

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, February 5, 2008 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, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL
Angela Calvillo, Clerk of the Board*

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Chu

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Maxwell was noted absent.

There was a quorum present.

Supervisor Maxwell was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Dufty, moved to approve the January 8, 2008 and January 15, 2008 Board Meeting Minutes. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

071607 [Trans Fat Free Program Ordinance]
Supervisors Maxwell, Peskin, Ammiano, Alioto-Pier, McGoldrick, Daly

Ordinance amending the San Francisco Health Code by adding Article 37, Sections 3701 through 3711, to: (1) encourage restaurants located in the City and County of San Francisco to discontinue the use of artificial trans fat in food served to customers by creating an incentive program, and (2) provide regulations for the voluntary trans fat free program.

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

Ordinance No. 13-08

FINALLY PASSED

**071512 [Juvenile Probation & Camps Funding Program Agreement-Juvenile Probation Department]
Supervisor Dufty**

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

Resolution No. 51-08

ADOPTED

**080037 [Grant to support vocational services to mentally ill individuals]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services to accept and expend retroactively a grant from the California Department of Rehabilitation in the total amount of \$3,310,497, with a cooperative CBHS match of \$895,980, for a budget total of \$4,206,477, to provide vocational rehabilitation services to clients through a cooperative contract agreement for the period of July 1, 2007 through June 30, 2010, waiving indirect costs.

Resolution No. 64-08

ADOPTED

**080038 [Funding modification to support HIV vaccine and prevention research]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a subcontract modification from the Public Health Foundation Enterprises, Inc. (PHFE) to support the research of the San Francisco Vaccine and Prevention Unit (SFVPU) in the amount of \$325,239; for the period of January 1, 2007 through December 31, 2007.

Resolution No. 52-08

ADOPTED

**080044 [Grant funding for a drug court in the San Francisco Dependency Court]
Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant increase in the amount of \$287,177, with a local general fund match of \$28,718, for a budget total of \$315,895, from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) to provide funding for a drug court in the San Francisco Dependency Court; for the period of July 1, 2007 through June 30, 2008.

Resolution No. 50-08

ADOPTED

**080045 [Grant funds to improve and expand substance abuse treatment services]
Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) in the total amount of \$713,132, with a local general fund match of \$142,627, for a budget total of \$855,759 to improve and expand substance abuse treatment services for adult felon drug court clients; for the period of January 1, 2007 through December 31, 2008.

**Resolution No. 49-08
ADOPTED**

**080046 [Accept and Expend CALFED Water Use Efficiency Grant Funds]
Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a CALFED Water Use Efficiency Grant in the amount of \$200,000 through the United States Bureau of Reclamation.

**Resolution No. 53-08
ADOPTED**

Recommendation of the Land Use and Economic Development Committee

071581 [Changing the official sidewalk width - Townsend Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

(DPW Order No. 177,191)

**Ordinance No. 16-08
FINALLY PASSED**

Recommendations of the Public Safety Committee

**080049 [Accept and Expend FY 07 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2007-2008]
Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$27,304,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the extension of eight grant-funded positions at the following Departments: Emergency Management; Police; Fire; Health; and Sheriff; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of six grant-funded positions at the Department of Emergency Management.

**Ordinance No. 15-08
FINALLY PASSED**

**080050 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]
Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$139,366 from the California Governor's Office of Emergency Services (OES) Anti-Drug Abuse Enforcement Program (ADA) for the purpose of reducing drug related crime through a coordinated approach.

**Resolution No. 54-08
ADOPTED**

**080059 [Accept-Expend Federal Grant - Airport Commission]
Supervisor Elsbernd**

Resolution authorizing the Airport Commission to enter into an Other Transaction Agreement (OTA) with the Department of Homeland Security/Transportation Security Administration (TSA) to accept and expend federal funds for the installation of in-line explosive detection baggage system improvements in Terminal One of the San Francisco International Airport for an approximate amount of 75% of the project cost, not to exceed \$2,300,000.

**Resolution No. 48-08
ADOPTED**

Recommendations of the Rules Committee

080002 [Settlement of Lawsuit - Daniel Worrell]

Ordinance authorizing settlement of the lawsuit filed by Daniel Worrell against the City and County of San Francisco for \$585,000; the lawsuit was filed on August 25, 2006 in San Francisco Superior, Case No. 455-569; entitled Daniel Worrell v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No. 17-08
FINALLY PASSED**

080015 [Settlement of Lawsuit - Francis Kelly et al.]

Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 14-08

FINALLY PASSED

080027 [Appointment - Commission on the Aging Advisory Council]

Motion appointing Patricia Webb, term ending March 31, 2009, to the Commission on the Aging Advisory Council.

Patricia Webb, succeeding Jim Dorenkott, term expired, seat 10, must be a nominee of District 5 Supervisor, for the unexpired portion of a two-year term ending March 31, 2009.

Motion No. M08-15

APPROVED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

**071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]
Supervisor Elsbernd**

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed \$17,100,000.

(Supervisor Daly dissented in Committee.)
(Fiscal Impact.)

Continued to February 26, 2008

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

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

From the Rules Committee With Recommendation "Do Submit"

**071664 [Charter Amendment - Retired employees convicted of crimes involving moral turpitude in connection with their employment to forfeit any right to pension benefits funded from employer contributions]
Supervisor Elsbernd**

Charter Amendment (First Draft) to amend Sections A8.584-9, A8.586-12, A8.587-9, A8.588-12, A8.597-12 and A8.598-12, and by adding Sections A8.584-13, A8.586-16, A8.587-14, A8.588-16, A8.597-16 and A8.598-16 to reaffirm the voters' intent that members convicted of a crime involving moral turpitude in connection with their duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, County of San Francisco, shall forfeit any right to a retirement benefit funded, in whole or in part, from contributions by the City and County, the school district, or the college district.

Supervisor Sandoval, seconded by Supervisor McGoldrick, to amend by replacing the word "crime" with the word "felony" throughout the legislation. Motion to amend failed by the following vote:

Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Sandoval

Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin

ORDERED SUBMITTED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

- 080051 [Emergency contract to design and install permanent high voltage electrical distribution system at San Francisco General Hospital]**
Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60, to install a new, permanent high voltage electrical distribution system at San Francisco General Hospital. (Public Works Department)
- (Fiscal Impact.)
- Resolution No. 55-08**
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 080052 [Airport Lease and Operating Agreement]**
Resolution approving the exercise of the second 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.)
- Resolution No. 56-08**
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 080056 [Approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01 with TRC-Imbsen & Associates, for services related to the Fourth Street Bridge]**
Resolution approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01 with TRC-Imbsen for design professional services related to the Fourth Street Bridge Seismic Retrofit and Rehabilitation project, under Charter Section 9.118(b). (Public Works Department)
- Resolution No. 57-08**
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 080123 [Settlement of lawsuit and appropriating a portion of the proceeds - Department of Elections]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, against Election Systems and Software, Inc., on November 20, 2007 in San Francisco Superior Court, Case No. CGC 07-469371, entitled City and County of San Francisco, et al. v. Election Systems & Software, Inc, and appropriating \$1,130,000.00 of the proceeds to the Department of Elections. (City Attorney)
- PASSED ON FIRST READING by the following vote:**
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

080124 [Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia \$1,130,000 rather than transfer to Sequoia the City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices. (Elections Department)

Continued to February 12, 2008

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

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

From the Budget and Finance Committee Without Recommendation**071526 [Public Employment - Entertainment Commission]
Supervisors Dufty, Alioto-Pier, Daly**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.33 FTE) Class 0923 – Manager II in the Entertainment Commission for the Office of Special Events.

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

PASSED ON FIRST READING by the following vote:

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

**080092 [De-appropriating \$45,612 from Economic and Workforce Development and Appropriating \$45,612 for Special Events Promotion in the Entertainment Commission for Fiscal Year 2007-2008]
Supervisors Dufty, Alioto-Pier, Daly**

Ordinance de-appropriating \$45,612 of Community Based Organization Services from the Department of Economic and Workforce Development, and appropriating \$45,612 for one 0923 Manager II position (0.33 FTE) for special events promotion in the Entertainment Commission for Fiscal Year 2007-2008.

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

PASSED ON FIRST READING by the following vote:

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

Recommendation of the Public Safety Committee

**080058 [Renew Joint Power and Revolving Fund Contract with the State]
Supervisor Elsbernd**

Resolution authorizing the Department of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (1) contract for, accept and expend up to \$1,356,678 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2007 through June 30, 2009; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2007 through June 30, 2009.

Resolution No. 47-08

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

**071668 [Reauthorization of Food Security Task Force]
Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by amending Sections 470.1 and 470.2, to extend the sunset provisions of the Food Security Task Force to January 31, 2009, and change the organizations from which members must be appointed.

PASSED ON FIRST READING by the following vote:

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

From the Rules Committee Without Recommendation

**071471 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]
Supervisor Alioto-Pier**

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

Continued to February 12, 2008

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

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

SPECIAL ORDER 4:00 P.M.

080010 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 652 Duncan Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007 that a project at 652 Duncan Street (Building Permit Application No. 2005.12.23.0995, Case No. 2006.0665D) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposed project is a horizontal addition of two bedrooms and bathroom on a first floor and a dining room on a second floor, a vertical addition of a bedroom and bath, renovation of a kitchen and seismic improvements to a single-family dwelling, located in a RH-1 (Residential House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 6589, Lot 002J).
(Appellant: Stephen M. Williams)

(Filed December 7, 2007; companion measure to 080011, 080012, 080013; District 8.)

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

Stephen Williams; Attorney for the appellant

Sheila McElroy; Property historian for the appellant

Ms. McCarney; support of the appellant

Female speaker; support of the appellant

Phyllis Lyon; support of the appellant

Mike Miller; support of the appellant

Theodora Morrow; support of the appellant

Female speaker; support of the appellant

Heather Beal; support of the appellant

Jonathan Walker; support of the appellant

Paula Pagado; support of the appellant

Dan Goddell; support of the appellant

Bill Wycko, Mark Lleullan and Michael Smith Planning Department Representatives reviewed with the Board the Planning Departments recommendation.

Arnie Lerner; Property historian for the project sponsor

Brett Gladstone, Attorney for the project sponsor

Chad Hamilton; Architect for the project sponsor

Eric, Dane and Kristen Hansen; project sponsors

Pastor Boyd; support of the project sponsor

David Gellman; support of the project sponsor

Mena Cavman; support of the project sponsor

Winnie Kelly; support of the project sponsor

Male speaker; support of the project sponsor

Reuben Etchinova; support of the project sponsor

Ron Miguel; support of the project sponsor

Marna Clouder; support of the project sponsor

Sue Kramer; support of the project sponsor

Anthony Trask; support of the project sponsor

Allison Carlson; support of the project sponsor

Tom Gargaosky; support of the project sponsor

Female speaker; support of the project sponsor

Rebuttal:

Stephen Williams, Attorney for the appellant

The President declared the public hearing closed.

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 approved.)**080011 [Affirming the categorical exemption issued for the 652 Duncan Street project]**

Motion affirming the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to table this item.

Motion to table this matter failed by the following vote:

Ayes: 5 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi,

Noes: 6 - Alioto-Pier, Chu, Elsbernd, Maxwell, Peskin, Sandoval

Motion No. M08-14

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Peskin, Sandoval

Noes: 4 - Daly, Dufty, McGoldrick, Mirkarimi

080012 [Disapproving the categorical exemption issued for the 652 Duncan Street project]

Motion disapproving the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to approve this item.

Motion to approve this matter failed by the following vote:

Ayes: 5 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi,

Noes: 6 - Alioto-Pier, Chu, Elsbernd, Maxwell, Peskin, Sandoval

TABLED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Peskin, Sandoval

Noes: 4 - Daly, Dufty, McGoldrick, Mirkarimi

080013 [Preparation of findings related to the 652 Duncan 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 652 Duncan Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to approve this item.

Motion to approve this matter failed by the following vote:

Ayes: 5 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi,

Noes: 6 - Alioto-Pier, Chu, Elsbernd, Maxwell, Peskin, Sandoval

Motion No. M08-13

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Peskin, Sandoval

Noes: 4 - Daly, Dufty, McGoldrick, Mirkarimi

COMMITTEE REPORTS

**071589 [Charter Amendment - City Elections In Even-Numbered Years]
Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Continued to February 12, 2008

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

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

**071590 [Charter Amendment - Providing for the election of members of the Municipal Transportation Agency's Board of Directors, their compensation, and their service as members of the Parking Authority Commission]
Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.112, 13.101, 13.101.5, and 15.105 to provide for the election of members of the Municipal Transportation Agency's Board of Directors, setting their compensation, and fixing their status as members of the Parking Authority Commission.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to re-refer this matter to the Rules Committee.

**071591 [Charter Amendment - City policy regarding diversity on City boards and commissions]
Supervisor McGoldrick**

Charter Amendment (Fourth Draft) to amend Section 4.101 to make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female, minority, and disabled candidates to fill seats on appointive boards, commissions, or advisory bodies.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Continued to February 12, 2008 with the Board Sitting as a Committee of the Whole.

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

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

**071663 [Charter Amendment - New hire qualifications for retiree health care; improved retirement benefits for miscellaneous employees retiring on or after January 10, 2009]
Mayor, Supervisors Elsbernd, Alioto-Pier, Mirkarimi, Chu**

Charter Amendment (Second Draft) to add Sections A8.594 and A8.594-1 through A8.594-14 to provide retirement benefits for employees hired on and after January 10, 2009, who have never been members of the Retirement System before that date and to amend Sections A8.509, A8.584, A8.584-1, A8.587, and A8.587-1, to include certain rehired City employees as members of those plans; amend Section A8.428 to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; amend Section 9.113.5 to pre-fund retiree health benefits for City employees; add Sections 12.204, A8.409-7, A8.432 and A8.590-8 and re-number Section A8.432 as Section A8.433 and amend it to fund retiree health benefits for the City and County of San Francisco and other participating employers.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

*Continued to February 12, 2008 with the Board Sitting as a Committee of the Whole.
Supervisor Alioto-Pier requested to be added as a co-sponsor.*

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

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

**071667 [Charter Amendment - Requiring Board confirmation of appointments to the Public Utilities Commission; setting qualifications for members of the Commission]
Supervisors Maxwell, Duffy, Peskin, Mirkarimi, Ammiano, Elsbernd**

Charter Amendment (Second Draft) to amend Section 4.112 to require confirmation by the Board of Supervisors of the Mayor's appointments to the Public Utilities Commission and to set qualifications for members of the Public Utilities Commission.

Continued to February 12, 2008

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

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

071567 [Urging the Recreation and Park Commission to enter a grant agreement with a non-profit to enable the organization to develop a long-term funding and operational plan for a community-based youth and teen arts program.]
Supervisor Sandoval

Resolution urging the Recreation and Park Commission to enter a grant agreement with a community non-profit to enable the organization to develop a long-term funding and operational plan for a community-based youth and teen arts program in the Geneva Office Building.

Resolution No. 46-08

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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

Abdullah Megaheed; expressed concern issues relating to the homeless

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

Male speaker; expressed concern with issues relating to the City Commissions

Walter; shared with the Board memorabilia

Ann Garrison; expressed concern with issues relating to public comment and with Blue Angels flying over San Francisco

Richard McGeary; expressed concern with issues relating to global warning

Nancy Gin; expressed concern with issues relating to the Director of the Health Service System leaving his position

Geri Meister; expressed concern with issues relating to the Director of the Health Service System leaving his position

Claire Dunn; expressed concern with issues relating to the Director of the Health Service System leaving his position

Edward Rothman; expressed concern with issues relating to the Director of the Health Service System leaving his position

Male speaker; expressed concern with issues relating to an official misconduct against Supervisor Peskin from the Sunshine Ordinance Task Force

Karen Breslin; expressed concern with issues relating to the Director of the Health Service System leaving his position

Gerald DeRyan; expressed concern with issues relating to the Director of the Health Service System leaving his position

Silvia Johnson; expressed concern with issues relating to the Federal Government

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

**080149 [Legislative Analyst Request for Best Zoo Practices]
Supervisor McGoldrick**

Motion requesting the Legislative Analyst to draft a report analyzing the different types of zoos in the world and discuss some of the best practices in terms of animal well being (health, living space, etc), education and species conservation efforts. Also, compare the San Francisco Zoo in terms of the above best practices.

APPROVED by the following vote:

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

**080171 [Commending Jean Shelton]
Supervisor Chu**

Resolution proclaiming February 13, 2008 as Jean Shelton Day in San Francisco.

Resolution No. 58-08

ADOPTED

**080172 [Accept and expend gift in the amount of \$15,000]
Supervisor Chu**

Resolution accepting and expending a gift in the amount of \$15,000 from Visa America to the Recreation and Park Department to support and expand the Recreation and Park Department's volleyball program and provide scholarships for San Francisco youth to participate.

Resolution No. 59-08

ADOPTED

**080173 [Accept-Expend Federal Grant - Office of the Chief Medical Examiner]
Supervisors Elsbernd, Duffy**

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$95,000 from the Paul Coverdell Forensic Science Improvement Grants Program of the Department of Justice.

Resolution No. 60-08

ADOPTED

**080174 [Urging MTA to approve temporary "Street Closure to Vehicular Traffic" on O'Farrell Street between Steiner and Fillmore for Farmers' Market]
Supervisor Mirkarimi**

Resolution urging the Municipal Transportation Authority to enact temporary "Street Closure to Vehicular Traffic" regulations on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 26, 2008 and November 22, 2008.

Resolution No. 61-08

ADOPTED

080175 [Peace Corps Week - February 25 - March 3, 2008]
Supervisor Peskin

Resolution proclaiming February 25 – March 3, 2008 as Peace Corps Week in San Francisco.

Resolution No. 62-08

ADOPTED

080177 [Opposing Propositions 94, 95, 96, and 97]
Supervisors Peskin, Ammiano, Daly, Mirkarimi, Sandoval, McGoldrick, Maxwell, Dufty

Resolution opposing Propositions 94, 95, 96, and 97 on the February 5th General Election.

Resolution No. 67-08

ADOPTED

080169 [Suspension of Rule 6.13 regarding use of Legislative Chamber]
Supervisor Peskin

Motion suspending Rule 6.13 of the Rules of Order of the Board of Supervisors that limits the use of the Legislative Chamber to governmental purposes in order to permit filming activity by Milk, LLC and Groundswell Productions in the Chamber during a three-day period: February 28, February 29 and March 1, 2008.

Motion No. M08-11

APPROVED

080170 [Access to Board of Supervisors Chamber]
Supervisor Peskin

Motion directing the Clerk of the Board of Supervisors to negotiate with Milk, LLC and Groundswell Productions for the terms of access and use of the Board of Supervisors Chamber for set up and pre-lighting, filming, and clean-up (collectively "Filming Activity"), directing the Clerk of the Board to consult with the Executive Director of the Film Commission in ensuring that the terms of the Use Agreement between the City and Groundswell Productions are consistent with the City's general practices with respect to filming on City property and that such Use Agreement includes any additional provisions necessary to ensure proper treatment and protection of the Board of Supervisors Chamber, establishing that such filming activity by Groundswell Productions shall not interfere with the business of the Board of Supervisors, and mandating that Groundswell Productions' activity shall be subject to the special guidelines for use of the Board of Supervisors Chamber developed by the Clerk of the Board of Supervisors, in consultation with the City Architect, the Executive Director of the Film Commission and the City Attorney.

Motion No. M08-12

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed From the Without Reference to Committee Agenda

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

**080163 [Urging the Mayor to Return Transit Funding to the Municipal Transportation Agency]
Supervisors Peskin, Daly, Ammiano, Mirkarimi, Maxwell, Sandoval**

Resolution urging Mayor Gavin Newsom to return to the Municipal Transportation Agency positions and funds that are not directly related to the operations of the Agency.

Amended on page 2, line, 7, by replacing "has violated" with "may violate".

Supervisors Daly, Ammiano, Mirkarimi, Maxwell and Sandoval requested to be added as co-sponsors.

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

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

Resolution No. 66-08

ADOPTED AS AMENDED by the following vote:

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

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

**080176 [Dr. Philip R. Day, Jr. Day - February 7, 2008]
Supervisor Peskin**

Resolution proclaiming February 7, 2008 to be Dr. Philip R. Day, Jr. Day in San Francisco.

Resolution No. 63-08

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**080189 [Landmark Designation of 451 Jersey Street (Carnegie Noe Valley/Sally Brunn Branch Library)]
Supervisor Duffy**

Ordinance designating 451 Jersey Street, the Carnegie Noe Valley/Sally Brunn Branch Library, (Assessor's Block Number 6539, Lot Number 034), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

2/5/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. (Supporting documents: Planning Resolution 17508, with General Plan and Environmental findings; Landmarks Resolution #619)

**080193 [Appropriating \$2,263,846 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for Fiscal Year 2007-2008]
Supervisor Maxwell**

Ordinance appropriating \$2,263,846 of General Fund Reserve to fund unanticipated increased costs of indigent defense expenses associated with People v. Bell as well as adult criminal and juvenile delinquency cases in the Superior Court of California for Fiscal Year 2007-2008.

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080196 [Appropriating \$246,000 of General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital]
Supervisors Mirkarimi, Ammiano**

Ordinance appropriating \$246,000 from the General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital for Fiscal Year 2007-2008.

(Fiscal Impact.)

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

**080188 [Hiring of Recreation Directors]
Supervisors Ammiano, Duffy, Peskin**

Resolution urging the Mayor to reinstate hiring of all vacant Recreation Director positions.

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080190 [Approval of Amendment to Security Guard Services Contract]
Supervisor Elsbernd**

Resolution approving Amendment to Armed and Unarmed Security Services Contract for Municipal Railway Revenue and Cost Accounting Divisions.

(Fiscal Impact.)

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080191 [Mortgage Revenue Bonds]
Supervisor Mirkarimi**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$12,000,000 for 850 Broderick Street (Zygmunt Arendt House); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$60,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$12,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsor requests that the item be referred to Budget and Finance Committee.

**080192 [Lease Disposition and Development Agreement and Lease for Property Located at 850 Broderick Street]
Supervisor Mirkarimi**

Resolution approving and authorizing the Mayor's Office of Housing to enter into a lease disposition and development agreement for a long term ground lease with Arendt House, L.P., a California Limited Partnership, for the development and operation of affordable housing and associated uses on certain real property located at 850 Broderick Street and authorizing the Director of Property to enter into the lease.

2/5/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests that the item be referred to Land Use and Economic Development Committee.

**080194 [Reallocating state grant funds for capital projects in Golden Gate Park]
Supervisor Alioto-Pier**

Resolution authorizing reallocation of \$11,928,060 in Proposition 40 grant funds among 14 capital projects in Golden Gate Park, and, if necessary, among five alternative projects.

2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080197 [Supporting Assemblyman Mark Leno's efforts to establish a State Holiday on Harvey Milk's Birthday]
Supervisors Ammiano, Dufty**

Resolution supporting Assemblyman Leno's efforts to establish a non-fiscal State Holiday on Harvey Milk's Birthday, May 22.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080198 [Condemning Drug Enforcement Agency Actions Against Property Owners Leasing Space to Medical Cannabis Dispensaries]
Supervisors Daly, McGoldrick, Mirkarimi, Ammiano, Peskin**

Resolution reaffirming that the City and County of San Francisco is a sanctuary for medical cannabis, an integral component of which are property owners who, pursuant to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s) that provide needed services to qualified medical cannabis patients and their caregivers, and that the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080199 [Accept-Expend Grant - Public Defender]
Supervisor Mirkarimi**

Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$25,000 from The San Francisco Foundation for a senior clerk position and consulting services to support the implementation of the Safe Communities Reentry Council's strategic plan.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080200 [Requesting traffic calming and pedestrian and bicyclist safety improvements on Masonic Avenue from Geary Avenue to Haight Street]
Supervisors Mirkarimi, McGoldrick, Dufty**

Resolution requesting the Municipal Transportation Agency to work with other city agencies to develop a timeline and funding plan for a comprehensive planning process on Masonic Avenue from Geary Boulevard to Haight Street including traffic calming and pedestrian and bicycle safety improvements.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080201 [Extending Deadline for the Annual Report on Community Safety Cameras]
Supervisor Mirkarimi**

Resolution approving an extension on the deadline for the annual report to the Board of Supervisors on all community safety cameras located in the City and County of San Francisco from January 17, 2008 to March 20, 2008, one year from the date of installation of the cameras.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080202 [Policy regarding bay infill at San Francisco International Airport]
Supervisors Peskin, Maxwell**

Resolution establishing policy on bay infill for runway expansion at San Francisco International Airport.
2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080203 [Issuance and Sale of Revenue Bonds - Aspen South Hills]
Supervisor Peskin**

Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments in an aggregate principal amount not to exceed \$4,500,000 for financing the acquisition and rehabilitation of Aspen South Hills, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080204 [Grand Jury Awareness Month]
Supervisors Peskin, Dufty**

Resolution declaring February 2008 as Civil Grand Jury Awareness month in San Francisco.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080205 [Accept and expend gift in the amount of \$25,000 - Recreation and Park Department]
Supervisor Dufty**

Resolution accepting and expending a gift-in-place, valued at up to \$25,000 from the United States Tennis Association to the Recreation and Park Department to initiate funding for the planning for the renovation of the Golden Gate Park Tennis Center in Golden Gate Park.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080206 [Gift to the Recreation and Park Department - \$16,000]
Supervisor Dufty**

Resolution accepting and expending a gift of \$16,000 from the Friends of Noe Courts via the Parks Trust to the Recreation and Park Department for the play area at Noe Valley Tennis Courts.

2/5/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests For Hearing

**080185 [Laguna Honda Hospital early census reduction and closure of Clarendon Hall]
Supervisor Ammiano**

Hearing on Laguna Honda Hospital early census reduction and closure of Clarendon Hall.

2/5/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080186 [Implementation by the Municipal Transportation Agency of traffic signal phase improvements at the Fell/Masonic intersection]
Supervisor Mirkarimi**

Hearing request regarding status of implementation by the Municipal Transportation Agency of traffic signal phase improvements at the Fell/Masonic intersection as requested in Board Resolution No. 388-07.
2/5/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**080187 [Controller's 6-Month Budget Status Report for FY 2007-08]
Supervisor Peskin**

Hearing on the Controller's 6-Month Budget Status Report for FY 2007-08.
2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080209 [FY 2008-09 Draft Budget for the Board of Supervisors]
Hearing on the Draft FY 2008-09 Board of Supervisors Budget. (Clerk of the Board)
2/5/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.**

Motions

**080195 [Extending the Joint City and School District Committee for one year]
Supervisors Peskin, Duffy**

Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.
2/5/08, RECEIVED AND ASSIGNED to Rules Committee.

**080207 [Appointment, Municipal Transportation Agency Board - Bruce Oka]
Mayor**

Motion confirming the appointment of Bruce Oka to the Municipal Transportation Agency Board of Directors, term ending March 1, 2012.
2/5/08, RECEIVED AND ASSIGNED to Rules Committee.

**080208 [Appointment, Municipal Transportation Agency Board - Malcolm Heinicke]
Mayor, Supervisor Duffy**

Motion confirming the appointment of Malcolm Heinicke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2012.
2/5/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

- 080135 [Settlement of Lawsuit - Mark Chambers]**
Ordinance authorizing settlement of the class action lawsuit filed by Mark Chambers, et al. against the City and County of San Francisco on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA, entitled, Chambers et al. v. City and County of San Francisco. (City Attorney)
1/24/08, RECEIVED AND ASSIGNED to Rules Committee.
- 080136 [Approving Settlement with the California Independent System Operator and adopting the First Amended and Restated Operating Agreement]**
Ordinance authorizing settlement of proceedings initiated by the California Independent System Operator before the Federal Energy Regulatory Commission in Docket No. ER06-227-000 to establish operational, scheduling and settlement requirements for certain City electrical transmission transactions and adopting the First Amended and Restated Operating Agreement. (City Attorney)
1/25/08, RECEIVED AND ASSIGNED to Rules Committee.
- 080138 [Changing the official sidewalk width - Berry Street]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1577 to change the official sidewalk width on the northerly side of Berry Street between 7th and DeHaro Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)
1/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 080141 [Waiver of Administrative Code section 6.64 to allow modification of Agreement No. CS-525A in an amount that exceeds one hundred-fifty percent of the original contract amount]**
Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code section 6.64 to allow the contract amount of Agreement No. CS-525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original contract amount. (Public Utilities Commission)
1/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

- 080137 [Amending a contract with anticipated expenditures in excess of \$10 million]**
Resolution approving the Tenth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by three (3) months to May 31, 2008 and increasing the total compensation to the Contractor by seven hundred fifty thousand dollars (\$750,000) to thirteen million six hundred fifteen thousand dollars (\$13,615,000), pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)
- (Fiscal Impact.)
1/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080140 [Airport Professional Services Agreement for Construction Management Services for the Terminal 2/Boarding Area D Project with Anticipated Expenditures in Excess of \$10 Million]

Resolution approving the Professional Services Agreement, Airport Contract 8757.9 – Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities between T2 Partners, a Joint Venture of Parsons Transportation Group, EPC Consultants, Inc., and the Allen Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$15,000,000, pursuant to San Francisco Charter Section 9.118(b). (Airport Commission)

(Fiscal Impact.)

1/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted**In Memoriams****Ben Hattem - Supervisor Maxwell**

From: Supervisor Elsbernd

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Please find out if it is possible to install "NO TOUR BUS" signs on 16th Avenue and Moraga Streets. Also find out whether or not that signage would also apply to tour vans.

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 newsstands at the following locations:

- Southwest corner of Haight and Masonic (SF Bay Guardian)*
- Northeast corner of Divisadero and Oak (SF Bay Guardian)*
- Northeast corner of Haight and Shrader (SF Chronicle)*
- Southeast corner of Haight and Clayton (SF Chronicle)*
- Southeast corner of Haight and Masonic (SF Chronicle)*
- Southwest corner of Haight and Broderick (SF Chronicle)*
- Southeast corner of Stanyan and Parnassus (SF Chronicle)*
- Northeast corner of Haight and Shrader (Advertiser)*
- Northeast corner of Haight and Shrader (SF Daily)*
- Southeast corner of Cole and Haight (Yahoo/Hot Jobs)*
- Southeast corner of Cole and Haight (Onion)*
- Southeast corner of Oak and Broderick (Onion)*
- Southwest corner of Ashbury and Frederick (Real Estate Times)*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

- 4875 - 17th Street*
- 100 Block of Broderick (numerous potholes)*
- Large sinkhole in the middle of Parnassus and Stanyan*
- Intersection of Laguna and Fell*

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 private properties locations:

- 701 Shrader*
- 1060 Cole*
- 806-808 Cole*
- 600 Stanyan*
- 1685-99 Haight*

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 utility poles at the following locations:

- Metal*
- 852 Clayton*
 - 858 Clayton*
 - 708 Ashbury*

- 635 Ashbury
- 795 Buena Vista West
- Wood
- 77 Central
- Southeast corner of Cole and Frederick (and metal box on pole)

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:

- Southwest corner of Lyon and Oak
- Northeast corner of Buena Vista West and Central

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes at the following location: Northeast corner of Gratten and Cole.

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 location: Clear Channel on the side of 1685-99 Haight, no permit visible and graffiti present.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft amendments to the Rent Stabilization Ordinance to conform City Law to United States 9th Circuit Court of Appeals decision in Action Apartments vs. City of Santa Monica. Case No. 05-56533; D.C. No. CV-04-10343-AHM.

From: Supervisor Mirkarimi

To: Director, Planning Department

Requesting/Inquiring: Supervisor Mirkarimi is making the following inquiry.

The area of the civic center between the Asian Art Museum and the library could serve to connect UN Plaza and Civic Center Plaza.

I understand that there have been several plans dealing with the Fulton Mall, the last done in 1996 that very clearly lay out all the reasons to restore this public space.

I am attaching a copy of the 1996 report for reference and am inquiring as to the status of current development plans.

From: Supervisor Sandoval

To: Director, Department of Public Works

Requesting/Inquiring: Inquiring about a tree trimming and sidewalk repairs to the odd-numbered side of the 1550-1600 block of Alemany Blvd., from Francis Street to Santa Rosa Ave. Asking that the department make any and all sidewalk repairs and tree trimmings, as have been necessitated by the recent storms.

In Memoriams

Ben Hattem - Supervisor Maxwell

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:08 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 26, 2008.



Angela Calvillo
Clerk of the Board