50,000 from the Ayrshire Foundation to redesign the San Francisco EcoCenter at 11 Grove Street to make it an interactive space that educates and informs residents about Climate Change and its potential effects on the City and County of San Francisco and provides information on solutions to the challenge of Climate Change.

Resolution No. 16-07

ADOPTED

**061702 [Accept and Expend State Grant - Department of the Environment]
Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$49,980.00 from the California Integrated Waste Management Board for the purpose of increasing the Re-Use of Construction and Demolition materials in the City and County of San Francisco.

Resolution No. 17-07

ADOPTED

**061703 [Expressing concern about the decline in minority enrollment over the last decade at University of California campuses and urging the UC Regents to take proactive steps to increase diversity]
Supervisor Sandoval**

Resolution expressing concern about the decline in minority enrollment over the last decade at University of California campuses and urging the UC Regents to take proactive steps to increase diversity.

Resolution No. 18-07

ADOPTED

061710 [Final Map - 1905 - 1911 Mission Street]

Motion approving Final Map 3884, a 25 Unit Mixed- Use Condominium Project, located at 1905 – 1911 Mission Street being a subdivision of Lot 27 - 30 in Assessors Block No. 3553 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M07-1

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

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.

Motion No. M07-5

APPROVED by the following vote:

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

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the Purely Commendatory Finding. The motion carried by the following vote:

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

[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.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to approve the Brown Act Finding. The motion carried by the following vote:

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

- 070010 [Commending Kay Gulbengay]**
Supervisors Peskin, Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval

Resolution commending Kay Gulbengay on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 40 years of service to the City and County of San Francisco.

Resolution No. 19-07

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments

Ordinances

- 070014 [Unrepresented Employees]**
Mayor

Ordinance Amending the 2006-07 Ordinance Fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2006.

1/9/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 070015 [MOU, Amendment No. 1 - Union of American Physicians and Dentists (Unit 8CC)]**
Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC) implementing wage and compensation provisions, to be effective July 1, 2007 through June 30, 2009.

1/9/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 070020 [Public Works Code - Garbage Receptacles]**
Supervisor McGoldrick

Ordinance amending Public Works Code Section 170 to delete the waiver provisions concerning placement of garbage receptacles on the public right-of-way; and making environmental findings.

1/9/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/8/2007.

**070021 [Planning Code Amendment-Landmarking Interiors of Publicly-Accessible Buildings]
Supervisor McGoldrick**

Ordinance amending the San Francisco Planning Code by amending Sections 1004, 1005 and 1006.7 to provide for review of proposed changes to interior architectural features of privately-owned landmark buildings where such features are in areas of the landmark that are generally accessible to members of the public; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

1/9/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/8/2007.

Resolutions**070010 [Commending Kay Gulbengay]**

Supervisors Peskin, Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval

Resolution commending Kay Gulbengay on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 40 years of service to the City and County of San Francisco.

1/9/07, ADOPTED.

070016 [Juvenile Probation and Camps Funding Program Agreement-Juvenile Probation Department]

Supervisor Dufty

Resolution authorizing the Juvenile Probation Department to participate in the Juvenile Probation and Camps Funding Program used to pay for direct services to children.

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070017 [Grant of Regional Funds - Municipal Transportation Agency]

Supervisor Daly

Resolution authorizing the Municipal Transportation Agency to accept and expend \$49,000 of Regional Measure 2 funds for Safe Routes to Transit project.

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070018 [Accept-Expend Federal and State Grants - Municipal Transportation Agency]

Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend a Caltrans Safe Routes to School grant in the amount of \$423,000 for implementation of the Buena Vista Safe Routes to School Project.

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

070019 [Accept-Expend Grant - Visitacion Valley CRN]

Supervisor Maxwell

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$444,253 from the Department of Justice, for a program entitled "San Francisco's Visitacion Valley Community Response Network" for the period July 1, 2006 to December 31, 2007.

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070022 [Municipal Broadband]
Supervisors McGoldrick, Mirkarimi, Ammiano**

Resolution urging the City and County of San Francisco to weigh the costs and benefits of a Google/Earthlink provided wireless Internet, versus an autonomous Wireless connection created and maintained by the City and County of San Francisco itself.

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070023 [Zoning - Extension of Planning Commission Review Period]
Supervisor Maxwell**

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend San Francisco Planning Code Section 317 to prohibit demolition of a residential building unless the Planning Commission issues a conditional use authorization for the replacement structure.

1/9/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070024 [Resolution honoring the 50 years of dedicated service that Sergeant Wertz has provided to the San Francisco Police Department and the citizens of San Francisco]
Supervisors Dufty, Board of Supervisors**

Resolution honoring the 50 years of dedicated service that Sergeant Wertz has provided to the San Francisco Police Department and the citizens of San Francisco.

1/9/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070025 [Urging the Names Project Foundation to return the AIDS quilt to San Francisco]
Supervisors Ammiano, Dufty, Elsbernd, Mirkarimi, Daly, Peskin, Alioto-Pier, McGoldrick, Maxwell**

Resolution urging the Names Project Foundation to return the AIDS quilt to San Francisco as soon as possible.

1/9/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070026 [Wishing Norman Yee a full and rapid recovery]
Supervisors Ammiano, Dufty, Jew, Peskin, Alioto-Pier**

Resolution wishing Board of Education President Norman Yee a full and rapid recovery.

1/9/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070027 [Support for San Francisco's Unified School District's efforts to purchase and implement a Point of Sale system to improve the Student Nutrition Services meal programs]
Supervisors Elsbernd, Alioto-Pier**

Resolution supporting San Francisco's Unified School District's efforts to purchase and implement a Point of Sale system to improve the Student Nutrition Services meal programs.

1/9/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070028 [Commendation for Jeff S. Blanchfield]
Supervisor Peskin**

Resolution commending Jeffrey S. Blanchfield for his significant contributions in protecting San Francisco Bay and encouraging the development of its shoreline.

1/9/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070029 [Issuance and Sale of Revenue Bonds - St. Anthony Foundation]
Supervisor Daly**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$12,000,000 to finance various capital facilities owned by St. Anthony Foundation or an affiliate.

1/9/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070030 [Grant of Federal Funds - Municipal Transportation Agency]
Supervisor Jew**

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant from the Transportation Security Administration to provide the San Francisco Municipal Transportation Agency with three bomb detection canines, all associated training, hotel and travel expenses, veterinary care and feed for the three teams (canine and handler), and \$120,500 for expenditures required to implement the program.

1/9/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070031 [Commercial Vehicle Parking on Post Street]
Supervisor Peskin**

Resolution establishing temporary occupancy of a portion of the commercial vehicle parking meters on the north side of Post Street between Kearny and Montgomery from 8:30am to 5:00pm on every Thursday beginning January 1, 2007 through December 31, 2007.

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests for Hearing

**070011 [Board of Supervisors' Budget Analyst Report titled "Fiscal Feasibility Analysis of a Citywide Municipally-Owned Wireless Broadband Network"]
Supervisor McGoldrick**

Hearing to discuss the Board of Supervisors' Budget Analyst Report titled "Fiscal Feasibility Analysis of a Citywide Municipally-Owned Wireless Broadband Network".

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070012 [Plastic Bag Reduction Plan]
Supervisor Mirkarimi**

Hearing on the status of the City's voluntary contract and monitoring effort to reduce 10 million plastic checkout bags by December 31, 2006, as agreed upon with corporate grocery store and plastic bag industry representatives as it pertains to 54 grocery stores over a 13 month period. Hearing participants include: the Department of the Environment, representatives from the Progressive Bag Alliance, representatives from the California Grocers Association, among others.

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070013 [Development of the Victory Gardens program in San Francisco]
Supervisor Peskin**

Hearing to discuss the development of the Victory Gardens program in San Francisco.

1/9/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED ORDINANCES

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

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)
12/6/06, 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)
12/14/06, 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)
12/14/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

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)

12/22/06, 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)

(Fiscal Impact.)

12/6/06, 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)

(Fiscal Impact.)

12/11/06, 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)

12/14/06, 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)

12/20/06, 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 status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:

- Waller Street between Stanyan to Central*
- Shrader Street between Haight to Frederick*
- Page Street between Stanyan to Clayton*
- Oak Street between Stanyan and Divisadero*
- 1350 Divisadero*
- Waller Street between Buchanan and Pierce*
- Steiner Street between Geary and Ellis*
- Steiner Street between Oak and Fulton*
- Turk Street between Webster and Fillmore*
- McAllister Street between Gough and Octavia*
- Bush Street between Webster and Steiner*
- Gough Street between Geary and Grove*
- Webster Street between Haight and Page*
- Page Street between Laguna and Webster*

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of replacing street signage at the following locations:

- "No Pedestrian Crossing" sign at the southeast corner of Geary and Webster*
- Parking sign at 1685 Pierce*
- Parking sign missing on Turk between Laguna and Webster*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- Northwest corner of Waller and Pierce*
- Northwest corner of Fillmore and Post*
- Southeast corner of Hayes and Steiner*
- Southeast corner of Fulton and Steiner*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- 662 Belvedere*
- 654-656 Belvedere*
- 1342 Haight*
- 510 Steiner*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the phone switch boxes located at the Northwest corner of Waller and Pierce.

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from mailboxes at the following locations: Southwest corner of Webster and Oak and the Southeast corner of Haight and Buchanan.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the phone switch boxes at the following location: Northwest corner of Waller and Pierce.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing multiple potholes at the following locations:*

- 638 Waller*
- Page Street between Fillmore and Webster*
- Steiner Street between Grove and Fulton*
- Golden Gate Street at the west end of intersection at Golden Gate*
- Webster Street between Grove and Geary numerous locations on both sides of the street.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the street repaving schedule for:*

- Divisadero Street between Haight and Geary*
- Grove Street between Gough and Webster*
- Laguna Street between Geary and California*

*From: Supervisor Mirkarimi
To: Director, Public Utilities Commission
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Public Utilities Commission and the Department of Public Works to report on the status of removing graffiti from utility pole at the following location: Along Oak Street between Stanyan and Divisadero.*

*From: Supervisor Elsbernd
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation banning cafeteria trucks from within 1000 feet of schools.*

*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 left turn only lane at the corner of Buckingham and Winston from Lake Merced Blvd.*

In Memoriams

Paul J. "Pablo" Heising - Supervisors Mirkarimi, Ammiano, and Peskin
David Jones - Supervisor Maxwell
Edward Suey Seid - Supervisor Peskin
Hugh Maguire - Supervisor Elsbernd
Ruth Bernhard - Supervisor Mirkarimi
Jessica Clark - Supervisor Dufty
Stephanie von Buchau - Supervisor Dufty
Terrance Robert (Bobby) Kapaona - Supervisors Mirkarimi and Daly
Wanda Johnson - Supervisor Daly

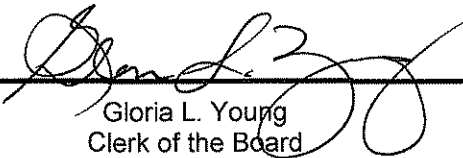
ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:10 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 January 30, 2007.


Gloria L. Young
Clerk of the Board