

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 1, 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 McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
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.

Volume 103 Number 11

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 2:03 p.m. On the call of the roll Supervisors Dufty, Maxwell and McGoldrick were noted absent.

There was a quorum present.

*Supervisors Dufty and Maxwell were noted present at 2:04 p.m.
Supervisor McGoldrick was noted present at 2:09 p.m.*

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved to approve the March 11, 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

COMMUNICATIONS

Angela Calvillo, Clerk of the Board informed the Board that she was in receipt of a communication from the Mayor indicating that he was vetoing legislation contained in File No. 080196, appropriating \$246,000 to Department of Human Resources for the Workers' Compensation Clinic at San Francisco General Hospital.

This matter will be agendized at the April 8, 2008 Board meeting for Board action.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

- 080125 [Jurisdictional Property Transfer - Portions of Sue Bierman Park at Washington and Clay Streets (Block 0203, Lot 014)]**
Ordinance transferring jurisdiction of reserved portions of Sue Bierman Park located at Washington and Clay Streets (Block 203, Lot 014) from the Department of Public Works to the Recreation and Park Department; and adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code. (Real Estate Department)
- Ordinance No.** 60-08
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 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)
- Ordinance No.** 54-08
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- 080274 [Approval of Health Service System Plans and Contribution Rates]**
Supervisor Elsbernd
- Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal Administrative Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
- (Fiscal Impact.)
- Ordinance No.** 56-08
FINALLY PASSED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

- 080313 [Grant to support the National HIV Behavioral Surveillance project - \$418,225]**
Supervisor Alioto-Pier
- Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a new grant from the Centers for Disease Control (CDC) in the amount of \$418,225 to support the "National HIV Behavioral Surveillance" project, and to enter into a subcontract with the Public Health Foundation Enterprises (PHFE) in the amount of \$53,723; for the period of January 1, 2008 through December 31, 2008.
- Resolution No.** 160-08
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**080314 [Grant funds to support HIV vaccine trials - \$156,895]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of \$156,895, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trials Network (VTN) Leadership Group/Public Health Foundation Enterprises (PHFE); for the period of June 1, 2007 through May 31, 2008.

Resolution No. 161-08

ADOPTED by the following vote:

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

**080315 [Grant funds to support HIV vaccine trials - \$126,989]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of \$126,989, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trial Network 40% Transition Costs; for the period of June 1, 2007 through December 31, 2007.

Resolution No. 162-08

ADOPTED by the following vote:

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

**080316 [Accept and Expend Regional Grant - Department of the Environment - \$157,500]
Supervisor Chu**

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds, in the amount of \$157,500 from the Bay Area Air Quality Management District (BAAQMD) to assist taxi companies with grant funding to help them offset the incremental costs associated with the purchase of 75 light-duty clean air vehicle taxis.

Resolution No. 153-08

ADOPTED by the following vote:

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

**080347 [Accept and Expend Department of Water Resources (DWR) Water Use Efficiency Grant Funds - \$200,000]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources (DWR) Water Use Efficiency Grant in the amount of \$200,000.

Resolution No. 163-08

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee**031034 [Planning Code - Northeast Waterfront Historic District Signs]
Supervisor Peskin**

Ordinance amending the Planning Code by creating Section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, Section 7 to be consistent with this Ordinance, amending the Zoning Map Sectional Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Ordinance No. 59-08

FINALLY PASSED by the following vote:

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

**071651 [Planning - Administrative Enforcement Remedies]
Supervisors Sandoval, Maxwell, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 176 to authorize the Zoning Administrator to assess administrative penalties for a Planning Code violation; adding Section 176.1 to establish Planning Code enforcement remedies of the Director, which include issuance and recording of orders of abatement, assessment of administrative penalties, and a hearing and appeal process; amending Sections 1013 and 1119 to refer to Sections 176 and 176.1 as the applicable enforcement and penalty provisions; adopting findings including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 57-08

FINALLY PASSED by the following vote:

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

Recommendations of the Public Safety Committee**080154 [Accept-Expend Federal Grant - Airport Commission - \$849,126]
Supervisor Elsbernd**

Resolution authorizing the Airport Commission to accept and expend funding in a total amount of \$849,126 from the Transportation Security Administration ("TSA") for the Airport K-9 Explosives Detection Team Program.

Resolution No. 164-08

ADOPTED by the following vote:

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

**080276 [Accept-Expend Grant, Mayor's Office of Criminal Justice (MOCJ) - \$287,150]
Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$287,150 from the California Corrections Standards Authority for the purpose of enhancing the capacity of San Francisco to implement an effective continuum of response to juvenile crime and delinquency.

Resolution No. 145-08

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**080231 [Driving-experience requirements for taxi medallion applicants]
Supervisors Daly, Dufty, Ammiano, Mirkarimi**

Ordinance amending the San Francisco Police Code by amending Section 1121, to adjust the driving-experience requirements for taxi medallion applicants.

Ordinance No. 58-08

FINALLY PASSED by the following vote:

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

080303 [Appointment - Asthma Task Force]

Motion appointing Amy Dietz, term ending July 1, 2008, to the Asthma Task Force.

Amy Dietz, succeeding Barbara Conner Andersen, seat 15, resigned, must be an individual who represents health care professions working with asthmatics and is a voting member, for the unexpired portion of a two-year term ending July 1, 2008.

Motion No. M08-62

APPROVED by the following vote:

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

080375 [Appointment - Small Business Commission]

Motion appointing Janet Clyde, term ending January 6, 2012, to the Small Business Commission.

Janet Clyde, succeeding Jordanna Thigpen, term expired, seat 3, must be appointed by the Board of Supervisors. May be a member of the public, and may be either a current or former owner, operator or officer of a San Francisco small business. May be an officer or representative of a neighborhood economic development organization or an expert in small business finance, for a four-year term ending January 6, 2012.

Motion No. M08-61

APPROVED by the following vote:

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

080374 [Appointment - Peak Oil Preparedness Task Force]

Motion appointing Richard Katz and Franz Cheng, for unexpired portion of terms ending October 5, 2008, to the Peak Oil Preparedness Task Force, residency requirement waived.

Richard Katz, succeeding Carl Duisberg, resigned, seat 2, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008.

Franz Cheng, succeeding Marya Stark, resigned, seat 6, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008.

Motion No. M08-60

APPROVED 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 Budget and Finance Committee

**080346 [Reserving \$760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08]
Supervisor McGoldrick**

Ordinance reserving \$760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08.

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

Ordinance No. 55-08

FINALLY PASSED by the following vote:

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

Recommendation of the Rules Committee

080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

NEW BUSINESS**Recommendations of the Budget and Finance Committee****080284 [Bond Sale of Branch Library General Obligation Bonds]
Mayor, Supervisors Peskin, Alioto-Pier**

Resolution authorizing and directing the sale of not to exceed \$31,065,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000) Series 2008A; Prescribing the Form and Terms of Said Bonds; Authorizing the Execution, Authentication and Registration of Said Bonds; Providing for the Appointment of Depositories and Other Agents for Said Bonds; Providing For the Establishment of Accounts Related Thereto; Approving the Forms of Official Notice of Sale and Notice of Intention to Sell Bonds; Directing the Publication of the Notice of Intention to Sell Bonds; Approving the Form and Execution of the Official Statement Relating Thereto; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications to Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority to City Officials to Take Necessary Actions in Connection with the Authorization, Issuance, Sale and Delivery of Said Bonds.

Resolution No. 132-08

ADOPTED by the following vote:

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

**080369 [Directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures]
Supervisor McGoldrick**

Motion directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures and creating efficiencies and reporting their recommendations to the Budget and Finance Committee.

Motion No. M08-59

APPROVED by the following vote:

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

**080238 [Appropriating \$261,757,569 of San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2007-08]
Mayor**

Ordinance appropriating \$257,205,000 of San Francisco Water Revenue Bonds, 2006 Series A, and deappropriating \$4,552,569 of Sunol Valley Water System Improvement Projects to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2007-08.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee**080089 [Suspending Health Code Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance]
Supervisor Alioto-Pier**

Ordinance amending the San Francisco Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.

PASSED ON FIRST READING by the following vote:

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

080345 [Welcoming Beijing 2008 Olympic Torch, Tibetan Freedom Torch, and Global Human Rights Torch Relay]

Resolution welcoming the Beijing 2008 Olympic Torch, the Tibetan Freedom Torch and the Global Human Rights Torch to San Francisco and urging City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the true spirit of the Olympics, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

Supervisor Sandoval, seconded by Supervisor Daly, moved that this Resolution be TABLED. The motion carried by the following vote:

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

From the City Operations and Neighborhood Services Committee Without Recommendation**Supervisor Dufty Excused From Voting**

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

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

**071489 [Opposing closure of St. Luke's Hospital]
Supervisors Mirkarimi, Ammiano, Maxwell, Daly**

Resolution opposing the plans of Sutter Health to cease operations at St. Luke's Hospital, requesting City Departments to identify pending applications sought in furtherance of such closure and report such applications; and requesting the City Attorney to investigate the actions taken by Sutter Health and initiate proceedings, if warranted, under relevant statutes.

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

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

*Supervisor Alioto-Pier moved to continue this matter to July 8, 2008.
Motion to continue this matter failed for lack of a second.*

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

Resolution No. 148-08

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Excused: 1 - Duffy

Recommendation of the Land Use and Economic Development Committee

**080351 [Changing the official sidewalk width - Mission Street]
Mayor**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1578 to change the official sidewalk width on the north side of Mission Street west of 3rd Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving a public access easement for a portion of Jessie Square.

PASSED ON FIRST READING by the following vote:

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

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

*Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Ed Harrington in recognition of his service to the City and County of San Francisco as the Controller.
Board members also expressed their appreciation to Ed Harrington.*

COMMITTEE REPORTS

**080391 [Commending Tibetan Freedom Torch and Global Human Rights Torch Relay]
Supervisors Daly, Ammiano, Mirkarimi**

Resolution commending the Tibetan Freedom Torch and the Global Human Rights Torch Relay in their efforts to raise awareness regarding human rights violations in China and urging the San Francisco City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the explicit spirit of Olympism, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

Resolution No. 146-08

ADOPTED by the following vote:

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

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

Peter Warfield; expressed concern with issues relating to the SF Public Library

Eugene Gordon, Jr.; expressed concern with issues relating to the violations of human rights

Starchild; expressed concern with issues relating to the route to be used in torch relay and budget issues

Abdullah Megaheed; expressed concern with issues relating to the Mayor and the homeless conditions in San Francisco

Dr. Porter; expressed concern with issues relating to regulations on 19th Avenue and automobile congestion

Alma Jean Caldwell; expressed concern with issues relating to the homeless conditions

John di Donna; expressed concern with issues relating to the violation of gay human rights

Diane Wesley Smith; expressed concern with issues relating to Bayview Hunter's Point

Male speaker; expressed concern with issues relating to the human rights

Walter; shared with Board members various memorabilia

Idel Wilson; expressed concern with issues relating to Channel 29

Female speaker; expressed concern issues relating to living conditions in El Salvador

Male speaker; expressed concern with issues relating to human rights

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.

**080410 [Summerbridge at San Francisco University High School Day]
Supervisor Alioto-Pier**

Resolution declaring Thursday, March 27, 2008 Summerbridge at San Francisco University High School Day.

Resolution No. 154-08

ADOPTED

**080411 [Supporting public access to information regarding the Olympic torch route]
Supervisors Ammiano, Mirkarimi, Daly**

Resolution supporting public access to information regarding the Olympic torch route through San Francisco.

Resolution No. 149-08

ADOPTED

**080412 [Mortgage Credit Certificates]
Supervisor Chu**

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Resolution No. 155-08

ADOPTED

**080413 [Commending Asian Chefs Foundation]
Supervisor Chu**

Resolution commending Asian Chefs Foundation in the fight against human trafficking.

Resolution No. 156-08

ADOPTED

**080414 [Extending the life of Western SoMa Citizens Planning Task Force]
Supervisor Daly**

Resolution extending the life of the Western SoMa Citizens Planning Task Force.

Resolution No. 150-08

ADOPTED

**080415 [19th Avenue corridor speed limit reduction]
Supervisors Elsbernd, Chu**

Resolution urging the MTA to support Caltrans' recommendation to lower the speed limit along the 19th Avenue corridor from 35 mph to 30 mph.

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

Resolution No. 165-08

ADOPTED

**080416 [Ed Harrington Day]
Supervisors Peskin, Chu**

Resolution commending Controller Ed Harrington for 17 years of exemplary service to the City and County of San Francisco.

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

Resolution No. 151-08

ADOPTED

**080417 [National Start! Walking Day]
Supervisor Peskin**

Resolution proclaiming April 16, 2008 as "National Start! Walking Day" in San Francisco.

Resolution No. 157-08

ADOPTED

**080418 [Endorsing solar powered parking meters]
Supervisor Mirkarimi**

Resolution endorsing the use of solar powered parking meters.

Resolution No. 152-08

ADOPTED

**080421 [Commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative]
Supervisor Sandoval**

Resolution commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative.

Resolution No. 158-08

ADOPTED

**080422 [Memorializing the one-year anniversary of the death of Ruby Ordeñana]
Supervisor Sandoval**

Resolution memorializing the one-year anniversary of the death of Ruby Ordeñana.

Resolution No. 159-08

ADOPTED

**080419 [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst]
Supervisors Peskin, Mirkarimi**

Motion amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst to include an audit of the Communities of Opportunity (COO) program.

Motion No. M08-63

APPROVED

**080420 [Waiver permitting City Employees to assist the Department of Elections with the April 8, 2008 election]
Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the April 8, 2008 election.

Motion No. M08-58

APPROVED by the following vote:

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

The foregoing items were acted upon by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**080425 [Reserving \$3,000,000 of Solar Incentive Program funding in the Public Utilities Commission for Fiscal Year 2007-2008]
Supervisor McGoldrick**

Ordinance reserving \$3,000,000 of Solar Incentive Program funding in the Public Utilities Commission for Fiscal Year 2007-2008.

4/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080436 [Authorizing the passthrough from landlord to residential tenant of specified percentages of water and sewer services cost increases imposed through adoption of water and sewer rates after July 1, 2002, to provide incentives for the conservation of water]
Supervisor Alioto-Pier**

Ordinance amending the San Francisco Administrative Code to encourage water conservation by authorizing landlords to pass through to tenants fifty percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, and the passthrough to tenants of seventy percent of increased water and sewer bill charges resulting from the adoption of water and sewer rates after July 1, 2002, where specified water conservation devices have been installed in all rental units and common areas of a building; and providing for passthrough administration, noticing and enforcement procedures.

4/1/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/1/2008.

**080437 [Public information officers; emergency service]
Supervisor Alioto-Pier**

Ordinance amending the San Francisco Administrative Code by adding Section 7.20, to require all City public information officers to attend annual training in emergency communications to be provided by the Department of Emergency Management, require the Department of Emergency Management to prepare a plan for coordinating and directing the activities of public information officers during a local emergency, and restate the responsibilities of public information officers as disaster service workers.

4/1/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080438 [Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums]
Supervisor Daly**

Ordinance updating findings based on recent studies; amending San Francisco Health Code Sections 1009.20, 1009.21, 1009.22, 1009.23, 1009.25, and 1009.81, and adding Sections 1009.26, 1009.27, 1009.28, and 1009.29, to prohibit smoking in 1) business establishments and bars regardless of whether owner-operated, 2) common areas of multi-unit housing complexes, 3) tourist lodging facilities, 4) tobacco shops, 5) charity bingo games, 6) taxicabs and other motor vehicles for hire, 7) unenclosed dining areas of restaurants, 8) service waiting areas, 9) areas within twenty feet of entrances to private, nonresidential buildings, 10) farmers markets, and 11) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas, defining secondhand smoke from a business establishment located in a mixed-use residential and commercial building as a nuisance; adding administrative procedures and penalties; deleting criminal penalties; adding provisions for cost recovery and liens; adding provisions for private enforcement of the ordinance, and making conforming changes in the Police Code by repealing Sections 53, 53.1, and 1098, and in the Health Code by repealing Section 1009.24.

4/1/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/1/2008.

**080441 [Regulating Overtime for City Employees]
Mayor, Supervisor McGoldrick**

Ordinance amending Section 18.3-1 of the Administrative Code, to limit overtime hours to no more than 80 in a regular work week except for work performed by uniformed ranks of the Police and Fire Departments or for emergency or critical service needs, if such emergency or critical service need is approved by appropriate officials.

4/1/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**080442 [Recreation and Park Department - County Fair Building & Botanical Garden Facility Rental Fees]
Mayor**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, by adding Section 12.46, to establish facility rental fees for the County Fair Building and Botanical Garden.

4/1/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/1/2008.

04/07/08 - Referred to Planning to dertermination of environmental impact.

**080444 [Appropriating \$275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008]
Mayor**

Ordinance appropriating \$275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008.

(Fiscal Impact.)

4/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080445 [Establishment and Membership of Inpatient Mental Health Care Task Force]
Supervisor Mirkarimi**

Ordinance adding Sections 114.1 – 114.3 of the San Francisco Health Code to establish an Inpatient Mental Health Care Task Force to advise on the funding and other issues relating to inpatient psychiatric care; specifying that the number of members is 17; and stating the purposes of the task force and providing for a sunset provision.

4/1/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/1/2008.

**080380 [Unsolicited Print Publications--Stop Distribution Notice]
Supervisor Mirkarimi**

Ordinance amending Section 184.69 – 184.72 and 184.74 of the Public Works Code to require publishers of unsolicited print publications to provide a toll-free number or an e-mail address for residents who do not want to receive such print publications; to prohibit the distribution of such print publications to residents who request not to receive such print publications; and to assess penalties.

3/18/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

4/1/08, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

4/1/08, ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

**080435 [Funds to support public health emergency preparedness - \$468,469]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$468,469 from the California Department of Public Health (CDPH) Emergency Preparedness Office, to fund the Hospital Preparedness Program; for the period of September 1, 2007 through August 8, 2008.

4/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080439 [Grant to fund rapid HIV tests in San Francisco - \$781,839]**Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new three-year grant from the California Department of Public Health (CDPH) in the amount of \$731,070, including a retroactive contract with University of California – San Francisco (UCSF) which includes a 12 percent contingency for a total of \$781,839 to support the project entitled “Expanded and Integrated Human Immunodeficiency Virus (HIV) Testing of Populations Disproportionately Affected by HIV (Primarily African Americans);” for the period of October 1, 2007 through September 30, 2010.
4/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080440 [Grant to support technical assistance for an HIV/AIDS project - \$215,928]**Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new grant from the Bill and Melinda Gates Foundation in the amount of \$215,928, including a retroactive contract with Public Health Foundation Enterprises, Inc. (PHFE) in the amount of \$207,198, for the “China MSM: Technical Assistance” project; for the period of January 1, 2008 through December 31, 2008.
4/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080447 [Adopting the State of California's Energy Priorities]**Supervisor Alioto-Pier**

Resolution adopting the State of California’s Energy Priorities as stated in the Energy Action Plan of 2003 and Energy Action Plan II of 2005 which are, in the following order, energy efficiency and demand response, renewable energy and lastly clean fossil generation.
4/1/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080448 [Accept-Expend Grant - Juvenile Probation Department - \$62,500]**Supervisor Elsbernd**

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of \$62,500 from the Annie E. Casey Foundation to support juvenile justice reform activities at the Juvenile Probation Department.
4/1/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

080449 [Commending Marc Randall]**Supervisor Chu**

Resolution commending Marc Randall for his service and leadership in San Francisco through the Recreation and Park Department.
4/1/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 080450** [Commending the San Francisco Planning and Urban Research Association on the groundbreaking of SPUR's new Urban Center]
Supervisor Sandoval

Resolution commending the San Francisco Planning and Urban Research Association on the groundbreaking of SPUR's new Urban Center.

4/1/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

- 080434** [SFUSD schools admission process]
Supervisor Chu

Hearing on the San Francisco Unified School District schools admission process.

4/1/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 080446** [Foot beat patrol program evaluation]
Supervisor Mirkarimi

Hearing before the Public Safety Committee for the purpose of receiving the findings and recommendations of the foot patrol program evaluation completed by Public Safety Strategies Group, a consultant retained by the Controller's office, to fulfill the requirements of Board of Supervisors file #061453.

4/1/08, RECEIVED AND ASSIGNED to Public Safety Committee.

- 080451** [Fiscal Year 2008/09 budget status updates]
Supervisor McGoldrick

Hearing to consider Fiscal Year 2008/09 budget status updates.

4/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motion

- 080430** [Confirming the reappointment of Thomas Mazzucco to the San Francisco Police Commission]
Mayor

Motion confirming the Mayor's nomination of, and reappointing, Thomas Mazzucco to the San Francisco Police Commission for a four-year term ending April 30, 2012.

3/28/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 080392 [Approval of the amendment of the Mental Health Services Act (MHSA) Agreement]**
Resolution approving the amendment of the MHSA Agreement to include the MHSA Housing budget of \$9,877,600 comprised of the MHSA Housing allocation of \$7,714,400 and One-Time Augmentation to the MHSA Community Services and Supports of \$2,163,200 and the assignment of these funds to CalHFA for investing in appropriate investment vehicles, underwriting of capital loans, determination of operating subsidies, disbursement of funds to approved housing developments, and continued monitoring of the project development. (Public Health Department)
3/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080393 [Street Artist Winter Holiday Spaces]**
Resolution approving continuous designation of temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for each year's winter holiday season, beginning on November 15 and ending on January 15. (Arts Commission)
3/18/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 080394 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]**
Resolution approving the 2008/09 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling \$22,617,052. (Mayor)
3/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080395 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]**
Resolution approving the 2008/09 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$944,908. (Mayor)
3/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080396 [Apply For-Accept-Expend Federal Funding - HOME Program]**
Resolution approving the 2008/09 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling \$7,740,804. (Mayor)
3/21/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080397 [Agreement to Purchase Property in Tuolumne County]

Resolution approving and authorizing an agreement for the purchase of approximately 39 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$376,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Fiscal Impact.)

3/24/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Requests Granted

From: Supervisor Sandoval

To: Director, 311 Call Center

Requesting/Inquiring: Requesting that the Clerk of the Board draft a letter to the Director of 311 asking for the call center's procedures for referring violations of the Planning Code, including property owners who have paved over their required front-yard landscaped setback. The Director's response should include efforts to educate call center operators so that they can recognize violations of the planning code.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: Directing the City Attorney to draft legislation that will suspend any purchases of new city vehicles effective immediately, in light of the severe city budget deficit.

From: Supervisor Mirkarimi

To: Controller

Requesting/Inquiring: Requesting that the Controller act on the following: 1) determine the number of Public Information Officers Citywide. 2) Determine the number of Public Information Officers funded by General Fund versus non GF departments- determine the number of essential versus non-essential positions. 3) Assess and determine the need for civilian versus sworn Public Information Officers in public safety/law enforcement agencies. 4) Predicated on this information, draft a Negative Supplemental Appropriation that strives toward a 50 percent reduction in Public Information Officers.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removal of abandoned property and emptying of overflowing trash receptacles:

Abandoned property:

Couch at 225 Pierce Street

Clothing and furniture at the northwest corner of Fillmore and Oak

Mattress at 505 Fillmore

Trash Receptacle:

Northwest corner of Fillmore and Grove

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following private property locations:

666 Octavia Street-Southeast corner of Octavia and Fulton

615-617 Octavia Street-Southwest corner of Octavia and Birch

322A-B Linden between Octavia and Gough

445 Hayes between Octavia and Gough-markings are on Linden

297 Page Street-Southeast corner of Page and Laguna

421 Laguna Street

355 Laguna Street

207 Laguna Street

525 Gough between Grove and Fulton-whole side of the building used by parking lot filled with graffiti

428-428A Grove Street- between Octavia and Gough

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the following City-owned locations:

Stoplight control boxes:

Southeast corner of Fillmore and Fell

Northeast corner of Haight and Ashbury

Street Cleaning Signs:

519 Ashbury

1332 Waller

1320 Waller

Police Call Box:

Southeast corner of Oak and Scott

Stop Sign:

Northwest corner of Ashbury and Waller

Trash receptacle:

Northwest corner of Fillmore and Grove

Pedestrian Overpass:

Geary overpass stair riser wall on the east side of Hamilton Recreation Center on Steiner between Post and Geary

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:

San Francisco Chronicle:

Northwest corner of Fillmore and Post

Southwest corner of Haight and Clayton

Onion:

Southeast corner of Oak and Broderick

In Memoriams

Ling Ding Lee - Supervisor Peskin

Isabel Casciato - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:00 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 April 22, 2008.



Angela Calvillo
Clerk of the Board