

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, June 21, 2005 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 Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Mirkarimi, Elsbernd

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Daly

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday
1:00 PM

Thursday
11:00 AM

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

Wednesday
10:00 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor Maxwell was noted absent.

Supervisor Maxwell was previously excused from attending today's meeting. (See Infra)

Quorum present.

Supervisor Maxwell Excused from Attendance

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Maxwell excused from attending today's meeting. The motion carried by the following vote:

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

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to approve the May 24, 2005 Meeting Minutes. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

**050696 [STOP Intersections]
Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Arlington Street at Fairmount Street, making this intersection an All-Way STOP.

(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. 470-05

ADOPTED

050709 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

4th Avenue and Clement Street, stopping Clement Street at 4th Avenue, making intersection an All-Way STOP

Resolution No. 471-05

ADOPTED

**050785 [STOP Intersections - Octavia Frontage Road]
Supervisor Mirkarimi**

Resolution designating certain intersections as "STOP" intersections.

STOP signs - ESTABLISH

Octavia Frontage Road and Haight Street, stopping Octavia Frontage Road, at Haight Street

Octavia Frontage Road and Page Street, stopping Octavia Frontage Road, at Page Street

Octavia Frontage Road and Oak Street, stopping Octavia Frontage Road, at Oak Street

Octavia Frontage Road and Fell Street, stopping Octavia Frontage Road, at Fell Street

(5/2/05: 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. 472-05

ADOPTED

050858 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Shotwell Street, west side, between the driveways of 908 and 910 Shotwell Street (a 13-foot zone accommodating 2 motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hillpoint Street, both sides, north of Parnassus Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Paulding Street, north side, from Arago Street to 115 feet westerly.

2-HOUR PARKING, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

Bayshore Boulevard, west side, from 130 feet to 333 feet north of Costa Street (in front of addresses 220 - 232 Bayshore Boulevard).

1-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

5th Street, west side, between Brannan and Bryant Streets.

NO PARKING ANYTIME - ESTABLISH

Vidal Street, both sides, between the north and south intersections with Higuera Avenue.

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

Valencia Street, west side, between 26th Street and Cesar Chavez Street.

1-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND

Capitol Avenue, both sides, from Ocean Avenue to DeMontefort Avenue.

2-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Capitol Avenue, east side, from Ocean Avenue to DeMontefort Avenue.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**PARKING METER AREA NO. 1 - ESTABLISH**

Mission Street, south side, between Beale Street and Main Street.

ANGLE PARKING (45 DEGREES) - RESCIND**ANGLE PARKING (60 DEGREES) - ESTABLISH**

Ulloa Street, south side, from 33rd Avenue to 110 feet westerly (converts angle parking from 45 degrees to 60 degrees, gaining three parking spaces).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH**

25th Street at Kansas Street, along the western terminus. (Parking and Traffic Department)

(5/10/05: 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. 2999.)

Resolution No. 474-05

ADOPTED

050859 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Front and Vallejo Streets, stopping Front Street at Vallejo Street, making this intersection an All-Way STOP; Alabama and Mariposa Streets, stopping Mariposa at Alabama Street, making intersection an All-Way STOP; Manchester and Stoneman, stopping Manchester at Stoneman, establishing two-way STOP control; Quintara and 15th Avenue, stopping eastbound Quintara at 15th Avenue and Fanning Way, making this intersection an All-Way STOP; and, 24th and York Streets, stopping 24th Street at York Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(5/10/05: 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. 2999.)

Resolution No. 475-05

ADOPTED

050891 [Temporary "Street Closure to Vehicular Traffic" on O'Farrell Street between Steiner and Fillmore] Supervisor Mirkarimi

Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7:00 A.M. to 2 P.M. on every Saturday between July 9, 2005 and November 19, 2005.

Resolution No. 478-05

ADOPTED

050937 [Accept-Expend Grant from Transportation Development Act (TDA) for Various Pedestrian and Bicycle Projects]

Supervisors McGoldrick, Dufty

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency (or his designee) and the Director of the Department of Public Works to accept and expend state Transportation Development Act (TDA) Article 3 funds totaling \$900,000 for FY 2005-06 for various pedestrian and bicycle projects in the City and County of San Francisco.

Resolution No. 480-05

ADOPTED

Recommendations of the Rules Committee**050975 [Settlement of claim filed by PG&E before the Federal Energy Regulatory Commission]**

Ordinance authorizing settlement of the Scheduling Coordinator Services Tariff case filed by Pacific Gas & Electric Company before the Federal Energy Regulatory Commission in Docket Nos. ER00-565-000 et al., ER04-1233-000 et al., and ER05-480-000. (City Attorney)

Ordinance No. 123-05

FINALLY PASSED

050860 [Settlement of Claim - John Yee]

Resolution approving the settlement of the unlitigated Claim No. 05-00923 filed by John Yee on September 15, 2004, against the City and County of San Francisco for \$46,500.00. (City Attorney)

Resolution No. 476-05

ADOPTED

050902 [Settlement of Lawsuit - Torey Dylan Lovett]

Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for \$1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment. (City Attorney)

PASSED, ON FIRST READING

050903 [Settlement of Claim - Food Service & Management LP]

Resolution approving the settlement of the unlitigated Claim No. 05-02866 filed by Food Service & Management LP on March 8, 2005, against the City and County of San Francisco for \$25,038.57. (City Attorney)

Resolution No. 479-05

ADOPTED

050951 [Settlement of Lawsuit - Anita Bohbot]

Ordinance authorizing settlement of the lawsuit filed by Anita Bohbot against the City and County of San Francisco for \$35,000; the lawsuit was filed on June 12, 2004 in the San Francisco Superior Court, Case No. 432-409; entitled Anita Bohbot v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

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

Severed From the Consent Agenda

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

Supervisor Sandoval Excused From Voting

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

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

Recommendation of the Budget and Finance Subcommittee

050617 [Airport Concession Lease]
Resolution approving the Boarding Areas "B" and "C" Books and News Stores Lease between DeLaVe, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

Resolution No. 469-05

ADOPTED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

050181 [General Plan amendments in connection with the Transbay Redevelopment Plan]
Mayor, Supervisor Daly

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan 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.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

Ordinance No. 125-05

FINALLY PASSED by the following vote:

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

Recommendation of the Budget and Finance Subcommittee

050915 [Appropriate funding from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05]
Supervisor Daly

Ordinance appropriating \$51,000 from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05.

Ordinance No. 126-05

FINALLY PASSED by the following vote:

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

From the Budget and Finance Committee Without Recommendation

051071 [Annual Appropriation Ordinance for Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]

Mayor

Ordinance appropriating all estimated receipts and all estimated expenditures for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005 for the fiscal year ending June 30, 2006.

(Fiscal impact)

(Supervisors Daly, Ma dissenting in Committee.)

Ordinance No. 127-05

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, McGoldrick, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Mirkarimi

Excused: 1 - Maxwell

051072 [Annual Salary Ordinance for the Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]

Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005, for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact)

(Supervisors Daly, Ma dissenting in Committee.)

Ordinance No. 128-05

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, McGoldrick, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Mirkarimi

Excused: 1 - Maxwell

Recommendation of the Rules Committee

050356 [Charter Amendment - Moving the Election Date of the Public Defender and Assessor/Recorder]
Supervisors Mirkarimi, Alioto-Pier

Charter amendment (First Draft) to amend Section 13.101 to move the election date of the Public Defender and Assessor-Recorder from the Statewide Primary Election in June to the following General Municipal Election in November.

ORDERED SUBMITTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

NEW BUSINESS

Recommendations of the Budget and Finance Committee

**050996 [Redevelopment Agency Budget]
Mayor**

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006.

(Fiscal impact.)

Resolution No. 481-05

ADOPTED by the following vote:

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

**050998 [Interim Treasure Island Development Authority Budget]
Mayor**

Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

Resolution No. 482-05

ADOPTED by the following vote:

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

Recommendations of the Budget and Finance Subcommittee

**050868 [To appropriate funding for San Francisco General and Laguna Honda Hospital operations]
Mayor**

Ordinance appropriating \$16,363,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and capital projects at San Francisco General Hospital and \$1,110,000 in surplus revenues for salaries and materials and supplies for Laguna Honda Hospital for a total of \$17,473,000 for the Public Health Department for fiscal year 2004-05.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

**050969 [Appropriate funding from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for the S.F. Superior Court of California, for FY 2004-05]
Supervisor Daly**

Ordinance appropriating \$260,000 from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for Superior Court of California, San Francisco for fiscal year 2004-05. (Superior Courts)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

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

**050970 [Appropriate funding from the General Fund Reserve to fund over expenditures in salaries in the Office of the Public Defender for FY 2004-05]
Supervisors Sandoval, Daly**

Ordinance appropriating \$270,000 from the General Fund Reserve to fund over expenditures in salaries caused by the inability to meet attrition targets in the Office of the Public Defender for fiscal year 2004-05. (Public Defender)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

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

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 1 - Maxwell

Recommendation of the City Operations and Neighborhood Services Committee

050578 [Passenger-Carrying Commercial Motor Vehicle Restrictions]

Ordinance repealing San Francisco Police Code section 1183.2 to delete restrictions on the operation of passenger-carrying commercial motor vehicles on certain streets.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

051007 [MOU - Automotive Machinists, Local 1414]

Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists, Local 1414, to be effective July 1, 2005 through June 30, 2006.

PASSED ON FIRST READING by the following vote:

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

051008 [MOU - Deputy Probation Officers' Association]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association, to be effective July 1, 2005 through June 30, 2006.

PASSED ON FIRST READING by the following vote:

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

051009 [MOU - Institutional Police Officers' Association]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Institutional Police Officers' Association, to be effective July 1, 2005 through June 30, 2006.

PASSED ON FIRST READING by the following vote:

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

051012 [MOU - Committee of Interns and Residents/SEIU]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents/SEIU, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

051013 [MOU - Staff and Per Diem Nurses, SEIU Local 790]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

**051014 [MOU - Teamsters, Local 856 (Supervising Nurses)]
Mayor**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

**051015 [Unrepresented Employees]
Mayor**

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

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

**051017 [MOU - Municipal Executives' Association (Fire)]
Mayor**

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Fire) by implementing physical examination/drug and alcohol screening, and compensation provisions, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

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

**051018 [MOU - Municipal Executives' Association (Police)]
Mayor**

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Police), by extending the term of Agreement to June 30, 2007.

PASSED ON FIRST READING by the following vote:

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

051019 [MOU - American Physicians and Dentists (Unit 8-CC)]
Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing an increased Child Psychiatric premium, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

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

051020 [MOU - Union of American Physicians and Dentists (Unit 11-AA)]
Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing increased Psychiatric and Child Pyschiatric premiums, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

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

051021 [MOU - Service Employees International Union, Locals 250, 535 and 790]
Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790, by implementing additional compensation and premium pay, to be effective July 1, 2005.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

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

051022 [MOU - International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO]
Mayor

Ordinance adopting and implementing Amendment No. 4 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO, by implementing additional compensation and amending premium pay language, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

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

051023 [MOU - Transport Workers Union, Local 200 (SEAM)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2005 through June 30, 2006.

PASSED ON FIRST READING by the following vote:

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

051024 [MOU - Laborers International Union, Local 261]
Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, by implementing provisions related to the Department of Public Works - Laborers Apprenticeship Project, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

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

050838 [Alternative Fuel Vehicle Feasibility Study]
Supervisors Ma, Daly

Resolution urging the Department of Administrative Services to conduct a feasibility study on the use of alternative fuel vehicles in the City vehicle fleet.

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

Resolution No. 473-05

ADOPTED by the following vote:

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

050881 [Exploratorium Lease Agreement Exemption]
Supervisors Peskin, Elsbernd

Resolution exempting the potential lease of portions of the Piers 15 and 17 properties to the Exploratorium from the competitive bidding policy set forth in Administrative Code Section 2.6-1.

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

Resolution No. 477-05

ADOPTED by the following vote:

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

From the Government Audit and Oversight Committee With Recommendation "Do Not Pass"

**051016 [MOU - Municipal Attorneys' Association]
Mayor**

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Sandoval

Noes: 3 - Alioto-Pier, Daly, Peskin

Excused: 1 - Maxwell

Recommendations of the Land Use Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

**041154 [Zoning Map Amendments]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, to change the use district designation of Assessor's Block 0185, Lots 5, 29, 30, 31, 38, 39, 40, and 41 from NC-2 (Small-Scale Neighborhood Commercial District) to RM-1 (Residential, Mixed: Low Density); adopting findings pursuant to Planning Code Sections 302 and 101.1.

PASSED ON FIRST READING by the following vote:

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

Noes: 2 - Alioto-Pier, Ma

Excused: 1 - Maxwell

**050297 [Zoning Map Amendment and Repeal of Planning Code Section 263.1]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by repealing Section 263.1, which allows the Planning Commission to approve height up to 200 feet in the 65D-2 Height and Bulk District, and by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0195, Lots 4, 5, 12, 14, 15 and 16 from 65D-2 to 40-X and to change the height and bulk designation of the remaining assessor's blocks and lots within the 65D-2 Height and Bulk District from 65D-2 to 65-A; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Ma

Excused: 1 - Maxwell

050299 [Zoning Map Amendment]
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Sheet IH, to change the height and bulk designation of Assessor's Block 0139 from 84-E to 40-X and to change the height and bulk designation of Assessor's Blocks 0140 and 0141 from 84-E to 65-X; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Excused: 1 - Maxwell

050727 [Amending the Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3.]
Supervisor Mirkarimi

Ordinance amending Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3 of the Building Code to allow land surveyors to prepare submittal documents; to prohibit use or occupancy of structures until a certificate of final completion and occupancy or other approval by the Department of Building Inspection has been issued; to remove the definition of building height; to regulate the depth of structural projections; to delete requirements for exterior backings constructed of solid wood and plywood; to allow for approved alternate locations for storm or casual water drains; to remove requirement that solid wood or plywood wall sheathing used as backing for plaster be pressure-treated, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Supervisor Mirkarimi requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

050728 [Amending the Housing Code regarding mechanical ventilation of bathrooms]

Ordinance amending Section 504 of the Housing Code to modify requirements for mechanical ventilation of bathrooms and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

050729 [Amending the Plumbing Code regarding storm water drain locations and grease traps]

Ordinance amending Section 306.2 and Section 1014.1 of the Plumbing Code to allow for alternate locations for rain water drains; to modify the requirements for grease traps; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

050084 [Vacation of 22nd Street between Arkansas and Connecticut Streets]

Resolution declaring the intention of the Board of Supervisors to vacate the 22nd Street right-of-way between Arkansas and Connecticut Streets; setting the hearing date for July 19, 2005 at 4:00 p.m. for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

Resolution No. 440-05

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick
Excused: 1 - Maxwell

Recommendations of the Rules Committee

Supervisor McGoldrick was noted absent at 3:31 p.m.

Supervisor McGoldrick was noted present at 6:28 p.m.

Supervisor McGoldrick was noted absent at 6:33 p.m.

Supervisor Daly was noted absent at 5:04 p.m.

Supervisor Ma was noted absent at 6:45 p.m.

**050497 [Renaming the Department of the Medical Examiner as the "Office of the Chief Medical Examiner."]
Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 2A.250 to change the name of the Department of the Medical Examiner to "Office of the Chief Medical Examiner."

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

**050697 [Requiring the Disaster Council to meet on a Quarterly Basis]
Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 7.4, to require the Disaster Council to meet on a quarterly basis.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

**050698 [Requiring the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.]
Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 7.19, to require the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

**050817 [Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.]
Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, 29.4, and 29.7, to: exempt voter-approved projects from the Fiscal Feasibility Ordinance; include rent credits and City-granted Mills Act tax credits as "public monies" for purposes of the Ordinance; require additional information from applicants for environmental review; set a deadline for Board action; and, suspend application to certain projects undergoing environmental review.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

**050828 [Certain Commission candidates must file Statements of Economic Interests prior to Board consideration]
Supervisors Peskin, Ammiano, Elsbernd, Alioto-Pier, Mirkarimi**

Motion amending the Board's Rules of Order to add Rule 2.32, requiring each candidate for a Board, Commission or advisory body appointment or confirmation who would be required to file a Form 700 (Statement of Economic Interests) to submit such a Statement to the Clerk of the Board of Supervisors prior to Board Consideration of the appointment or confirmation, and allowing the Board to consider appointments or confirmations, despite the failure of an applicant to file a completed Form 700, if the time for Board consideration is about to expire.

Motion No. M05-92

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Ma
Excused: 1 - Maxwell

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050977 [Committee of the Whole - Bielenso Hearing]

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services.
(Bielenso Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall)

Abe Kebede; showed concern over funding for Baker Places
Orlando; showed concern over funding for Baker Places
John Napier; showed concern over funding for Walden Housing
Norma Weissman; showed concern over funding for Walden Housing
Bruce Sterling; showed concern over funding for Walden Housing
Jason Berry; showed concern over funding for Walden Housing
Jonathan Vernick, Executive Director of Baker Places; showed concern over funding for Baker Places
Norma Hotaling, Executive Director of Sage project; showed concern over funding for Sage Project
Francine Brae; showed concern over funding for Sage Project
Lana Pivichik; showed concern over funding for Sage Project
Consuelo Bradford; showed concern over funding for Sage Project
Antonella Soldaaini; showed concern over funding for Sage Project
James Keys; showed concern over funding for HIV/AIDS
Denise; showed concern over funding for Positive Directions
Clarice Powell; showed concern over funding for Positive Directions
Annette Jagers; showed concern over funding for DPH Worker's Comp Clinic
Rhody Mcloy; showed concern over funding for Positive Directions
Natica; showed concern over funding for Positive Directions
Dale; showed concern over funding for Positive Directions
Joaqin; showed concern over funding for Positive Directions
Cedric; showed concern over funding for Positive Directions
Ms. Green; showed concern over funding for Bayview Community
Kenneth DeLa Cruz; showed concern over funding for Sage Project
Anisha; showed concern over funding for Positive Directions
Donald Peoples; showed concern over funding for Positive Directions
Gary Bozman; showed concern over funding for Positive Directions
John; showed concern over funding for Haight Ashbury Clinics
Kimberly Clark; showed concern over funding for Walden House
Stephanie Cobb; showed concern over funding for Potrero Hill abuse center
Andrea Rucker; showed concern over funding for Tenderloin Self Help
Larry Nelson; showed concern over funding for Walden House
Jeanna Eichenbaum; showed concern over funding for Walden House
Dan Kusnick; showed concern over funding for Acceptance Place
Reuben David Goodman; showed concern over funding for Bakers Place
Paul Canbis; showed concern over funding for SFGH Dialysis
Steve; showed concern over funding for Acceptance Place
Barry; showed concern over funding for Bakers Place
Jennifer; showed concern over funding for Bakers Place
Jeffrey; showed concern over funding for Bayview substance abuse
Steve Clark; showed concern over funding for Positive Directions
Larry; showed concern over funding for Positive Directions
Josef Ford; showed concern over funding for Bakers Place
Yvonne; showed concern over funding for Walden House
Cheryl Howard; showed concern over funding for Walden House and Sage Project
Nancy Scott; showed concern over funding for Sage Project
Mr. Boso; showed concern over funding for Walden House
Barbara Farrell, Treatment on Demand; showed concern over funding for substance abuse centers
Ms. Williams; showed concern over funding for Sage Project
Yolanda Young; showed concern over funding for Walden House
Female speaker; showed concern over funding for Jelani House
Reverend Webster; showed concern over funding for substance abuse centers
Georgia; showed concern over funding for substance abuse centers
Jamie; showed concern over funding for substance abuse centers

Shawna; showed concern over funding for out patient services
Mark; showed concern over funding for out patient services
Prescott; showed concern over funding for Walden House
Mark; showed concern over funding for out patient services
Male speaker; showed concern over funding for out patient services
Peter; showed concern over funding for Acceptance Place
Program Director; Acceptance Place; showed concern over funding for Acceptance Place
Rita Lam; showed concern regarding co-payment increases
Catherine; showed concern over funding for SFGH Dialysis and keep it open
Tony Yee, patient at SFGH Dialysis; showed concern over funding for SFGH Dialysis and keep it open
Jeanette, Nurse from SFGH; showed concern over funding for SFGH Renal Center
Willie Sanders; showed concern over funding for SFGH Dialysis and keep it open
Lucy Lee; showed concern over funding for SFGH Dialysis and keep it open
Jennifer Donnelly, Nurse SFGH; showed concern over funding for SFGH Dialysis (Home Dialysis)
Rubin Rodriguez; showed concern over funding for SFGH Dialysis and keep it open
Steve Finley; showed concern over funding for Bakers Place
Debbie Wiley; showed concern over funding for Friendship House for American Indians
Male speaker; showed concern over funding for Acceptance Place
Andrea Fremont; showed concern over funding for Walden House
Female speaker; showed concern over funding for Walden House
Jackie Jenks; showed concern over funding for Tenderloin Self Help Center
Porter Davis; showed concern over funding for Tenderloin Self Help Center
Christopher; showed concern over funding for Tenderloin Self Help Center
Nancy Cooper, Ohilhoff Center; showed concern over funding for outpatient services and cut for adolescents services
Jo; showed concern over funding for Ohilhoff Center
Mary Howe; showed concern over funding for SF Needle Exchange (SFNE)
Peter; showed concern over funding for SF Needle Exchange (SFNE)
Dorian; showed concern over funding for Haight Ashbury Clinic
Richard Lovell; showed concern over funding for Bakers Place
Sarah; showed concern over funding for SF Needle Exchange (SFNE)
Pete Morse; showed concern over funding for SF Needle Exchange (SFNE)
Trevor Hogan; showed concern over funding for all substance abuse users centers and outpatient services and Acceptance Place funding
Pat York; showed concern over funding for SFGH Dialysis and keep it open
Doug Bailey; showed concern over funding for Acceptance Place
Female speaker; showed concern over funding for Bayview Hunters Point Foundation for young adolescents abuse center
Female speaker; showed concern over funding for Bayview Hunters Point Foundation for young adolescents abuse center
Female speaker; showed concern over funding for Bayview Hunters Point Foundation for young adolescents abuse center
Female speaker; showed concern over funding for Bayview Hunters Point Foundation for young adolescents abuse center
Program Director of the Bayview Hunters Point Foundation; showed concern over funding for Bayview Hunters Point Foundation for young adolescents abuse centers
Charles Dixon; showed concern over funding for adolescent abuse centers
George Turner; showed concern over funding for Bayview Hunters Point Foundation
Joe Cochran; showed concern over funding for Positive Directions
Mr. Mason; showed concern over funding for Bayview Hunters Point Foundation
Charles; showed concern over funding for Acceptance Place
Female speaker; showed concern over funding for Walden House
Male speaker; showed concern over funding for substance abuse centers
Male Speaker; showed concern over funding for Bayview Hunters Point Foundation

Melissa; showed concern over funding for Walden House
Mr. Trotter; showed concern over funding for Walden House
Theresa, SFGH employee; showed concern over funding for substance abuse centers
Jonathan Beaver; showed concern over funding for medical cannabis club
Nate; showed concern over funding for Walden House
Brent; showed concern over funding for substance abuse centers
Iris, Nurse; showed concern over funding for substance abuse centers, recovery programs and co-payment increases and SFGH Dialysis
Male speaker; showed concern over funding for substance abuse centers recovery programs, and out patient services
Shannon; showed concern over funding for substance abuse centers, recovery programs, out patient services and SFGH Dialysis
Sandra Juanita; showed concern over funding for substance abuse centers, recovery programs, out patient services and SFGH Dialysis
Mary Fields, Nurse Bayview Hunters Point Adult Care; showed concern over funding for SFGH Dialysis
Lydia; showed concern over funding for health services
Veronica Banks; showed concern over funding for substance abuse centers, recovery programs and out patient services
Male speaker; showed concern over funding for substance abuse centers, recovery programs and out patient services
Male speaker; showed concern over funding for substance abuse centers, recovery programs and patient services
Thomas Hines; showed concern over funding for Haight Ashbury Clinic
Mary Ingram; showed concern over funding for medical cannabis centers
Lorie Hampton; showed concern over funding for substance abuse centers, recovery programs and patient services
Sheila Wills; showed concern over medical cannabis guidelines
Larry Edmond, Green Pasture Rainbows; showed concern over funding for medical cannabis centers
Jakkee Bryson; showed concern regarding cuts in the health services
Donald Frazier, SF Association Alcohol; showed concern over funding for substance abuse centers

The President inquired as to whether or not any members of the public wished to address the Board.
The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

The Board recessed at the hour of 3:26 p.m.
Reconvening of the Board

The Board at the hour of 3:31p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,
Maxwell, Mirkarimi, Peskin, Sandoval - 9

Supervisor McGoldrick was noted absent at 3:31 p.m.
Supervisor Maxwell was previously excused from attending today's meeting.

Quorum present.

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

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Ammiano, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Maxwell

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Helen Birch, OMI Family Resource Center.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

051158 [Hearing - Redevelopment Plan for the Transbay Redevelopment Project]

Hearing to allow public comment regarding amendments made on June 14 to File No. 050184, an ordinance adopting the Transbay Redevelopment Plan. (Clerk of the Board)

*The President inquired as to whether or not any members of the public wished to address the Board.
Male speaker; expressed concern over the Transbay Redevelopment Plan amendment
Jakkee Bryson; expressed gratitude that this matter was finally passed*

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

**050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project]
Mayor, Supervisor Daly**

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

Ordinance No. 124-05

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval

Absent: 3 - Daly, Ma, McGoldrick

Excused: 1 - Maxwell

COMMITTEE REPORTS

**050980 [Interim Government Funding, Fiscal Year 2005-2006 (Excluding Municipal Transportation Agency)]
Mayor**

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval

Absent: 3 - Daly, Ma, McGoldrick

Excused: 1 - Maxwell

**050982 [Public Employment, Fiscal Year 2005-2006]
Mayor**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval

Absent: 3 - Daly, Ma, McGoldrick

Excused: 1 - Maxwell

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

*Jakkee Bryson; expressed concern regarding the death of a homeless person and disabled and senior issues.
Larry Edmond; expressed concern regarding medical marijuana issues*

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

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

**051157 [Legislative Analyst Request - Dislocated Workers]
Supervisor Maxwell**

Motion requesting the Legislative Analyst to research and report on the types/models adopted by cities across the country to address the transition of dislocated workers of manufacturing industries such as garment, electronics, and food into new careers.

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

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.

**051160 [Accept-Expend State Grant - Recreation and Park Department]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend local assistance funds in the amount of \$25,000 available under the Waste Tire Playground Cover Grant Program FY 2004-2005, through the California Integrated Waste Management Board, for Alta Plaza Park.

**Resolution No. 483-05
ADOPTED**

- 051161** [Supporting the right of women to breastfeed in public]
Supervisors Alioto-Pier, Dufty, Elsbernd, Maxwell, Daly, Ma, Mirkarimi

Resolution supporting the right of women to breastfeed in public.

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

Resolution No. 484-05

ADOPTED

- 051162** [Trinity Plaza Development Agreement]
Supervisor Daly

Resolution stating as a matter of policy of the Board of Supervisors that any Development Agreement presented to the Board for approval concerning the proposed Trinity Plaza development project at 1177 Market Street should contain specified unit affordability, tenant protection provisions, and required project amenities comparable to those currently enjoyed at 1169 Market Street.

Resolution No. 485-05

ADOPTED

- 051165** [Commending Yvette Stuart]
Supervisor Dufty

Resolution commending Yvette Stuart on the occasion of her retirement.

Resolution No. 486-05

ADOPTED

- 051166** [Commending Dennis Smith]
Supervisors Dufty, Maxwell, Alioto-Pier

Resolution commending Dennis Smith upon his graduation from Mission High School and recognizing his many outstanding accomplishments, and wishing him well in his recovery.

Resolution No. 487-05

ADOPTED

- 051167** [Commending Natalie Berg]
Supervisors Dufty, Peskin, Elsbernd, Ma

Resolution commending Natalie Berg on her outstanding community leadership and the successful completion of her two-year term as President of the Jewish Community Relations Council.

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

Resolution No. 488-05

ADOPTED

**051168 [Commending the students involved in the COLAGE Youth Leadership and Action Program]
Supervisors Dufty, Ammiano, Ma**

Resolution commending the students involved in the COLAGE Youth Leadership and Action Program for their efforts to promote awareness and acceptance about issues related to youth with LGBT parents.

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

Resolution No. 489-05

ADOPTED

**051169 [Recognizing June 2005 as "National Safety Month" in San Francisco]
Supervisor Ma**

Resolution recognizing June 2005 as "National Safety Month" in San Francisco.

Resolution No. 490-05

ADOPTED

**051170 [Commending the Stern Grove Festival Association]
Supervisors Ma, Elsbernd**

Resolution commending the Stern Grove Festival Association for its work planning and organizing the 68th Annual Stern Grove Festival in San Francisco and congratulating the Association on the rededication of new facilities at Sigmund Stern Grove and the Rhoda Goldman Concert Meadow.

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

Resolution No. 491-05

ADOPTED

**051171 [Commending Mati Bates]
Supervisors Maxwell, Dufty**

Resolution commending Mati Bates for a successful career with the City and county of San Francisco, and wishing her a happy retirement.

Resolution No. 492-05

ADOPTED

**051172 [Accept-Expend State Grant - Mayor's Office of Criminal Justice]
Supervisors Maxwell, Dufty**

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$116,941 from the State Board of Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

Resolution No. 441-05

ADOPTED

**051173 [Accept-Expend State Grant - Mayor's Office of Criminal Justice]
Supervisor Maxwell**

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$200,000 from the State Board of Corrections for the purpose of implementing the Read Into Your Future Project through the Title II Formula Grant Program.

Resolution No. 442-05

ADOPTED

**051174 [Accept-Expend State Grant - Mayor's Office of Criminal Justice]
Supervisors Maxwell, Dufty**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,187,092 from the State Board of Corrections (BOC), from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA) – for programs and approaches that have been demonstrated to be effective in reducing delinquency.

Resolution No. 443-05

ADOPTED

**051175 [Commending Intersection for the Arts 40th Anniversary]
Supervisors Mirkarimi, Daly**

Resolution commending the Intersection for the Arts on the occasion of their 40th anniversary of providing an alternative, independent art space and eclectic, diverse arts programming to San Francisco's communities.

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

Resolution No. 493-05

ADOPTED

**051176 [Urging California Legislature to draft and pass a bill concerning exposure to depleted uranium by
members of the armed forces]
Supervisor Mirkarimi**

Resolution urging California Legislature to draft and pass a bill concerning exposure to depleted uranium by members of the armed forces who return to California after service in the military.

Resolution No. 494-05

ADOPTED

**051177 [Declaring June 20, 2005 Judy Finelli Day in San Francisco]
Supervisor Peskin**

Resolution declaring June 20, 2005 Judy Finelli Day in San Francisco.

Resolution No. 495-05

ADOPTED

**051178 [Accept-Expend State Grant - Recreation and Park Department]
Supervisors Sandoval, Ma**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend local assistance funds in the amount of \$2,314,500 available under the Murray-Hayden Grant Program in the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the Minnie and Lovie Ward Recreation Center Renovation Project.

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

Resolution No. 496-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval

Absent: 3 - Daly, Ma, McGoldrick

Excused: 1 - Maxwell

Severed From Without Reference to Committee Agenda

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

**051159 [Accept and Expend Gift - Robin and Marsha Williams]
Supervisor Alioto-Pier**

Resolution accepting a gift in the amount of \$80,000 from Robin and Marsha Williams and authorizing its expenditure to repair and improve a retaining wall and median strip on Seacliff Avenue.

Supervisor Sandoval requested that this matter be referred to Committee.

REFERRED to the Rules Committee.

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

**051163 [Urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, to call on the President to withdraw U.S. troops from Iraq]
Supervisors Daly, Mirkarimi, Sandoval, Ammiano, Peskin, McGoldrick**

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, introduced by Representative Lynn Woolsey.

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

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

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval

Absent: 3 - Daly, Ma, McGoldrick

Excused: 1 - Maxwell

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

- 051164 [Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)]**
Supervisors Daly, Mirkarimi

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households.

Continued to July 12, 2005 with the Board Sitting as a Committee of the Whole.

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

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

- 051183 [Commending California Trout and Pacific Gas and Electric on the Success of "Trout Day 2005"]**
Supervisors Elsbernd, Maxwell, Ma

Resolution commending California Trout and Pacific Gas and Electric on the success of "Trout Day 2005".
6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 051184 [Resolution to establish the Fisherman's Wharf Community Benefit District]**
Supervisor Peskin

Resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order on July 26, 2005, at 3:00 p.m.

- 051185 [Resolution to establish the Noe Valley Community Benefit District]**
Supervisor Dufty

Resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order on August 2, 2005, at 3:00 p.m.

**051187 [Resolution to establish the Castro/Upper Market Community Benefit District]
Supervisor Dufty**

Resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order on August 2, 2005, at 3:00 p.m.

**051189 [Resolution to establish the 2500 Block of Mission Street Business Improvement District]
Supervisor Ammiano**

Resolution establishing a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," ordering the levy and collection of assessments against property located in that district for five years, commencing with fiscal year 2005-2006, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order July 26, 2005, at 3:00 p.m.

**051192 [Resolution to establish the North of Market/Tenderloin Community Benefit District]
Supervisor Daly**

Resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order on August 2, 2005, at 3:00 p.m.

**051193 [Issuance and Sale of Revenue Bonds – San Francisco University High School]
Supervisor Alioto-Pier**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$20,000,000 for San Francisco University High School.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051196 [Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]
Supervisor Peskin**

Resolution approving the service agreement and property use license for towing, storage, and disposal of abandoned and illegally parked vehicles by and between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn.

6/21/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051197 [New Gas Tax Revenue]
Supervisors Ammiano, Dufty, Sandoval, Mirkarimi

Resolution urging the Governor of California, the California Senate and Assembly to retain transit "spillover" funds for public transportation purposes as prescribed in current law and which would provide San Francisco MUNI with an additional \$17.7 million in funds that could be used for transit operations and capital needs.
6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051198 [Muni Standard Hybrid-Electric Bus Procurement]
Supervisors Ammiano, Alioto-Pier, Mirkarimi

Resolution approving the award of Contract Proposal No. 350 (Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed \$29,398,629.
6/21/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051205 [Supporting Federal Legislation regarding Endangered Species Act]
Supervisors Peskin, Mirkarimi

Resolution affirming San Francisco's support for upholding the Endangered Species Act so it may continue to protect our plants and animals and the special places they live, from the finality of extinction, and urging federal and state elected representatives to do the same.
6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051206 [Trinity Plaza Development Agreement]
Supervisor Daly

Resolution of the Board of Supervisors declaring its intent to enter into a binding Development Agreement concerning the proposed Trinity Plaza development project at 1177 Market Street.
6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051207 [Commending Derrick Lam]
Supervisors Sandoval, Ma

Resolution commending Derrick Lam on the occasion of his retirement from the City and County of San Francisco.
6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051208 [Contract Approval - Department of the Environment]
Supervisor Mirkarimi**

Resolution pursuant to Charter section 9.118(a) authorizing the Department of the Environment to amend a contract with Pacific, Gas and Electric to add \$685,500 to the contract amount and to extend the contract period for an additional year until June 30, 2006 in order to continue implementation of the Demand Reduction Through Energy Efficiency Pilot Program.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051209 [Resolution commending Charles Camilleri]
Supervisor Duffy**

Resolution commending Charles Camilleri on the occasion of his retirement

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051210 [Exclusive Negotiating Agreement for Development of the Old Mint]
Supervisors Peskin, Mirkarimi**

Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051211 [Old Mint; Transferable Development Rights]
Supervisors Peskin, Mirkarimi**

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051212 [Zoning - Extension of Planning Commission Review Period]
Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code with respect to controls in the North Beach Neighborhood Commercial District

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051213 [Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero-emission RAV4 EVs]
Supervisors Daly, Mirkarimi**

Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero emission RAV4 EVs.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051214 [Zoning - Extension of Planning Commission Review Period]
Supervisor McGoldrick**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051215 [Urging State Legislators to Permit Person 16 Years of Age or Older to Vote in City or County Elections]
Supervisors Mirkarimi, McGoldrick, Ammiano, Daly**

Resolution urging the California Legislature to pass a bill that will allow local choice legislation, for which any city or county could permit persons 16 years or older to vote in city or county elections.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051216 [Supporting ACA17, primary voting rights for seventeen year olds.]
Supervisor Mirkarimi**

Resolution supporting ACA 17 which would allow for seventeen year olds who would turn eighteen prior to a general election to vote in the primary election for that general election.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**051194 [Hearing on the General Fund Capital Projects]
Supervisor Daly**

Hearing regarding relevance and feasibility of funding projects on the list of General Fund capital projects funded with revenue deemed by the Mayor's Office as "one-time" General Fund in nature, including Recreation and Park projects, Department of Works projects, efficiency grants, owning vs. leasing options for City offices, and the plans for the 311 project among other projects and programs.

6/21/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled for consideration at the June 27, 2005 meeting.

**051199 [Public's Input on the CCSF's Budget for FY 2005-2006.]
Supervisor Ammiano**

Hearing to consider the public's input on the San Francisco City and County's budget for fiscal year 2005-2006.
6/21/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**051200 [Status of Small Business in San Francisco]
Supervisor Ma**

Hearing to review and discuss the status of small businesses in San Francisco. The Small Business Commission is requested to report on their role in facilitating a business-friendly environment, including their accomplishment and policies. The report should include, but not limited to: (1) number of small businesses located in San Francisco during each of the last three years; (2) their analysis of why this number has increased or decreased, and what San Francisco has done as a result of such; and (3) what best practices other jurisdictions have done or are doing to attract small business.

6/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Referred to the Small Business Commission for review and comment.

**051201 [Status of the restaurant industry in San Francisco]
Supervisors Ma, Dufty**

Hearing to review and discuss the status of the restaurant industry in San Francisco, including, but not limited to, a review of the 3rd Annual Economics of the San Francisco Restaurant Industry Study 2005 prepared by Kent Sim, PH.D.

6/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Referred to the Small Business Commission for review and comment.

**051202 [MOCD funds for Westbay Pilipino Multi-service]
Supervisor Daly**

Hearing to consider release of MOCD funds for Westbay Pilipino Multi-services currently on reserve with the Budget and Finance Committee.

6/21/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

**051182 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051203 [Legislative Analyst Request - Housing Above Retail]
Supervisor Dufty**

Motion requesting the Legislative Analyst to research, analyze, and gather data on Housing above retail. (1) How have other municipalities dealt with this issue?; (2) Have other cities (Seattle, Portland) offered incentives to encourage housing above retail?; and (3) Have the incentives been successful?.

6/21/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration June 28, 2005.

PROPOSED ORDINANCES**051094 [Settlement of Lawsuit- Larry Saxxon]**

Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for \$500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al. (City Attorney)
6/9/05, RECEIVED AND ASSIGNED to Rules Committee.

051102 [Settlement of Lawsuit - Linda Alband]

Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for \$35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al. (City Attorney)
6/9/05, RECEIVED AND ASSIGNED to Rules Committee.

051103 [Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for \$121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al. (City Attorney)
6/13/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS**051095 [Settlement of Claim - Boston Properties]**

Resolution approving the settlement of the unlitigated claim filed by Boston Properties Limited Partnership against the City and County of San Francisco for \$211,097; claim was filed on June 2, 2004. (City Attorney)
6/9/05, RECEIVED AND ASSIGNED to Rules Committee.

051120 [Street Encroachment at 624 Laguna Street]

Resolution granting revocable permission to 624 Laguna LP, to occupy a portion of the public right-of-way for the installation and operation of a new sub-sidewalk elevator under the sidewalk fronting the subject property at 624 Laguna Street (Block 0807, Lot 012), conditioned upon the payment of an annual assessment fee of \$1,000.00. (Public Works Department)
6/8/05, RECEIVED AND ASSIGNED to Land Use Committee.

051121 [Street Encroachment at 815 Francisco Street]

Resolution granting revocable permission to Launce E. Gamble, Trustees, to occupy a portion of the public right-of-way to construct and maintain a new two-car garage, to encroach approximately 28 feet into the unimproved public sidewalk right-of-way, as per existing neighborhood pattern, fronting 815 Francisco Street (Block 0048, Lot 019), conditioned upon the payment of an annual assessment fee of \$4,800, and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
6/7/05, RECEIVED AND ASSIGNED to Land Use Committee.

- 051122 [IHSS Contract Modification Approval – San Francisco IHSS Public Authority]**
Resolution approving the modification of the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority, which expires on June 30, 2006, for the provision of health and dental benefits to IHSS Independent Providers, in the amount of \$11,872,058, for a total contract amount of \$68,190,161. (Human Services Department)
- (Fiscal impact.)
6/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 051123 [IHSS Contract Approval – IHSS Consortium of San Francisco]**
Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of \$51,433,291. (Human Services Department)
- (Fiscal impact.)
6/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 051124 [Lease of Real Property at 1440 Harrison Street]**
Resolution authorizing the renewal of a sublease of 52,200 sq. ft. of space at 1440 Harrison Street for the Department of Human Services. (Real Estate Department)
6/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mc Goldrick

To: City Attorney

Requesting/Inquiring: To prepare legislation that amends Planning Code Section 315 to expand the application of the Inclusionary Affordable Housing Program to buildings of five units and more.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To draft legislation that requires the Office of Emergency Services (OES) to establish a standard operating procedure in providing a written operations-performance report in the event of a disaster warning or incident for the Disaster Council and the Board of Supervisors; further requests the City Attorney to draft legislation that designates an alternate city for hosting emergency meetings in the event, such a meeting, cannot be conducted in the City and County of San Francisco.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To provide a work list and time line needed to remove the fences at Hayes Green.

From: Supervisor Mirkarimi

To: Director, Recreation and Park

To: Director, San Francisco Housing Authority

To: Director, Redevelopment Agency

Requesting/Inquiring: To repair the light that is out in the Mini-Park near 1111 Buchanan, and to give a status report on the condition of all light fixtures in the park. Supervisor Mirkarimi also requests that the San Francisco Housing Authority and Redevelopment Agency aid in providing oversight in this repair.

From: Supervisor Duffy

To: City Attorney

Requesting/Inquiring: To draft legislation to increase financial penalties for owners of dogs deemed vicious and dangerous who do not comply with muzzle, signage, and leash restrictions, and to create liability requirements for such owners.

From: Supervisor Duffy

To: City Attorney

Requesting/Inquiring: To draft legislation to ban backyard breeding.

From: Supervisor Duffy

To: City Attorney

Requesting/Inquiring: To draft legislation, pursuant to the passage of the amendment to the state law, that would mandate the spaying and neutering of pit bulls in San Francisco, and create strict financial and criminal penalties for noncompliance.

From: Supervisor Daly

To: Director, Redevelopment Agency

Requesting/Inquiring: Inquiring about allocations from any Redevelopment Agency's source of revenues, such as tax increments, programmatic or other revenue sources, that have been; granted, allotted, or disbursed towards the development of arts organizations, arts initiatives, or arts related redevelopment. Are these allocations made out of a general plan? What is the criteria for selecting projects? What is the Agency's plan as it relates to Mid Market?

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To draft an ordinance requiring new driveway cuts for auto access/egress be subject to conditional use on city streets designated as transit preferential streets and major pedestrian streets, as designated in the SF general plan.

From: Supervisor Mirkarimi, Maxwell, and Dufty

To: Chief, Police Department

To: Director, Department of Public Health

To: Director, Municipal Transportation Authority

To: City Attorney

Requesting/Inquiring: To advise on policy and legal measures for curtailing unsafe residential use of motorized scooters, mini-bikes, or hybrid/homemade motorized bikes by children or individuals who don't possess a valid operators license; further advice sought on motor bike usage and its compliance with residential noise (decibel) statutes for day and evening hours.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

To: Superintendent, San Francisco Unified School District

Requesting/Inquiring: To inspect the westbound streetcar stop on Ocean Avenue at San Leandro Way and to see the feasibility of having the San Francisco Unified School District provide a crossing guard to aid the students of Commodore Sloat Elementary School in crossing the street:

Text of Letter: Can DPT inspect and assess the need for pedestrian safety improvements at the westbound streetcar stop - on Ocean Ave. at San Leandro Way? This stop represents a safety concern for children who get off the MUNI K to go to Commodore Sloat Elementary School. The children step off the streetcar onto a banister-less four-foot wide platform. In addition, the traffic does not abide by the 10 mile an hour speed limit when a streetcar is present. Also, will the SFUSD look into the feasibility of having a crossing guard during the hours Commodore Sloat elementary school is open?

In Memoriams

Ron Sonenshine - Supervisor Dufty

Evelyn Squeri - Supervisor Dufty

Patrick Charles Robertson (The "Brown-Eyed" Alligator) - Supervisor Mirkarimi

John Monaghan - Supervisor Alioto-Pier

Eileen Rose Murphy - Supervisor Elsbernd

ADJOURNMENT

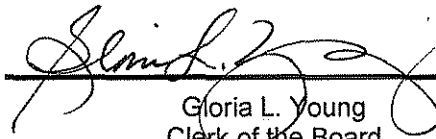
There being no further business the Board adjourned at the hour of 7:37 p.m.

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 July 19, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.



Gloria L. Young
Clerk of the Board