

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, April 25, 2006 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, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Daly, Dufty, Peskin, Mirkarimi, Elsbernd

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Ammiano, Alioto-Pier, Peskin

Land Use 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, Alioto-Pier, Dufty

Meeting Days

Wednesday

1:00 PM

2nd Monday (Bi-monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Thursday

10:00 AM

1st and 3rd Monday

10:00 AM

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

Volume 101 Number 15

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to approve April 4, 2006 Board Meeting Minutes and Special Board Meeting Minutes for the Budget and Finance Committee meeting for April 5, 2006. The motion carried by the following vote:

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

AGENDA CHANGES

Gloria L. Young, Clerk of the Board informed the Board that Item No. 51 (File No. 050520) was calendared in error.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051917 [Amending Community Court Program Administrative Fee]
Supervisor Daly

Ordinance amending Administrative Code Section 10.183 to authorize the District Attorney to collect Administrative Fees from persons who are determined by the District Attorney to be eligible for the community courts program.

Ordinance No. 87-06
FINALLY PASSED

- 060412 [Appropriating \$6,371,327 to fund violence prevention programs in communities disproportionately impacted by violence at various departments for Fiscal Year 2005-2006]
Supervisors Ma, Daly, Mirkarimi

Ordinance appropriating \$6,371,327 to fund violence prevention programming and investments in the Department of Children, Youth and Their Families, Public Defender, Juvenile Probation, Mayor's Office of Economic and Workforce Development, Mayor's Office of Criminal Justice, Mayor's Office of Community Development, Sheriff's Department, and Department on the Status of Women. Sources of funds include \$4,200,000 from the Unappropriated General Fund Balance, \$991,327 from the Fiscal Year 2005-2006 Children's Baseline Growth, \$1,180,000 from the Fiscal Year 2004-2005 Children's Baseline Reserve. Uses of funds includes \$1,731,327 for Children, Youth and Their Families, \$200,000 for the Public Defender, \$1,390,000 for the Juvenile Probation Department, \$1,300,000 for the Mayor's Office of Economic and Workforce Development, \$100,000 for the Mayor's Office of Criminal Justice, \$450,000 for the Mayor's Office of Community Development, \$400,000 for the Sheriff's Department, and \$800,000 for the Department on the Status of Women; and reserving \$931,327 appropriated to the Department of Children, Youth and their Families for community outreach and street level intervention and \$1,300,000 appropriated to the Mayor's Office of Economic and Workforce Development.

Ordinance No. 86-06
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

- 051535 [Liquor License, 2222 Polk Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 627 Vallejo Street to 2222 Polk Street to Michael Dabit for Polk and Green Produce Market will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Resolution No. 240-06
ADOPTED

- 060003 [Liquor License, Pier 50A, San Francisco]
Resolution determining that the issuance of a Type 21 off-sale general alcoholic beverage control license to Peter Granoff, for Ferry Plaza Wine Merchant, LP located at Pier 50A, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Resolution No. 241-06
ADOPTED

060294 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Rhode Island Street, both sides, from the 1100 block of Rhode Island to 22nd Street (1000 block); and, Bryant Street, both sides, between 21st and 22nd Streets (2300 block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Lincoln Avenue, south side, between 7th and 8th Avenues (600 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Divisadero Street, west side, between Haight and Waller Streets (200 block, odd numbers).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between Cesar Chavez and 27th Streets (portion of the 1400 block).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Geary Street, south side, from the Powell Street intersection to 138 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

South Van Ness Avenue, west side, from 60 to 100 feet north of Cesar Chavez Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Harriet Street, west side, from 245 feet to 292 feet north of Bryant Street (A 47-foot zone accommodating 12 unmetered motorcycle spaces).

TOW-AWAY, NO PARKING, 8 PM TO 4 AM, FRIDAY NIGHT THROUGH SUNDAY MORNING - ESTABLISH

Broadway, both sides, between Columbus Avenue and Montgomery Street.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Howard Street, north side, between Main and Beale Streets.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Howard Street, north side, from Beale Street to 200 feet westerly.

BUS STOP, TOW-AWAY, NO PARKING, 6 AM TO 10 AM, MONDAY THROUGH FRIDAY - ESTABLISH

Howard Street, south side, from Spear Street to 90 feet easterly.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND

Howard Street, north side, from Beale Street to 200 feet westerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Holyoke Street, west side, between Woolsey Street and Karen Court.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

Guerrero Street, east side, from 21st Street to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

10th Avenue, east side, between the driveways of 1365 and 1371 10th Avenue (accommodating 2 unmetered motorcycle spaces). (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Resolution No. 243-06

ADOPTED

060293 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Jackson Street at Leavenworth Street, westbound, making this intersection an All-Way STOP;
Monterey Boulevard and Congo Street, stopping Monterey Boulevard, making this intersection an All-Way STOP;

14th and Harrison Streets, stopping Harrison Street, making this intersection an All-Way STOP; and,
San Bruno Avenue at Felton Street, stopping San Bruno Avenue, making this intersection an All-Way STOP.
(Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Resolution No. 242-06

ADOPTED

060295 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - ESTABLISH
Howard Street, eastbound, approaching Spear Street.

BICYCLE LANE - ESTABLISH
Howard Street, westbound, from the Embarcadero to Fremont Street

BICYCLE LANE - ESTABLISH
Northbound Potrero Avenue at the Cesar Chavez Interchange, from the 101 southbound off-ramp to 190 feet southerly.

MULTIPLE LEFT TURN LANES - RESCIND
Fell Street, westbound, at Octavia Boulevard.

LEFT LANE MUST TURN LEFT - RESCIND
Fell Street, westbound, at Octavia Boulevard.

RIGHT LANE MUST TURN RIGHT EXCEPT MUNI - RESCIND
Van Ness Avenue southbound, at Bay Street. (Parking and Traffic Department)

(2/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3146.)

Resolution No. 244-06

ADOPTED

060314 [STOP Intersections]

Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Irving Street and 11th Avenue: stopping eastbound and westbound on Irving Street.

(3/6/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Resolution No. 245-06

ADOPTED

**060315 [STOP Intersections]
Supervisor Mirkarimi**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Stopping Haight Street at the south leg of Cole Street, making the west-most Cole Street T-intersection with Haight Street an all-way STOP.

PAINTED CROSSWALK - DELETE

Remove painted crosswalk crossing Haight Street at the north leg of Cole Street (to encourage pedestrian crossings at new all-way STOP).

(3/6/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Resolution No. 246-06

ADOPTED

**060351 [STOP Intersections]
Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Duncan and Dolores Streets, stopping Dolores Street at Duncan Street, making this intersection an All-Way STOP.

Resolution No. 247-06

ADOPTED

**060373 [Traffic Regulations]
Supervisor Peskin**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH

North Point Street, both directions, from Van Ness Avenue to The Embarcadero.

RIGHT LANE MUST TURN RIGHT - RESCIND

North Point Street, eastbound approaching The Embarcadero.

LEFT LANE MUST TURN LEFT - RESCIND

North Point Street, eastbound approaching The Embarcadero.

(3/17/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Resolution No. 248-06

ADOPTED

**060391 [Accept-Expend Regional Grant - Department of the Environment]
Supervisor Daly**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$42,500 from the California Department of Transportation Bicycle Transportation Account (BTA) to collaborate with the nonprofit organization BikeStation on the Embarcadero bike station facility improvement and services upgrade.

Resolution No. 250-06

ADOPTED

**060445 [Grant to support community program planning and system improvement as part of the Mental Health Services Act]
Supervisors Ma, Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a grant in the amount of \$656,945 from the California Department of Mental Health for Community Program Planning and System Improvement as part of the Mental Health Services Act (MHSA) (Prop 63), and to enter into an agreement for the use of these funds; for the period of January 6, 2006 to September 30, 2006.

Resolution No. 253-06

ADOPTED

Recommendations of the Rules Committee

060332 [Settlement of Lawsuit - Mirvat Harb]

Ordinance authorizing settlement of the lawsuit filed by Mirvat Harb against the City and County of San Francisco for \$200,000; the lawsuit was filed on December 23, 2004 in San Francisco Superior Court, Case No. 437-254; entitled Mirvat Harb, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 85-06

FINALLY PASSED

060335 [Settlement of Lawsuit - Reliant Energy, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against Reliant Energy, Inc. and other Reliant Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been coordinated as Wholesale Electricity Antitrust Cases I & II in the Superior Court of the State of California for the County of San Diego, JCCP Nos. 4204 and 4205; the settlement provides \$666,666.66 to San Francisco and \$430 million in benefits to California electric ratepayers, among other provisions. (City Attorney)

Ordinance No. 84-06

FINALLY PASSED

060436 [Appointment - Sunshine Ordinance Task Force 2000]

Resolution appointing Erica Craven, Richard Knee, Sue Cauthen, Kristin R. M. Chu, David Pilpel, Bruce Wolfe, and Hanley Chan, terms ending April 27, 2008, to the Sunshine Ordinance Task Force.

Erica Craven, succeeding herself, term expiring April 27, 2006, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for a two-year term ending April 27, 2008.

Richard Knee, succeeding himself, term expiring April 27, 2006, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a journalist, for a two-year term ending April 27, 2008.

Sue Cauthen, succeeding herself, term expiring April 27, 2006, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27, 2008.

Kristin R. M. Chu, succeeding Heather Sterner, term expiring April 27, 2006, seat 5, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2008.

David Pilpel, succeeding himself, term expiring April 27, 2006, seat 7, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2008.

Bruce Wolfe, succeeding himself, term expiring April 27, 2006, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2008.

Hanley Chan, succeeding himself, term expiring April 27, 2006, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2008.

Resolution No. 251-06

ADOPTED

060439 [Appointment - Mental Health Board]

Resolution appointing John Kevin Hines and Virginia Wright, terms ending January 31, 2009, to the Mental Health Board.

John Hines, succeeding himself, term expired, seat 12, must be a consumer, for a three-year term ending January 31, 2009.

Virginia Wright, succeeding Dorothy Shaffer, term expired, seat 16, must be a family member, for a three-year term ending January 31, 2009.

Resolution No. 252-06

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA**UNFINISHED BUSINESS**

From the Government Audit and Oversight Committee Without Recommendation**051724 [Personal Services Minimum Contractual Rate Ordinance]
Supervisor Daly**

Ordinance amending the San Francisco Administrative Code by adding Chapter 12V, Sections 12V.1 through 12V.5, to: require entities that contract for personal services to compensate the providers of those services at a rate per hour of no less than the City's Minimum Wage rate and maintain records, designate the City's Office of Labor Standards Enforcement as the enforcement agency, and establish investigation, enforcement and administrative appeals procedures.

Ordinance No. 88-06

FINALLY PASSED by the following vote:

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

NEW BUSINESS**Recommendations of the City Operations and Neighborhood Services Committee****060395 [Retention of Grocery Workers Upon Change In Control of Grocery Store]
Supervisors Ma, Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval, Elsbernd**

Ordinance amending the San Francisco Police Code by adding a new Article 33D to require grocery employers to retain employees for 90 days upon change in control of the grocery store; to prohibit grocery employers from terminating the employees during those 90 days without cause; to require grocery employers to conduct a performance evaluation of the employees at the conclusion of the 90 days and consider for continued employment those employees with satisfactory performance; to require public notice of a change in control of the grocery store; and to provide judicial remedies, including hiring and reinstatement rights, front and back pay, and the value of benefits lost, for violation of the ordinance, along with an award of reasonable attorneys' fees to a successful plaintiff.

PASSED ON FIRST READING by the following vote:

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

060388 [Parking Regulations]
Supervisor Mirkarimi

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME – RESCIND
Market Street, north side, from Franklin Street to Rose Street.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9AM - 6PM, MONDAY THROUGH SATURDAY – ESTABLISH
Market Street, north side, from Franklin Street to Rose Street.

(3/24/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Resolution No. 249-06

ADOPTED by the following vote:

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

From the City Operations and Neighborhood Services Committee Without Recommendation

060013 [Amending the Police Code to allow pawnbrokers to operate on Mondays following a holiday]
Supervisor Ma

Ordinance amending Section 2809 of the San Francisco Police Code to allow pawnbrokers to operate on Mondays following a holiday, and to make clerical corrections.

Continued to May 9, 2006

Supervisor Ma, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

Recommendation of the Land Use and Economic Development Committee

060250 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning approximately on Memorial Day Weekend 2006]**Supervisors McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano**

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis from May 27, 2006 and continuing for six months through November 25, 2006, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

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

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

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit, on a trial basis for six months, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive; to require reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; to require the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; to require a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Called from the Land Use and Economic Development Committee

050182 [Zoning – Planning Code amendments in connection with the Transbay Redevelopment Plan]**Mayor, Supervisor Daly**

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to May 2, 2006

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

**050183 [Zoning Map amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

Continued to May 2, 2006

Supervisor Daly, seconded by Supervisor Alioto-Pier, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

Recommendations of the Rules Committee

**050784 [Establishing a Small Local Business Enterprise Program; Prohibiting Discrimination in Contracting and Subcontracting]
Supervisors Ma, Mirkarimi, Ammiano**

Ordinance amending the San Francisco Administrative Code by adding Chapter 14B to establish a Small and Micro Local Business Enterprise Program, prohibit discrimination in City contracting, and suspend Chapter 12D.A.

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

PASSED ON FIRST READING by the following vote:

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

**060432 [Adding qualified non-profit enterprises to Small Local Business Enterprise Program]
Supervisor Ammiano**

Ordinance amending the San Francisco Administrative Code by adding Section 14B.6 to add qualified non-profit enterprises to Small and Micro Local Business Enterprise Program.

PASSED ON FIRST READING by the following vote:

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

**060392 [Rules of Order - Select Committee on Ending Gun and Gang Violence Consists of Three Members]
Supervisor Dufty**

Motion amending the Board of Supervisors Rules of Orders by amending Rule 5.8 to provide that the Select Committee on Ending Gun and Gang Violence shall be comprised of three members of the Board of Supervisors.

Motion No. M06-36

APPROVED by the following vote:

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

060404 [Appointment - Police Commission]

Motion confirming the Rules Committee's nomination of, and appointing, David Campos, term ending April 30, 2010, to the San Francisco Police Commission.

David Campos, succeeding himself, term expiring on April 30, 2006, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for a four-year term ending April 30, 2010.

Motion No. M06-37

APPROVED by the following vote:

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

060446 [Dr. Joe Marshall Reappointment to the Police Commission]

Mayor

Motion confirming the Mayor's nomination of, and reappointing, Dr. Joe Marshall to the San Francisco Police Commission for a four-year term ending April 30, 2010.

(Charter Section 4.109 - Board of Supervisors must act within 60 days from the date the nomination is transmitted from the Mayor to the Clerk of the Board's Office. If the Board fails to act on the Mayor's nomination within the 60 days the Mayor's nominee shall be deemed approved.

Transmittal Date: 4/4/06.)

Motion No. M06-38

APPROVED by the following vote:

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

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.**

060240 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 229 32nd Avenue (aka 7070 California), Katherine Delmar Burke School Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 31, 2005 (Case No. 2005.0275E), exempting from environmental review under Categorical Exemption Class 14, [State Guidelines Section 15314] and Class 32, [State Guidelines, Section 15332 (a) through (e)], the Katherine Delmar Burke School Addition, located at 229-32nd Avenue (aka 7070 California), Block 1392, Lot 037. The proposed project entails construction of a two-story, 26.5-foot tall arts and science building containing six classrooms, and removal of a paved tennis court presently occupying the site. The new 9,569 sq. ft. infill academic building would add 16 percent capacity in the 3.32-acre campus' existing 60,407 sq. ft. of built space. The project site is rectangular in shape, consisting of approximately 7,200 sq. ft. or 0.165 acre in size. The project site, within the Katherine Delmar Burke School campus, is set back from El Camino del Mar to the north and is also bounded by Lincoln Park to the west and 32nd Avenue to the east. Located in the Sea Cliff neighborhood, the project site is within the RH-1 (D) Residential, House, One-Family (Detached Dwellings) District and a 40-X Height and Bulk District. The Project would require conditional Use authorization for modification to an existing Planned Unit Development (PUD) and authorization for expansion of an educational use. (Appellant: Lincoln Park Homeowners Association, represented by Diane K. Hanna, Attorney, Ellman Burke Hoffman & Johnson, a Professional Corporation.)

(Filed February 15, 2006; companion measure to Files 060241, 060242, 060243; District 1.)

Continued to May 2, 2006

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

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

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

(Only one of the following two motions should be adopted.)**060241 [Affirming the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]**

Motion affirming the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 2, 2006

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

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

060242 [Disapproving the categorical exemption issued for 229 32nd Avenue (Katherine Delmar Burke School) project]

Motion disapproving the determination by the Planning Department that the 229 32nd Avenue (Katherine Delmar Burke School) project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 2, 2006

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

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

060243 [Preparation of findings related to the 229 32nd Avenue (Katherine Delmar Burke School) 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 229 32nd Avenue (Katherine Delmar Burke School) is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to May 2, 2006

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

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

SPECIAL ORDER 4:00 P.M.

060199 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 869 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 30, 2005 (Case No. 2005.0399E), exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301 and 15303; Class Numbers 1 and 3], the proposed project involving the demolition of a vacant two-story, single-family residential building and the construction of a three-story with mezzanine, three-family residential building measuring approximately 6,000 gross-square-feet (gsf). The proposed project would include three off-street parking spaces in a surface level garage. The project site is a 3,437.5 square feet in size located at 869 North Point Street, Assessor's Block 0026, Lot 019B in the Russian Hill Neighborhood, within the RH-3 (Residential House District, Three-Family) zoning district and a 40-X Height and Bulk district. (Appellants: Roland Salvato on behalf of the Aquatic Park Neighbors and the Ghirardelli Square Neighbors.)

(Filed 3/14/06; companion measure to Files 060200, 060201, 060202; District 2.)

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

Roland Salvato; appellant, Aquatic Park Neighbors

Melanie Moberg; support of appellant

Female speaker; support of appellant

F. Joseph Butler, Architect; support of appellant

Marian Henman, support of the appellant

Bill Wycko, and Adam Light, Planning Department representatives reviewed with the Board the Planning Department's recommendation.

David Cincotta, Attorney for the project sponsor

F. Joseph Butler, appellant rebuttal period

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 adopted.)**060200 [Affirming the categorical exemption issued for the 869 North Point Street project]**

Motion affirming the determination by the Planning Department that the 869 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

060201 [Disapproving the categorical exemption issued for the 869 North Point Street project]
Motion disapproving the determination by the Planning Department that the 869 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-39

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

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

060202 [Preparation of findings related to the 869 North Point 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 869 North Point Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-40

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

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

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

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

Miles Kraus; expressed concern with the sewer system in San Francisco

John da Donna; expressed concern with issues relating to the Iraq War

Eugene Gordon, Jr.; expressed concern with human rights issues

Steven McNear; support of legislation relating to ending the genocide in Darfur

Mark Levin; support of legislation relating to ending the genocide in Darfur

Female speaker; support of legislation relating to ending the genocide in Darfur

Female speaker; support of legislation relating to ending the genocide in Darfur

Sarah Taylor; support of legislation relating to ending the genocide in Darfur

Edward Cotell; support of legislation relating to ending the genocide in Darfur

Female speaker; support of legislation relating to ending the genocide in Darfur

Female speaker; support of legislation relating to ending the genocide in Darfur

Fred Paris; support of Item 41 water discharge permit for Potrero Power Plant

Male Speaker; support of legislation relating to end the genocide in Darfur

Female speaker; expressed concern with general issues

Kimo Crossman; congratulated James Chaffee on his knowledge of the Sunshine Ordinance provisions and expressed concern with the SFWFI Network selection of Earthlink as the WFI providers for San Francisco

Terri; support of legislation relating to ending the genocide in Darfur

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.

**060433 [Issuance and Sale of Refunding Revenue Bonds - National Center for International Schools]
Supervisor Daly**

Resolution approving the issuance and sale of refunding revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$18,500,000 for the refinancing of the acquisition, construction, improvement, expansion and equipping of the certain school facilities owned and operated by the National Center for International Schools.

Resolution No. 220-06

ADOPTED

060511 [Bessie Carmichael Elementary School/Filipino Education Center Grade Expansion]
Supervisors Daly, Ammiano, Ma

Resolution in Support of a Pre-kindergarten through 8th Grade Program at Bessie Carmichael Elementary School/Filipino Education Center.

Supervisors Ammiano and Ma requested to be added as co-sponsors.

Resolution No. 269-06

ADOPTED

060513 [Commending the organizers of the first annual Poem Under the Dome]
Supervisors Mirkarimi, Maxwell

Resolution commending the organizers of the first annual Poem Under the Dome poetry open mic event in City Hall.

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

Resolution No. 256-06

ADOPTED

060514 [Resolution commending the Municipal Transportation Agency (MTA) for providing free MUNI service for the Earthquake Centennial Commemoration]
Supervisors Dufty, Peskin, Maxwell

Resolution commending the Municipal Transportation Agency (MTA) for providing free MUNI service for the Earthquake Centennial Commemoration.

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

Resolution No. 257-06

ADOPTED

060515 [Resolution commending Tony Jasinski for his remarkable dedication to the San Francisco Gay Basketball program]
Supervisors Dufty, Maxwell, Ammiano

Resolution commending Tony Jasinski for his remarkable dedication to the San Francisco Gay Basketball program.

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

Resolution No. 258-06

ADOPTED

060516 [Business Coalition for Benefits Tax Equity]
Supervisors Elsbernd, Ammiano

Resolution supporting repealing the taxation of domestic partner health insurance benefits and joining the business coalition for benefits tax equity.

Resolution No. 259-06

ADOPTED

060517 [Supporting Community Development Block Grant Program]
Supervisors Elsbernd, Maxwell, Daly, Dufty

Resolution urging the U.S. Congress to allocate \$4.3 billion in funding for the fiscal year 2007 Community Development Block Grant Program.

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

Resolution No. 260-06

ADOPTED

060518 [Aneurysm and Arteriovenous Malformation Awareness Day]
Supervisor Ma

Resolution declaring May 7, 2006 as Aneurysm and Arteriovenous Malformation (AVM) Awareness Day.

Resolution No. 261-06

ADOPTED

060519 [Accept-Expend Bequest of Richard D. May Estate]
Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of \$20,000 from the RICHARD D. MAY estate to digitize, for public service use, unique historical periodicals dealing with the history of construction and architecture in the Bay Area.

Resolution No. 262-06

ADOPTED

060521 [Accept-Expend Bequest of Edgar Bowers Estate]
Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of \$12,403.52 from the EDGAR BOWERS estate for improvements at the Main Library.

Resolution No. 263-06

ADOPTED

060522 [Accept-Expend Bequest of Lorayne Habata Estate]
Supervisors Elsbernd, Mirkarimi

Resolution authorizing the San Francisco Public Library to accept and expend a bequest in the amount of \$65,627.76 from the LORAYNE HABATA estate for landscape improvements at the Western Addition Branch Library in coordination with the renovation of the library scheduled to begin in summer 2006, with completion in late 2007.

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

Resolution No. 264-06

ADOPTED

**060523 [Supporting AB 2865, the Healthy Day Cares bill]
Supervisors Ma, Ammiano**

Resolution supporting Assembly Bill 2865 (Torrico), the Healthy Day Cares bill.

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

Resolution No. 270-06

ADOPTED

**060525 [SF Fighters Local 798 and SF Fire Department Historical Society Commendation]
Supervisors Peskin, Dufty, Elsbernd, Ma**

Resolution commending the San Francisco Fire Fighters Local 798 and the San Francisco Fire Department Historical Society for coordinating a successful parade to commemorate the 1906 Earthquake and Fire.

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

Resolution No. 265-06

ADOPTED

**060526 [Grant funds to provide a nutrition and fitness program for students at Balboa High School and adding one new position]
Supervisors Sandoval, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend grant funds in the amount of \$34,351 from the San Francisco Public Health Foundation for a nutrition and fitness program for students at Balboa High School, adding one (1.0) new position through these funds; for the period of April 1, 2005, to September 30, 2006.

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

Resolution No. 266-06

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from Without Reference to Committee Agenda

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

060500 [Urging Water Board to Adopt a Water Discharge Permit for Potrero Power Plant that Protects the Bay]
Supervisors Maxwell, Peskin, Mirkarimi, Ma

Resolution urging the San Francisco Bay Regional Water Quality Control Board to issue water discharge permit for Potrero Power Plant that enforces the law and protects the Bay, and urging the Regional Water Board to reject the permit proposed by its staff and adopt the Community Permit, and urging the Regional Water Board to require Mirant to bring the plant into compliance immediately once it is not needed for electric reliability.

Supervisors Peskin, Mirkarimi and Ma requested to be added as co-sponsors.

Resolution No. 254-06

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Resolution be ADOPTED. The motion carried by the following vote:

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

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

060512 [Urging the United States to immediately take effective action to stop the genocide in Darfur]
Supervisors Mirkarimi, Dufty, Maxwell

Resolution urging the United States to take action against the Republic of Sudan to end the genocide in Darfur.

Supervisors Dufty and Maxwell requested to be added as co-sponsors.

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

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

Resolution urging U.S. to immediately take effective action to stop the genocide in Darfur.

Resolution No. 255-06

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, 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 Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the purely commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, 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 Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

**060531 [Armenian Genocide Commemoration Day]
Supervisors Peskin, Elsbernd, Mirkarimi**

Resolution declaring April 25, 2006 As Armenian Genocide Commemoration Day in San Francisco.

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

Resolution No. 267-06

ADOPTED by the following vote:

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

**060532 [Sherry Williams Commendation]
Supervisor Daly**

Resolution commending Sherry Williams, Director of the Treasure Island Homeless Development Initiative ((TIHDI) for over 10 years of dedicated service and outstanding service on behalf of the Treasure Island Community.

Resolution No. 268-06

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**060533 [Chinatown Visitor Retail Zoning District: Other Entertainment]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 811.47b of the Retail Sales and Services section of Table 811 to allow other entertainment as a principal use on the first and second stories in the Chinatown Visitor Retail Zoning District and by adding Section 811.47b to the Specific Provisions for Chinatown Visitor Retail District of Table 811 noting that the other entertainment use must be in conjunction with an existing full-service restaurant; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

4/25/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/25/2006.

**060534 [Revising and clarifying procedures for imposition and collection of the 911 Emergency Response Fee imposed on telephone service subscribers]
Supervisor Peskin**

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Section 751 to amend the definition of "Service supplier" and delete the definition of "Telephone corporation" in order to reflect changes in communications technology and regulation, and amend the definition of "Trunk line" to clarify that it does not include Direct Inward Dial telephone lines; amending Section 754 by replacing the term "Telephone corporation" with the term "Service supplier," and amending Sections 757, 759, 761 and 762 to clarify responsibilities on the part of the City and service providers for collection of the fee.

4/25/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/25/2006. 5/8/06 - Per e-mail from David Owen, the President waived the 30-Day Rule.

**060535 [Memorandum of Understanding - Deputy Sheriffs' Association]
Mayor, Supervisor Duffy**

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association to be effective July 1, 2005 through June 30, 2009.

(Fiscal impact.)

4/25/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**060536 [Appropriating \$891,300 of General Fund Reserve to fund cost overruns in temporary salaries for the Department of Elections for Fiscal Year 2005-2006]
Mayor**

Ordinance appropriating \$891,300 of General Fund Reserve to fund cost overruns in temporary salaries for the Department of Elections for Fiscal Year 2005-2006.

(Fiscal impact.)

4/25/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060537 [Zoning - Ordinance creating the Lower Haight Street Alcohol Restricted Use District]
Supervisor Mirkarimi**

Ordinance adding Section 784 to the Planning Code to create a Lower Haight Street Alcohol Restricted Use District prohibiting liquor establishments and providing for a three year sunset provision; amending Zoning Map Number 7SU of the City and County of San Francisco to indicate the boundaries of the Lower Haight Street Alcohol Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/25/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/25/2006.

**060538 [Zoning Amendment - 645 Baker Street and 1795 McAllister Street]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sheet 2 of the Zoning Map of the City and County of San Francisco to change the use designation of Block 1177/Lot 001 and Block 1178/Lot 019 from RM-1 (Residential, Mixed Districts, Low Density) to NC-1 (Neighborhood Commercial Cluster District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

4/25/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/25/2006.

**060539 [Modifying the driving requirement for designated taxi company managers]
Supervisor Elsbernd**

Ordinance amending the San Francisco Police Code by adding Section 1081.5, to modify the driving requirement for designated taxi company managers.

4/25/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/25/2006.

Resolutions

**060531 [Armenian Genocide Commemoration Day]
Supervisors Peskin, Elsbernd, Mirkarimi**

Resolution declaring April 25, 2006 As Armenian Genocide Commemoration Day in San Francisco.

4/25/06, ADOPTED. Supervisors Elsbernd and Mirkarimi requested to be added as co-sponsors.

**060532 [Sherry Williams Commendation]
Supervisor Daly**

Resolution commending Sherry Williams, Director of the Treasure Island Homeless Development Initiative ((TIHDI) for over 10 years of dedicated service and outstanding service on behalf of the Treasure Island Community.

4/25/06, ADOPTED.

**060540 [STOP Intersections]
Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Elizabeth and Noe Streets, stopping Noe Street at Elizabeth Street, making this intersection an All-Way STOP.

(4/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

4/25/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the 5/15/06 meeting of the City Operations & Neighborhood Services Committee.

**060541 [Parking Regulations]
Supervisor Dufty**

Resolution enacting and rescinding parking regulations at various locations.

GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 10 AM, DAILY – ESTABLISH

“297” Duncan Street, south side, from 18 feet to 57 feet, east of Church Street (39-foot zone)

GREEN ZONE (10 MINUTE TIME LIMIT), 9 AM TO 6 PM, MONDAY THROUGH SATURDAY – RESCIND

GREEN ZONE (10 MINUTE TIME LIMIT), 6 AM TO 7 PM, DAILY – ESTABLISH

“299” Duncan Street, south side, from Church Street to 18 feet easterly (18-foot zone)

(4/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

4/25/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the 5/15/06 meeting of the City Operations & Neighborhood Services Committee.

**060545 [Urging the San Francisco Police Commission ensure the new reform policy includes rigorous oversight to prevent misconduct of its police officers]
Supervisor Ammiano**

Resolution urging the San Francisco Police Commission ensure thorough methods of oversight of misconduct issues in the new reform policy submitted by the San Francisco Police Department.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060546 [Asian Pacific Islander Family Resources Network Day]
Supervisor Ma**

Resolution recognizing May 5, 2006 as “Asian Pacific Islander Family Resources Network (APIFRN) Day.”

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060547 [Accept-Expend Federal and State Grants for Voting Equipment]
Supervisor Mirkarimi**

Resolution authorizing the San Francisco Department of Elections to accept and expend additional grants under the federal Help America Vote Act of 2002 ("HAVA"), Section 301, and Proposition 41 in an amount not to exceed \$400,000 for voting equipment for the June 6, 2006 election.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060548 [Phillip and Sala Burton Human Rights Center]
Supervisors Peskin, Dufty, Daly, McGoldrick, Mirkarimi, Ma**

Resolution supporting the two-year development plan for the Phillip and Sala Burton Human Rights Center and declaring June 1st, 2006 Phillip and Sala Burton Day in San Francisco.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060549 [Gift to City of Travel from Chamber of Commerce for 2006 CityTrip]
Supervisor Peskin**

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of \$16,800 from the San Francisco Chamber of Commerce for four City official's or employees to join the Chamber on its 2006 CityTrip to New York City.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060554 [Commending Cleopatra Vaughns]
Supervisor Ma**

Resolution commending Cleopatra Vaughns and acknowledging her tremendous contributions to the San Francisco Municipal Transportation Agency.

4/25/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

**060544 [Legislative Analyst Request - Allocated appropriated funds for violence prevention]
Supervisor Ma**

Motion requesting the Legislative Analyst to prepare a report (File No. 060412) on how funds are appropriated for violence prevention will be allocated by the various departments.

4/25/06, ASSIGNED to Board of Supervisors. Scheduled for Board consideration May 2, 2006.

Requests for Hearing

**060542 [Streetlight Management]
Supervisor Sandoval**

Hearing to address Streetlight Management issues in San Francisco.
4/25/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be heard before the City Operations and Neighborhood Services Committee.

**060543 [Urban Forest Plan]
Supervisor McGoldrick**

Hearing on the Urban Forest Plan produced by the Department of the Environment.
4/25/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED ORDINANCES

060530 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Donald Sargeant against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 25, 2005 in San Francisco Superior Court, Case No. 439-805; entitled Donald Sargeant v. City and County of San Francisco, et al.
4/13/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

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 from all DPT signage along both sides of Scott Street from Waller Street to Geary Boulevard.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Steiner Street from Waller Street to Geary Boulevard.

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 at the following locations: 243 Divisadero, Golden Gate/Scott NE corner, 920 Scott, 1231 Grove, 1247 Fulton, 1200 Fulton, 726 Fillmore, and 624 Fillmore.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Fillmore Street from Waller Street to Geary Boulevard.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Divisadero Street from Waller Street to Geary Boulevard.

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 at the following locations: All street signs on the streets surrounding Alamo Square including both sides of Fulton, Steiner, Hayes, and Scott.

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 repairing or replacing faded or missing signs at the following locations: 910 & 925 Irving and Stanyan between Fulton and Hayes.

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 at the following locations: Stop sign at 12th/Irving, stop sign at SE corner 15th/Lincoln, stop sign at 17th/Belvedere, and stop sign at NE corner Cole/Fulton.

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 the graffiti on the Parking Signs at the following locations: 1278 - 19th Ave., 1035 Lincoln, 727 Lincoln, 123 Lincoln, 723 Frederick, 649 Frederick, 631 Frederick, 617 Frederick, and 2007 Fulton.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from Stop signs at the following locations: Grove/Steiner, Hayes/Buchanan, and Waller/Fillmore.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status on removing graffiti from signal boxes at the following locations: Haight/Divisadero, Fulton/Divisadero, Webster/Fillmore, Buchanan/Fell, and 531 Fillmore.

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 missing or unreadable parking signs at the following locations: 1228 Grove, 919 Grove, 950 Steiner, 506 Grove, 639 Grove, and 620 Grove.

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 the graffiti on the Parking Signs at the following locations: 555 Belvedere, 599 Belvedere, 598 Belvedere, 964 Clayton, 889 Clayton, 859 Clayton, 1644 Haight, and 1687 Haight.

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 the graffiti on the Parking Signs at the following locations: 1057 Cole, 1105 Cole, 1149 Cole, 1242 Cole, 1239 Cole, 651 Carmel, 17th/Belvedere, 1446 Cole, 1402 Cole, and 1358 Cole.

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 the graffiti on the Parking Signs at the following locations: 1345 - 19th Ave, 1708 Irving, 1611 Irving, 408 Irving, 1217- 12th Ave, 919 Lincoln, East side of Stanyan between Haight/Waller, and 849 Cole.

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti from utility poles at the following locations: Divisadero/Haight (all corners), Scott north of Fulton, Webster/Grove, and Fillmore/Page.

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 on the garbage containers at the following location: SE corner Irving/19th Ave.

*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 on the mail boxes at the following locations: Fillmore/Oak, Hayes/Bush, Grove/Laguna, and Grove/Gough.*

*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 on the telephone poles at the following locations: Page/Fillmore SE and 340 Fillmore.*

*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 on the Emergency Boxes at the following locations: Page/Divisadero, SE corner Eddy/Divisadero, NW corner Buchanan/Fell, SW corner Steiner/Hayes, and Fulton/McAllister.*

*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 location: Gough/Rose.*

*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 and sidewalks at the following locations: Gough/Rose (pothole) and 501 Fillmore (sidewalk repair).*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Webster Street from Waller Street to Geary Boulevard.*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Pierce Street from Waller Street to Geary Boulevard.*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Laguna Street from Waller Street to Geary Boulevard.*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from all DPT signage along both sides of Buchanan Street from Waller Street to Geary Boulevard.*

*From: Supervisor Sandoval
To: Director, Department of Public Works
To: Director of City Greening, Mayor's Office of Public Policy and Finance
To: Mayor's Budget Director
To: Director, Department of Parking and Traffic
To: Director, SF County Transportation Authority
Requesting/Inquiring: Inquiring about the 2005-06 and 2006-07 (where available) budgets that are directly or indirectly related to the Mayor's Greening Initiative. The responses from departments should include:*

- Specific Departmental allocations for greening and greening-related work
- Locations of greening projects by Supervisorial District
- Detailed descriptions of the projects, including timelines

cc: Kelly Quirke

Friends of the Urban Forest

Presidio of San Francisco

Building #1007

P.O. Box 29456

San Francisco, CA 94129-0456

In Memoriams

Alex Brucker - Supervisors Dufty and Elsbernd

Fausto Vitello - Supervisors Mirkarimi and Elsbernd

Julia Narchi Farrah - Entire Board

Adolph Gasser - Entire Board

Willie Allen - Supervisor Mirkarimi

Joseph Freitas, Jr. - Entire Board

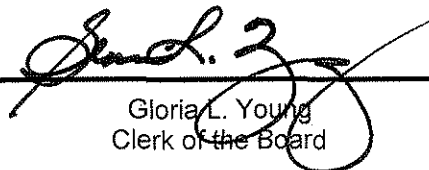
ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:00 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 June 6, 2006.



Gloria L. Young
Clerk of the Board