

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 19, 2007 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

Volume 102 Number 22

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On the call of the roll Supervisor Daly was noted absent.

There was a quorum.

Supervisor Daly was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes of May 15, 2007 and May 16, 2007, a Special Board of Supervisors Meeting of the Budget and Finance Committee. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070627 [Public Employment]
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Controller (CON), Fine Arts Museum (FAM), and Municipal Transportation Agency (MTA-DPT) staffing by decreasing total staffing by 4.00 positions (0.16 FTE).

Ordinance No. 134-07
FINALLY PASSED

- 070423 [Contract for the purchase of telecommunications services in excess of \$10 Million]**
Ordinance approving a contract with AT&T providing for the purchase of a variety of telecommunications services at a cost in excess of \$10 million and waiving certain requirements of the Administrative Code with respect to the contract. (Telecommunications and Information Services)
- (Fiscal Impact.)
- Ordinance No. 145-07**
FINALLY PASSED
- 070583 [Authorizing the Municipal Transportation Agency Board of Directors to impose special collections fee to recover actual City collection costs in addition to existing penalties for late citation payments]**
Mayor
- Ordinance amending Traffic Code Section 131 establishing a special collections fee to recover City collection costs for late citation payments, and authorizing the Municipal Transportation Agency Board of Directors to impose the special collections fee to recover actual City collection costs in addition to existing penalties for late citation payments.
- (Supervisor Daly dissented in committee.)
- Ordinance No. 143-07**
FINALLY PASSED
- 070601 [Payment of Criminal Justice Reward]**
Ordinance authorizing payment of a \$25,000 reward to John Doe for supplying information leading to the arrest and conviction of Joseph Stevens in the shooting deaths of Derna Wysinger and Naemon Wysinger. (Mayor)
- Ordinance No. 141-07**
FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

- 070178 [Street encroachment for Little Saigon neighborhood entrance at Larkin and Eddy Streets]**
Supervisor Daly
- Ordinance granting revocable permission to the Vietnamese Elderly Mutual Assistance Association to occupy a portion of the public right-of-way to construct sidewalk bulb-outs with two (2) 24" x 31" concrete and granite pillars at the northeast and northwest corners of Larkin and Eddy Streets to mark the entry to the Little Saigon neighborhood; waiving permit and right-of-way occupancy assessment fees and General Plan Referral fees; deleting two parking meter zones on Larkin Street to accommodate the encroachment; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
- Ordinance No. 142-07**
FINALLY PASSED

Recommendation of the Rules Committee

070794 [Appointment - San Francisco Health Authority]

Resolution appointing Grant Davies, term ending January 15, 2009, to the San Francisco Health Authority; residency requirement waived.

Grant Davies, succeeding John Williams, term expired, seat 4, must be Senior Manager of St. Luke's Hospital, for the unexpired portion of a three-year term ending January 15, 2009.

Resolution No. 337-07

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

070501 [Adopting Community Choice Aggregation Draft Implementation Plan and Adopting Further Implementation Measures]

Supervisors Ammiano, Mirkarimi, Daly, Dufty

Ordinance adopting a Community Choice Aggregation Program Description and Revenue Bond Action Plan and Draft Implementation Plan, establishing key aspects of the Community Choice Aggregation Program, and adopting further implementation measures.

(Fiscal Impact; Economic Impact)

Supervisor Alioto-Pier moved to divide the question relating to "(a) The SFPUC should issue a RFI to solicit input from interested parties regarding the development and implementation of a CCA Program within 20 days of the effective date of the adoption of this ordinance."

Motion to adopt regulations concerning "(a) The SFPUC should issue a RFI to solicit input from interested parties regarding the development and implementation of a CCA Program within 20 days of the effective date of the adoption of this ordinance" passed by the following vote:

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

Ordinance No. 147-07

FINALLY PASSED by the following vote:

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

Noes: 2 - Alioto-Pier, Jew

**070777 [Adopting Community Choice Aggregation Governance Structure]
Supervisors Mirkarimi, Ammiano, Daly**

Ordinance Adopting a Community Choice Aggregation Governance Structure.

Ordinance No. 146-07

FINALLY PASSED by the following vote:

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

Recommendation of the Land Use and Economic Development Committee

**070133 [Limiting exemptions from, and clarifying the scope and collection of, the Transit Impact Development Fee]
Supervisor McGoldrick**

Ordinance (1) amending Chapter 38 of the Administrative Code by (a) amending Sections 38.1 and 38.3, and adding a new Section 38.3-1 to limit the exemption from the current Transit Impact Development Fee (TIDF) for projects for which an application for environmental review or a categorical exemption was submitted on or before April 1, 2004, to instances in which a building or site permit is issued on or before September 4, 2008 and requiring that such exempt projects that would otherwise have been subject to the former TIDF pay a fee on new office space only equivalent to the amount that would have been due under the former TIDF ordinance; (b) amending Section 38.1 to clarify the definitions of "Gross Floor Area" and "Retail/Entertainment;" (c) amending Section 38.3 to correct an unintended exclusion for art spaces; (d) amending Section 38.5 to specify that the TIDF due for a project is based on the fee in effect on the date of payment; and (e) amending Section 38.6 to clarify the circumstances in which a credit for prior eliminated uses is available and make clear that any credit against the amount of the TIDF based on prior use cannot exceed the amount of the TIDF due; and (2) making environmental findings.

Ordinance No. 144-07

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Government Audit and Oversight Committee

Supervisor Elsbernd Excused From Voting

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

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

**070715 [Unrepresented Employees]
Mayor, Supervisor McGoldrick**

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 job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

Supervisor Elsbernd Excused From Voting

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

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

**070720 [MOU, Amendment No. 1 - Municipal Executives' Association, AFL-CIO]
Mayor**

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, AFL-CIO, relating to Management Training Funds.

PASSED ON FIRST READING by the following vote:

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

**070716 [MOU, Amendment No. 1 - SEIU, Locals 535, 790 and United Healthcare Workers - West]
Mayor**

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 535, 790 and United Healthcare Workers - West, relating to certain wages, hours, and working conditions.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

**070717 [MOU, Amendment No. 1 - International Brotherhood of Electrical Workers, Local Union 6, AFL-CIO]
Mayor**

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, by amending the parties' agreement with respect to certain wages, hours, and working conditions.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

**070718 [MOU, Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.)]
Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees & Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B.), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

**070719 [MOU, Amendment No. 1 - Laborers International Union, Local No. 261]
Mayor**

Ordinance adopting and implementing Amendment #1, the agreement that amends the 2006-2009 Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local No. 261, by amending the parties' agreement to allocate funds related to programs for Environmental Service Workers.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

**070721 [MOU, San Francisco Police Officers' Association (SFPOA)]
Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA), to be effective July 1, 2007 through June 30, 2011.

(Fiscal Impact.)

REFERRED to the Public Safety Committee by the following vote:

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

**070722 [MOU, SEIU, Local 790 Staff & Per Diem Nurses]
Mayor**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 790 Staff & Per Diem Nurses, to be effective July 1, 2007 through June 30, 2010.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

**070673 [Contract with Owner's Association for administration/management of Central Market Community Benefit District]
Supervisor Daly**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Central Market Community Benefit District," pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 313-07

ADOPTED by the following vote:

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

**070732 [2500 Block of Mission Street Business Improvement District Annual Reports to the City]
Supervisor Ammiano**

Resolution regarding 2500 Block of Mission Street Business Improvement District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 539-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

Resolution No. 343-07

ADOPTED by the following vote:

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

**070733 [Castro/Upper Market Community Benefit District Annual Reports to the City; making assessment formulas the same for all District residential property]
Supervisor Dufty**

Resolution regarding Castro/Upper Market Community Benefit District annual reports to the City, and making assessment formulas the same for all District residential property: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 582-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; providing that all residential property be assessed by the same lot size and linear frontage formula, receiving and approving the District Assessment Engineer's Report in support, and authorizing conforming amendments and administrative clarifications to the District's management plan and management contract; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

Resolution No. 344-07

ADOPTED by the following vote:

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

**070734 [Fisherman's Wharf Community Benefit District Annual Reports to the City]
Supervisor Peskin**

Resolution regarding Fisherman's Wharf Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 540-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

Resolution No. 345-07

ADOPTED by the following vote:

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

**070735 [Noe Valley Community Benefit District Annual Reports to the City]
Supervisor Dufty**

Resolution regarding Noe Valley Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 583-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

Resolution No. 346-07

ADOPTED by the following vote:

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

**070736 [North of Market/Tenderloin Community Benefit District Annual Reports to the City]
Supervisor Daly**

Resolution regarding North of Market/Tenderloin Community Benefit District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution establishing the District (Resolution No. 584-05) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA "independent audit" to instead require a CPA independent audit upon request of the City, and authorizing amendment of the District's management contract with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to Section 3.4 of the District's management contract.

Resolution No. 347-07

ADOPTED by the following vote:

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

**070737 [Union Square Business Improvement District Annual Reports to the City]
Supervisor Peskin**

Resolution regarding Union Square Business Improvement District annual reports to the City: modifying the "Authority to Contract" provision of the Resolution renewing the District (Resolution No. 798-03) to require an annual financial report that has been reviewed by a Certified Public Accountant who provides a statement of negative assurance, to change the current requirement for an annual CPA independent audit to instead require a CPA independent audit upon request of the City, to acknowledge that the Mayor's Office of Economic and Workforce Development is the successor to the Mayor's Office of Public Finance and Business Affairs, and authorizing amendment of the District's written agreements (contracts) with the City to conform; and receiving and approving the District's Annual Report for 2005-2006 as submitted pursuant to California Streets and Highways Code §36650.

Resolution No. 348-07

ADOPTED by the following vote:

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

**070838 [Contract with Owners' Association for administration/management of Fisherman's Wharf Portside Community Benefit District]
Supervisor Peskin**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the business-based business improvement district known as the "Fisherman's Wharf Portside Community Benefit District," pursuant to Section 36651 of the Streets and Highways Code.

Resolution No. 312-07

ADOPTED by the following vote:

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

Recommendations of the Rules Committee

- 070411 [Requiring the City to give public notice of the termination or expiration of a lease from the School District to the City, when the City has used the leased property in a manner directly serving the public]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Section 23.28, to require the City to give public notice of the termination or expiration of a lease of property from the San Francisco Unified School District to the City, when the City has used the property under the lease in a manner directly serving the public.

PASSED ON FIRST READING by the following vote:

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

- 070130 [Establishing the Children's Collaborative Task Force]
Supervisors Alioto-Pier, Ammiano**

Resolution establishing the Children's Collaborative Task Force to 1) promote dialogue among parents, educators, and the public, 2) identify and develop collaborative means to address issues shared by San Francisco's public, private, and parochial schools, and 3) advise the Board of Supervisors on policies to ensure that all children in San Francisco have equal and equitable access to exceptional educational and cultural resources.

Amended on page 4, line 15, by adding "Further Provided, That the Task Force shall establish at least three subcommittees, for private schools, public schools, and parochial schools, respectively, each made up of the task Force members appointed from that sector, which sub-committees shall meet at least quarterly and shall be charged with outreach to schools and the community; and further amended on page 2, line 16, after "Public School Representation" by replacing "six (6)" with "eight (8)."

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

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

Resolution No. 358-07

ADOPTED AS AMENDED by the following vote:

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

**070084 [Shelter Monitoring Committee]
Supervisors Mirkarimi, Ammiano**

Ordinance amending sections 20.302, 20.303, 20.304, and 20.312 of the San Francisco Administrative Code to: 1) require the Department of Public Health to provide administrative support for the Shelter Monitoring Committee; 2) broaden the purpose of the Shelter Monitoring Committee by authorizing it to assess City policies that affect shelter clients; 3) require Committee members to keep certain information confidential; 4) designate divisions within the Department of Human Services and the Department of Public Health from which Committee members may be appointed; 5) require City departments to respond to reasonable requests for information from the Shelter Monitoring Committee within 15 days, and 6) eliminate the Committee's obligation to prepare annual reports with the Local Homeless Coordinating Board.

PASSED ON FIRST READING by the following vote:

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

070698 [Reappointment, Entertainment Commission]

Motion approving the Mayor's nomination for reappointment of Audrey Joseph to the Entertainment Commission, for the term ending July 1, 2011.

Motion No. M07-73

APPROVED by the following vote:

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

SPECIAL ORDER 3:00 P.M.

Supervisors Daly and Dufty were previously excused from voting on this matter.

070560 [Public Hearing - Appeal of Final Environmental Impact Report for Market and Octavia Neighborhood Plan]

Hearing of persons interested in or objecting to the Planning Commission's April 5, 2007, certification of a Final Environmental Impact Report identified as Planning File No. 2003.0347E, through its Motion No. 17406, for a proposed Market and Octavia Plan, amendments to the San Francisco Planning Code and Zoning Maps, amendments to the San Francisco General Plan, adoption of Urban Design Guidelines, and amendments to the Western Addition A-2 Redevelopment Plan. The Plan area is generally located to the West of the City's Downtown area and includes portions of Civic Center, Hayes Valley, Western Addition, South of Market, Inner Mission, the Castro, Duboce Triangle, Eureka Valley, and Upper Market Neighborhoods of San Francisco. (Appellants: Martin Hamilton on behalf of New College of California, F. Joseph Butler on behalf of the San Francisco Preservation Consortium and Mary Miles representing the Coalition for Adequate Review.)

(Date Filed: 4/25/07; companion measure to Files 060561, 060562, 060563.)

Marilyn Amini, in support of appellant

John Bardis, in support of appellant

Mark Paez, in support of appellant

Tamara Colby, in support of appellant

Gee Gee Platt, in support of appellant

Paul Maltzer and Bill Wycko, Representatives of the Planning Department, reviewed with the Board the Planning Department's recommendation.

Howard Strassner, in support of project

Christopher Peterson, in support of project

Chris Bolling, in support of project

Adam, in support of project

Jason Henderson, in support of project

John Nesbitt, in support of project

Tim Colen, in support of project

Paul Olsen, in support of project

Robert Levitt, in support of project

Steve Vettel, in support of project

Ali, in support of project

Sylvia Johnson, in support of project

Rebuttal:

Stephen Williams, Attorney for the Appellant

Cynthia Servetnick, Representative for the Appellant (New College)

Mary Miles, Attorney for the Coalition for Adequate Review, was not present for the rebuttal period of the hearing.

The President declared the public hearing closed.

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

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

070561 [Affirming certification of Market and Octavia Area Plan FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan.

Motion No. M07-75

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

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

070562 [Disapproving certification of Market and Octavia Area Plan FEIR]

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for Market and Octavia Area Plan.

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

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

070563 [Preparation of findings to disapprove certification of the Market and Octavia Area Plan FEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan FEIR.

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

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

SPECIAL ORDER 3:00 P.M.**070842 [Hearing - Disposition and Development Agreement - Redevelopment Agency Owned Land for Armstrong Place]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5421, Lots 3, 5, 6, 7, 8, 9, and 11 commonly known as Armstrong Place (or 5600 Third Street), to BRIDGE Tower, L.L.C., for the purpose developing affordable for-sale housing for lower income households. (Clerk of the Board)

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

Olsen Lee, Redevelopment Agency Representative, reviewed with the Board the Disposition and Development Agreement for Redevelopment Agency owned land for Armstrong Place.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Adjourn and Report Without Recommendation**070843 [Disposition and Development Agreement - Redevelopment Agency Owned Land for Armstrong Place] Supervisor Maxwell**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5421, Lots 3, 5, 6, 7, 8, 9, and 11 commonly known as Armstrong Place (or 5600 Third Street), to BRIDGE Tower, L.L.C., for the purpose developing affordable for-sale housing for lower income households.

(Fiscal Impact.)

Resolution No. 356-07

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, Peskin, Sandoval

Noes: 2 - Daly, Mirkarimi

Absent: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor McGoldrick was noted absent at 5:23 p.m.

Supervisor Daly was noted absent at 5:35 p.m.

070805 [Committee of the Whole - Beilenson Hearing - June 19, 2007 at 3:30 p.m.]

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services.
(Beilenson Hearing)

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

The following speakers expressed their concern with proposed budget cuts for the Dept. of Public Health medical facilities.

Jim Illig, Health Commissioner

Roma Guy, Health Commissioner

Abdullah Megaheed

Larry Nelson

Male Speaker

Mary Connolly

Trina Olivier

Angela Chiu

Lianne Edwards

Christen

Bo

Arthur Bosse

Robert Garcia

Male Speaker

Danielle Williams

Female Speaker

Zora

Rebecca Spitz

Perry Zimmány

Max Hackett

Allan Furhman

Bruce Sherron

Jasper Harris

Alfreda Nesbett

Ronald Boswell

Male Speaker

Carla Marquez

Bobbie

Liz Olsen

Bob Bowers

Steve Fields

Jonathan Vernick

Joanna Chestnut

Nancy Rubin

Barbara Roth Krug

Elsie Banderas

Amy Freer

Sarah Collins

Ronca

Chris Olson

Fernando Gomez-Benitez

Erlin Eckbar

Keith

Li Campanello

Male Speaker

Joanna Cullom

Hulda Braun

Carla Wilson

Male Speaker
Mike Richards
Linda Huang
Mary
Lannie Adelman Heaney
Tom Morris
Carlina Hansen
Martha Hawthorne
Kelly Tyne
George Turner
Jacob Moody
Male Speaker
Dr. Robin Randall
Anissa Williams
John Lopez
Sandra Santiana Mora
Dale Milfay
Suzanne Brady
Rachelle Gotlieb
Female Speaker
Piers MacKenzie
Dr. Mark Leary
Dr. Richard Patel
Dr. Francis Lu
Dr. Heather Hall
Dr. Mel Blaustein
Ben Barreras
Dr. Fatima Imara
Michael Lyon
Espanola Jackson
Francisco Da Costa
Mr. Fatu
Female Speaker
Rebecca King Morrow
Elaine Sharpe
Tony Robles
Jorge Portillo
Susan Marsh
Terrie Frye
Luis Perona
Peter Masiak
Wendy Phillips
Jennifer Baitey Carlin
Nina Jack
Mike Fisher
Eric Brodnick
Marisha Jones
Ed Kinchley
Rita Lam
Dr. Rochelle Dicker
Mike Texada
Male Speaker
Dr. Sarah Jewell
Annette Jagers
Dr. S
Jeff Warren
Annetta White

Rita Fahrner
Valerie Gruber
Colleen Rebekah
Susan Okada
Lesa Yeager
Sam
Melvin Kon
Mary McGee
Mary Allen
Lauren Enteen
Terry Morris
Sarah Thibault
Nina Willer
Winter
Shannon Cummings
Mary Howe
Male Speaker
Julia Ledbetter
Taliah Mekki
Leah Marnson
Alexandra Frederick
Maria Kovich
Kamera Lee
Otto Duffy
Sylvia Johnson
Debbie Lerman

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to suspend Rule 4.37 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: 11 - Alioto-Pier, Ammiano, Daly, Duffy, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano introduced, welcomed and presented Certificates of Honor to Carla Johnson, Jenny Olson and Rink, members of the Lesbian, Gay, Bisexual, Transgender Community (LGBT) in recognition of June Gay Pride Month.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Ira Hirschfield, President and Trustee of the Evelyn & Walter Haas, Jr. Fund in recognition of their generosity to the City and County of San Francisco.

Supervisor Peskin introduced, welcomed and acknowledged the efforts of Private Security Officers.

COMMITTEE REPORTS**070723 [State contract funds for substance abuse treatment]
Mayor**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH-CBHS) to enter into a Combined Net Negotiated Amount and Drug Medi-Cal Agreement with the State of California Department of Alcohol and Drug Programs (DADP) for the term of July 1, 2007 through June 30, 2010 in the amount of \$55,825,476 and for the term of July 1, 2007 through June 30, 2008 in the amount of \$18,608,492 as a condition of receiving state funds and Drug Medi-Cal reimbursement for substance abuse treatment and prevention; holding DADP harmless from any and all claims resulting from the agreement; authorizing and designating the Director of CBHS to sign said Agreement and to approve amendments for less than ten percent (10%) of the contracted amount.

Resolution No. 311-07

ADOPTED by the following vote:

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

070631 [Settlement of Lawsuit - U.S. Airways, Inc.]

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for the settlement of the unlitigated bankruptcy claim between the Airport and the execution of future Airport leases with US Airways, Inc. with regard to In re: US Airways, Inc. et al., Debtors, Case No. 04-12819 SSM, United States Bankruptcy Court for the District of Virginia; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against US Airways, Inc., for payment to the Airport of environmental clean-up costs and agreement of a percentage allocation for future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal) (City Attorney)

PASSED ON FIRST READING by the following vote:

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

070647 [Settlement of Lawsuit - Teri Rouse]

Ordinance authorizing settlement of the lawsuit filed by Teri Rouse against the City and County of San Francisco for \$30,000; the lawsuit was filed on November 10, 2005 in San Francisco Superior Court, Case No. 446-497; entitled Teri Rouse, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

070700 [Settlement of Claim Against Sprint/Nextel]

Ordinance authorizing settlement of a claim by the City and County of San Francisco against the Sprint/Nextel Corporation for funding the planning for reconfiguration of the City's 800 MHz Radio Communications System. (City Attorney)

PASSED, ON FIRST READING by the following vote:

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

070747 [Settlement of Lawsuit - Colonial American Casualty and Surety Company and Competent Builders, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Colonial American Casualty and Surety Company and Competent Builders, Inc., against the City and County of San Francisco, for payment to the City of \$450,000; the lawsuit was filed on October 9, 2002 in San Francisco Superior Court, Case No. CGC 02-413272; entitled Division of Labor Standards Enforcement v. Colonial American Casualty and Surety Company, et al; other material terms of said settlement are payment by Competent Builders, Inc., and other parties, to Colonial American Casualty and Surety Company, and full releases among all parties. (City Attorney)

PASSED ON FIRST READING by the following vote:

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

070766 [Settlement of Lawsuit - Northwest Airlines Corporation, et al.]

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Northwest Airlines Corporation, et al., Debtors, Case No. 05-17930ALG, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for agreement to pay a percentage allocation of future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

PASSED ON FIRST READING by the following vote:

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

070767 [Settlement of Lawsuit - Delta Air Lines Inc., et al.]

Ordinance authorizing the settlement of the bankruptcy claim filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Delta Air Lines Inc., et al., Debtors, Case No. 05-17923PCB, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for agreement to pay a percentage allocation of future clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

PASSED ON FIRST READING by the following vote:

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

070770 [Interim Government Funding, Fiscal Year 2007-2008]**Mayor**

Interim 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, 2008.

Administrative Provisions were amended. (See File For Details)

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

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

PASSED ON FIRST READING by the following vote:

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

**070771 [Interim Public Employment, Fiscal Year 2007-2008]
Mayor**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2008, 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.)

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Ordinance be PASSED ON FIRST READING. The motion carried by the following vote:

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

070825 [Redevelopment Agency Budget]

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2007-2008. (Redevelopment Agency)

(Fiscal Impact.)

Resolution No. 338-07

ADOPTED by the following vote:

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

**070839 [Treasure Island Development Authority Interim Budget]
Mayor**

Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2007-2008.

(Fiscal Impact.)

Resolution No. 339-07

ADOPTED by the following vote:

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

PUBLIC COMMENT

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

*Abdullah Megaheed; expressed concern with issues relating to homelessness
James Chaffee; expressed concern with issues relating to the SF Public Library
Sylvia Johnson; expressed concern with issues relating to health programs*

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.

070836 [Final Map - 445-701 Wawona Street]

Motion approving Final Map 4184, a 8 Lot Subdivision Project, located at 445-701 Wawona Street being a subdivision of Lot 008 in Assessors Block No. 2540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 176,885; District No. 7)

Motion No. M07-74

APPROVED

**070891 [Grant to fund a project through the HIV Epidemiology Section of the Department of Public Health]
Supervisor Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of \$19,601 from the Global Fund to Fight AIDS, Tuberculosis and Malaria through the Regents of the University of California to fund the Triangulation Resource Guide, and to enter into an agreement for the use of these funds; for the period of September 1, 2006 through June 3, 2007.

Resolution No. 349-07

ADOPTED

**070893 [Commending Thomas E. Margro]
Supervisor Peskin**

Resolution commending Thomas E. Margro, General Manager of BART.

Resolution No. 340-07

ADOPTED

**070894 [Private Security Officers]
Supervisors Peskin, Elsbernd**

Resolution encouraging security contractors and building owners to come to the bargaining table with the single purpose to improve industry standards by providing adequate training and increased wages and benefits for private security officers.

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

Resolution No. 360-07

ADOPTED

**070895 [State grant to support environmental health through the Weights and Measures program]
Supervisor Mirkarimi**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of \$8,250 from the California Department of Food and Agriculture (CDFA) supporting two programs, the Petroleum Products Compliance Program and the Weighmaster Enforcement Program; for the period of July 1, 2007 through June 30, 2008.

Resolution No. 350-07

ADOPTED

**070896 [Support "It's OUR Healthcare" principles]
Supervisor Mirkarimi**

Resolution in support of the joint Labor and "It's OUR Healthcare" principles developed by a coalition of community, clergy, labor and healthcare organizations and supporting those principles as a means to achieving affordable, quality health care for all working Californians.

Resolution No. 359-07

ADOPTED

**070897 [State grants to support environmental health projects]
Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend two grants totaling \$4,948.18, one from the California Department of Food and Agriculture (CDFA) and one from the California Department of Pesticide Regulation (CDPR); for the period of July 1, 2007 through June 30, 2008.

Resolution No. 351-07

ADOPTED

**070898 [Zoning - Extension of Planning Commission review period]
Supervisor Maxwell**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Section 319.2 and 319.3 of the Visitation Valley Community Facilities and Infrastructure Fee and Fund ordinance to set a lower fee level of \$3.00 per square foot for principally permitted projects that do not require material General Plan, Planning Code or Zoning Map amendments.

Resolution No. 352-07

ADOPTED

**070899 [Extending the Asthma Task Force Membership to June 30, 2008]
Supervisor Maxwell**

Resolution extending the Asthma Task Force Membership to June 30, 2008.

Resolution No. 341-07

ADOPTED

**070900 [Urging the City College of San Francisco Registered Nursing Program to adopt a residency requirement]
Supervisors Mirkarimi, Elsbernd**

Resolution urging that the City College of San Francisco Registered Nursing Program petition the Board of Governors pursuant to Education Code § 78032(a)(3) to allow the adoption of a residency requirement giving preferential admission to San Francisco residents.

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

Resolution No. 357-07

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from the Without Reference to Committee Agenda

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

**070892 [Directing City Staff to report on actions to restrict Bisphenol-A in children's products]
Supervisor Alioto-Pier**

Resolution directing San Francisco's Department of Health and Department of the Environment to submit a report with recommendations on potential actions that can be adopted to address risks to public health from exposure to Bisphenol-A and to base that report on the findings of a National Institute of Health review panel along with the concerns of representatives of the scientific and children's health communities.

Continued to June 26, 2007.

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

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

IMPERATIVE AGENDA

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

[Purely Commendatory Finding]

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

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

**070916 [Honoring Mabel D. Borjal]
Supervisor Daly**

Resolution to recognize the valuable contributions of Mabel D. Borjal and her 31 years of dedicated service.

Resolution No. 342-07

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Ordinances

**070921 [Amendments to Minimum Compensation Ordinance]
Supervisor Ammiano**

Ordinance amending the San Francisco Administrative Code by amending Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7 and 12P.8, and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; an increase in the hourly wage rate for all employees; the assessment of liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.

6/19/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/19/2007.

07/09/07 - Referred to Small Business Commission.

**070923 [Golden Gate Park Stables Fund; City Matching Funds]
Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-254, to establish a fund for donations to the Golden Gate Park Stables and to provide for a City match of \$1.00 for every \$3.00 donated to the fund, up to \$1 million.

(Fiscal Impact.)

6/19/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070924 [Development of Tidal Power]
Supervisors Mirkarimi, Ammiano**

Ordinance establishing that the City should continue to actively participate in the development of tidal power technology in order to maximize the benefits to the public, and that the City should own and control tidal power technology and development to the extent feasible, and establishing the requirement that any proposal for the development of tidal power that is subject to Board of Supervisors approval must provide for City ownership or control unless the proposal demonstrates that such ownership or control is not feasible or beneficial to the public in the long term.

6/19/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**070925 [Green Building Construction Requirements]
Supervisor Peskin**

Ordinance amending the San Francisco Building Code by adding Chapter 13C to require new or added construction over 20,000 square feet to comply with the Leadership in Energy and Environmental Design (LEED) Gold rating or an equivalent green building standard except for City projects, which are covered by Chapter 7 of the San Francisco Environment Code, to authorize the Director of Building Inspection to grant an exemption from some of the requirements on the grounds of hardship or infeasibility, to require the Director to grant an exemption if compliance would compromise the historical integrity of an historic structure, and to encourage projects not within the scope of the ordinance to incorporate as many green building standards into their construction as is feasible; adopting findings, including environmental findings and findings required by California Health & Safety Code Section 17958.5.

6/19/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/19/2007.

- 070926 [Designating a sole source contractor to provide healthcare coverage to certain eligible temporary exempt as-needed SEIU City employees]**
Mayor

Ordinance authorizing the Department of Human Resources to execute a contract with the San Francisco Health Plan to administer healthcare coverage to certain eligible temporary exempt as-needed City employees who are members of SEIU locals 535, 790 and UHW; and granting a waiver to the competitive procurement requirements of San Francisco Administrative Code Chapter 21.

(Fiscal Impact.)

6/19/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

- 070914 [Accept and Expend State Grant - Department of the Environment]**
Mayor

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$90,000 from the California Department of Toxics Substances for the purpose of collaborating with California Green Business Network members to develop a regional, web-based database that will help Green Business Programs manage and track data.

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 070916 [Honoring Mabel D. Borjal]**
Supervisor Daly

Resolution to recognize the valuable contributions of Mabel D. Borjal and her 31 years of dedicated service.
6/19/07, ADOPTED.

- 070918 [Installing traffic island at Market Street and Octavia Boulevard, Central Freeway on-ramp]**
Supervisors Dufty, Mirkarimi, Daly

Draft Resolution approving the construction of a raised median island to reinforce the No Right Turn Regulation from Market Street to Central Freeway.

6/19/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 070919 [Rejecting Water and Wastewater Rates]**
Supervisor Elsbernd

Resolution rejecting Water and Wastewater Rates submitted to the Board of Supervisors by the Public Utilities Commission on June 13, 2007.

(Transmittal Date 6/13/07 - Charter Section 2.109 requires Board of Supervisors rejection within 30 days.)

(Fiscal Impact.)

6/19/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

- 070920** [Directing the San Francisco Public Utilities Commission to create and implement a city-wide program to track water usage by City department]
Supervisor Alioto-Pier

Resolution directing the San Francisco Public Utilities Commission to create and implement a city-wide program to track water usage by City department.

6/19/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 070922** [Temporarily Halting Construction at the Hunters Point Shipyard]
Supervisor Daly

Resolution urging the Department of Public Health and Lennar Corporation to temporarily halt construction at the Hunters Point Shipyard and to contract with an independent entity to conduct a health assessment of the residents of Bay View Hunters Point.

6/19/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 070927** [Grant of Regional Funds - Municipal Transportation Agency]
Mayor

Resolution authorizing the Municipal Transportation Agency to accept and expend \$450,000 of TransLink® funds from the Metropolitan Transportation Commission to provide resources to oversee the installation and testing of TransLink® equipment on Muni vehicles.

6/19/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 070930** [Requesting the San Francisco Housing Authority apply for federal grants, seek waiver of property taxes due the City, report the physical conditions of rental properties and status of resolving SFHA's "Troubled" status designation]
Supervisor Mirkarimi

Resolution requesting the San Francisco Housing Authority to: apply for federal Hope IV funding; seek Board approval of Payment in Lieu of Taxes; Provide copies of any HUD proposed MOU regarding resolution of Troubled status; provide copies and status of property management proposal for Hunter's Point redevelopment area projects; provide a physical inspection report of SFHA Properties and inform residents living in substandard housing of their rights to demand improvements.

(No Economic Impact)

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 070931** [Seeking a permanent halt to the Blue Angels air show over San Francisco]
Supervisor Daly

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

(No Economic Impact)

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070932 [Trevor Hailey Plaque]
Supervisors Dufty, Ammiano**

Resolution honoring the unparalleled contributions of Trevor Hailey and recognizing Trevor as the Castro's original unofficial historian through the installation of a plaque at the Castro MUNI station honoring Trevor Hailey and all of her contributions to San Francisco and the Castro neighborhood.

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070933 [Declaring intent of the City and County of San Francisco with regard to pending legislation amending the Medical Cannabis Act of 2005]
Supervisor Alioto-Pier**

Resolution declaring the intent of the City and County of San Francisco not to take enforcement action against those medical cannabis dispensaries that have properly applied for the necessary permits before July 1, 2007, while current legislation is pending.

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070934 [Supporting funding for the Central Subway]
Supervisors Peskin, Dufty, Jew**

Resolution supporting the pending action by the Metropolitan Transportation Commission to direct \$100 million in state infrastructure bond funding and efforts by San Francisco's Congressional Delegation to secure \$15 million in Fiscal Year 2008 Federal New Starts funding for the Central Subway project.

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070935 [Supporting the Lorraine Hansberry Theatre]
Supervisors Peskin, Dufty, Mirkarimi, Sandoval, Maxwell, McGoldrick, Ammiano, Daly**

Resolution supporting the Lorraine Hansberry and its contributions to the cultural life of San Francisco and its Theater District.

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests For Hearing

**070917 [Sava Pool Closure]
Supervisor McGoldrick**

Hearing on the Recreation and Park Department's decision to close Sava Pool.

6/19/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS**070852 [Contract funds to support the STOP AIDS Project]**

Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement with the STOP AIDS Project and expend funds in the amount of \$28,410; for the period of September 1, 2006, through August 31, 2008. (Public Health Department)

6/7/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070853 [Airport Concession Lease]

Resolution approving the Terminal 3 Newsstands and Specialty Store Lease between Host International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

6/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070854 [Airport Concession Lease]

Resolution approving the Technology Products Stores Lease between ILJ San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

6/8/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070873 [Lease of Real Property]

Resolution authorizing extension of a lease of real property at 617 Mission Street and 101 New Montgomery Street for the Department of Child Support Services. (Real Estate Department)

(Fiscal Impact.)

6/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070875 [Lease of Real Property at 650 Fifth Street, Suite 307-309]

Resolution authorizing the Lease of 3,060 square feet of space at 650 Fifth Street, Suites 307-309, for the Department of Public Health's Jail Health Services. (Real Estate Department)

6/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the pedestrian safety at the Muni stop (N-Judah) at 16th Avenue as Muni passengers disembark the train.

From: Supervisor Elsbernd

To: Controller

Requesting/Inquiring: Inquiring when did the City last start the fiscal year with a General Fund reserve of less than 25M?

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:

Mailboxes

- Northwest corner of Octavia and Haight*
- Southeast corner of Haight and Laguna*
- Southeast corner of Post and Steiner*
- Northeast corner of Fell and Laguna*

Garbage Cans

- Northeast corner of Stanyan and Willard*
- Northeast corner of Hayes and Laguna*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- Southeast corner of Broderick and Oak (Chronicle)*
- Southeast corner of Pine and Divisadero (Examiner)*
- Southeast corner of Parnassus and Stanyan (Examiner)*
- Northwest corner of Fillmore and O'Farrell (Bay Guardian)*
- Southwest corner of Hayes and Divisadero (Advertiser)*
- Northeast corner of Haight and Masonic (Onion)*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Light Switch Box

- Northwest corner of Pine and Webster*
- Northwest corner of Pine and Divisadero*
- Northwest corner of Divisadero and Post*
- Northeast corner of Pierce and Oak*
- Northeast corner of Webster and Oak*
- Northeast corner of Oak and Laguna*

Phone Switch Box

- Southeast corner of Pine and Broderick*
- Northwest corner of Pine and Broderick*
- Northeast corner of Post and Steiner*
- Northeast corner of Stanyan and Willard*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Emergency Boxes:

- Southeast corner of Oak and Scott*
- Southeast corner of Pine and Buchanan*
- Northwest corner of Clayton and Parnassus*
- Near Carl and Willard*

Fire Hydrant

- Southwest corner of Steiner and Ellis*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of tree pruning and maintenance of trees on the corner of 17th and Belvedere. Trees may belong to property 595-599 Belvedere (street signs are not visible because trees are untrimmed).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing multiple potholes at the following location: 100 block of Frederick (more on South side of street).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- 400 Haight*
- 2218 Pine*
- 2254 Pine*
- 2263 Pine*
- 1964 Post*

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repairing street identification sign "Laguna" at the Southeast corner of Laguna and Bush.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:

- Oak between Clayton and Masonic*
- Grove between Buchanan and Laguna*
- Pine between Laguna and Fillmore (mostly the black frames)*
- Post between Pierce and Steiner*
- Carl between Arguello and Cole*
- Parnassus between Stanyan and Clayton*
- Carl between Arguello and Cole*
- Oak between Divisadero and Pierce*
- Between Buchanan and Laguna*
- Broderick and Pine to Geary (mostly the black frames)*
- Belvedere between Rivoli and Parnassus*
- Clayton between Frederick and Parnassus*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the repainting of a crosswalk at the east side of O'Farrell and Steiner.*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from DPT property at the following locations:*

- "One Way" sign (sticker removal) on Southwest corner of Fillmore and Geary*
- "One Way" sign on Fell and Broderick*
- Pedestrian Crossing Signal at all four corners of Buchanan and Oak*
- Pedestrian Crossing Signal at all four corners of Oak and Cole*
- Handicap signs at Kezar stadium across from 637 Fredrick*
- "Stop" sign on Northeast corner of 17th and Belvedere*
- Muni pole sign at Muni stop on Frederick and Willard*
- Parking meters on Post between Steiner and Webster (both sides)*

*From: Supervisor Mirkarimi
To: Director, Public Utilities Commission
Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti at the following locations:*

- Northeast corner of Hayes and Laguna*
- Northwest corner of Pine and Broderick*
- Northeast corner of Carl and Willard*
- Southeast corner of Haight and Buchanan*
- 249 Carl*
- 269 Carl*
- All poles on Stanyan and Willard*
- 1126 Stanyan*
- All four corners of Parnassus and Clayton*

In Memoriams

*Brianna Wilcox - Entire Board
Trevor Hailey - Supervisor Dufty
Khalil Daoud Habash - Supervisor Mirkarimi
Edivaldo "Eddie" Sanchez - Supervisor Ammiano
William Hutchinson - Entire Board
Mike Benke - Entire Board
Louis Mulkey - Entire Board
Mark Kelsey - Entire Board
Bradford Baily - Entire Board
Michael French - Entire Board
James Drayton - Entire Board
Brandon Thompson - Entire Board
Melven Champaign - Entire Board*

ADJOURNMENT

There being no further business the Board adjourned at the hour of 9:40 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 July 24, 2007.



Angela Calvillo
Clerk of the Board