

**Board of Supervisors
City and County of San Francisco**

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

City Seal



AGENDA

**Tuesday, April 15, 2008
2:00 PM**

Regular Meeting

AARON PESKIN, PRESIDENT

**MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN
ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL**

Angela Calvillo, Clerk of the Board

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the March 25, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for

dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, general public comment for this item will take place during public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

1. 080337 [Authorizing the Sheriff to execute contracts with the State]

Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody. (Sheriff)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

2. 071464 [Zoning - Ordinance creating the Excelsior Alcohol Restricted Use District] Supervisors Sandoval, Peskin

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks and lots fronting both sides of Mission Street from Silver Avenue to the Daly City border; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/30/2007, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/13/2007, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/20/2007, SUBSTITUTED. Supervisor Sandoval submitted substitute ordinance bearing new title.

3/25/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

4/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Peskin

3. 080210 [Stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require Conditional Use authorization]

Ordinance amending the Planning Code by adding Section 317 to stipulate Conditional Use or Mandatory Discretionary Review of any Building Permit applications that would eliminate existing dwelling units through mergers, conversions, or demolitions of residential units, and requiring certain affordability and soundness findings, with certain administrative exceptions allowed; making findings as to the need to preserve affordable housing in San Francisco, environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

4/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

4. 080370 [Appointment - Shelter Monitoring Committee - Chris Callandrillo]

Motion appointing Chris Callandrillo, term ending November 23, 2008, to the Shelter Monitoring Committee.

Chris Callandrillo, succeeding Diana Valentine, resigned, seat 3, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2008.

Question: Shall this Motion be APPROVED?

5. 080373 [Appointment - San Francisco Fair Lending Working Group]

Motion appointing Jan Lynn Owgn, Leon Huntting, Heidi Mueller, Maeve Elise Brown, Kevin Stein, Ed Donaldson, Amanda Feinstein, Jon Ballesteros, Grace Mejia, Jane Duong, and Chris Oldag, terms ending July 1, 2009, to the San Francisco Fair Lending Working Group, residency requirement waived.

Jan Lynn Owgn, new appointment, seat 1, must be a representative of a financial institution/lending agency, for a term ending on July 1, 2009 (residency requirement waived).
Leon Huntting, new appointment, seat 2, must be a representative of the mortgage broker industry, for a term ending on July 1, 2009 (residency requirement waived).
Heidi Mueller, new appointment, seat 3, must be a representative of the real estate profession, for a term ending on July 1, 2009.

Maeve Elise Brown, new appointment, seat 4, must be a representative of a community-based organization focusing on foreclosure counseling and legal assistance, for a term ending on July 1, 2009 (residency requirement waived).

Kevin Stein, new appointment, seat 5, must be a representative of an advocacy organization, for a term ending on July 1, 2009.

Ed Donaldson, new appointment, seat 6, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Amanda Feinstein, new appointment, seat 7, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Jon Ballesteros, new appointment, seat 8, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Grace Mejia, new appointment, seat 9, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Jane Duong, new appointment, seat 10, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Chris Oldag, new appointment, seat 11, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

- | | | | |
|-----------|---------------|--|---------------------------|
| 6. | 071001 | [Zoning Map Amendments Associated with the Laguna, Haight, Buchanan and Hermann Streets Special Use District] | Supervisor Ammiano |
|-----------|---------------|--|---------------------------|

Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of

Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California Environmental Quality Act.

(No Economic Impact)

3/4/2008, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing the same title.

4/8/2008, AMENDED. 04/08/08 - Amended on page 2, line 6, after the words "Quality Act Findings," by adding the following "and dated April 8, 2008"; further amended on page 2, line 7, by replacing "File 080211" with "File 071001".

4/8/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

7. 071002 [Laguna, Haight, Buchanan and Hermann Streets Special Use District] Supervisors Mirkarimi, Ammiano

Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Blocks 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.

(No Economic Impact)

3/4/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

3/18/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

4/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 080319 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 bound by Laguna, Haight, Buchanan and Hermann Streets] Supervisors Mirkarimi, Ammiano

Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial

Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

4/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. **071157** **[Planning Code Amendments to implement the Market and Octavia Area Plan]** **Supervisors Mirkarimi, McGoldrick**
- Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of \$8 in the Van Ness Market Special Use District, \$4 in the Neighborhood Commercial Transit (NCT) district, and \$0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD) including providing

that projects in the VNMDR-SUD may exceed allowable Floor Area Ratio (FAR) up to a certain ratio by paying \$30 per gross square foot into the Citywide Affordable Housing Fund but not by acquiring Transferable Development Rights (TDRs); and providing that projects may further exceed FAR limits above a site FAR of 9:1 by paying \$15 per additional gross square foot into the Van Ness and Market Neighborhood Infrastructure Fund; Section 249.34 to establish the Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$5 per square foot for impacts from new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncodified Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

3/4/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

3/4/2008, RE-REFERRED to Land Use and Economic Development Committee. Re-referred as amended to the Land Use and Economic Development Committee.

4/8/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/8/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

10. 071159 [Zoning Map Amendment in connection with the Market and Octavia Area Plan] Supervisor Mirkarimi

Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

(Economic Impact)

3/4/2008, RE-REFERRED to Land Use and Economic Development Committee.

4/8/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/8/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

11. 080219 [2008 Annual Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2008 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.
Question: Shall this Resolution be ADOPTED?
12. 080333 [Ten Year Capital Expenditure Plan 2009-2018] **Supervisor Elsbernd**
Resolution adopting the City's ten year capital expenditure plan for fiscal years 2009-2018. (City Administrator)
Question: Shall this Resolution be ADOPTED?
13. 080362 [Amending a contract with anticipated expenditures in excess of \$10 million]
Resolution approving the Eleventh Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by 11 months to April 30, 2009 and increasing the total compensation to the Contractor by \$3 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)
Question: Shall this Resolution be ADOPTED?
14. 080363 [Professional services agreement to provide professional engineering services]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by \$1,900,000, for a total revised agreement amount of \$13,900,000. (Public Utilities Commission)
(Fiscal Impact.)
Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

15. 080025 [Liquor license transfer - 1237 Polk Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 1415 Larkin Street to 1237 Polk Street (District 3), to Myles O'Reilly for McTeague's Saloon will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

16. 080405 [Aerial spraying of pesticides to eradicate the Light Brown Apple Moth] Supervisors Mirkarimi, Ammiano
Resolution opposing aerial spraying over the City and County of San Francisco of pesticides designed to eradicate the Light Brown Apple Moth; urging the City Attorney to pursue legal strategies to oppose aerial spraying in San Francisco.

Question: Shall this Resolution be ADOPTED?

17. 080409 [Urging safe approach to controlling Light Brown Apple Moth] Mayor, Supervisors Dufty, Ammiano
Resolution urging the State of California to make maximum use of safe and tested ground-based approaches to control the Light Brown Apple Moth; complete an environmental impact report prior to the inception of any aerial spray program; and ensure that the California EPA Office of Environmental Health Hazard Assessment conducts an independent human health risk assessment of any LBAM aerial spray program prior to its inception.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

18. 071596 [Audio or video recording of public meetings held in City Hall hearing rooms] Supervisors Mirkarimi, Ammiano, Daly
Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 080278 [Clarifying when the Ethics Commission must raise the individual expenditure ceiling in the partial public financing program for candidates for Mayor and the Board of Supervisors, and correcting minor drafting errors] Supervisor Daly
Ordinance amending Sections 1.108, 1.134.5, and 1.144 of the Campaign and Governmental Conduct Code, to clarify when the Executive Director of the Ethics Commission shall raise the Individual Expenditure Ceiling for a candidate for Mayor or the Board of Supervisors and to make technical corrections.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee With Recommendation "Do Not Pass"

Present: Supervisors Daly, Dufty

20. 071659 [Deletes the cap on the amount that an individual production can receive under the Rebate Program] Supervisor Alioto-Pier
Ordinance amending Administrative Code Section 57.8 by repealing the provision that limits individual rebates under the Rebate Program to the amount of tax that the film production

paid to the City.

(Economic Impact)

3/11/2008, RE-REFERRED to Rules Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Dufty

21. **071670 [Administrative fines for violation of City ordinances] Supervisor Mirkarimi**
Ordinance amending the San Francisco Administrative Code by adding Chapter 100, entitled "Procedures Governing the Imposition of Administrative Fines" and encompassing Section 100.1 through 100.16, to establish a procedure for the enforcement, collection, and administrative review administrative fines imposed for violation of City ordinances.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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

22. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. **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.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

Items 24 through 33

24. **080486 [Recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood] Supervisors Sandoval, Ammiano, Dufty**

Resolution supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project" as required under Section 29.1(c)(4) of the Administrative Code.

4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda:_____

34. 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).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) 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.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 1, 2008 through April 7, 2008, for reference by President to appropriate committee on April 15, 2008.

080453 [Amending San Francisco Fire Code to add Express Plan Review service and fee]

Ordinance making environmental findings and amending Appendix Chapter 1, Section 112.9 of the San Francisco Fire Code to add an Express Plan Review service at the Fire Department and to establish a fee for that service. (Fire Department)

4/1/2008, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/15/2008.

080454 [Settlement of Lawsuit - John Weatherspoon III]

Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for \$5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al. (City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee.

080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker]

Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for \$70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al. (City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee.

080456 [Settlement of Lawsuit - Jane Martin]

Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee.

080457 [Settlement of Lawsuit - Margarita Hill]

Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al. (City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee.

080464 [Implementing a Deferred Retirement Option Program for certain members of the Police Department]

Ordinance adding Sections 16.63 through 16.63-10 to the Administrative Code to implement the Deferred Retirement Option Program approved by the San Francisco voters. (Retirement System)

4/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 1, 2008 through April 7, 2008, for reference by President to appropriate committee on April 15, 2008.

080452 [Gift - private, Department of Public Health]

Resolution authorizing the Department of Public Health, Community Behavioral Health

Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benkiser Pharmaceuticals with a monetary value of up to \$300,000 for the period of March 1, 2008 through August 31, 2008 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco. (Public Health Department)

4/2/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080458 [Settlement of Claim - Christopher L. Blackstock]

Resolution approving the settlement of the unlitigated claim filed by Christopher L. Blackstock against San Francisco for \$40,000; claim was filed on September 13, 2007. (City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee.

080467 [Lease of Real Property at 68 12th Street, Suite 200B]

Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007. (Real Estate Department)

4/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080468 [Lease of Real Property at 1360 Mission Street, Suite 401]

Resolution authorizing the Director of Property to exercise an Extension Option for a three-year term for the lease of real property located at 1360 Misison Street, Suite 401, for the Department of Public Health retroactively to January 1, 2008. (Real Estate Department)

4/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080507 [Petitions and Communications]

Petitions and Communications received from April 1, 2008 through April 7, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 15, 2008.

From Office of the Treasurer and Tax Collector, submitting a review of the Statement of Case and Investments as of September 30, 2007.(1)

From Planning for Elders, urging the Board to support the Chambers v. City and County of San Francisco settlement. File 080300, Copy: Each Supervisor.(2)

From concerned citizens, submitting a letter to Mayor Newsom commenting on the Tibetan Freedom Torch and the Global Human Rights Torch Relay. File 080391, Copy: Each Supervisor, 19 letters.(3)

From concerned citizens, urging the Board to implement the Animal Control and Welfare Commission's recommendation to transition the San Francisco Zoo into a rescue facility. File 080031, Copy: Each Supervisor, 20 letters.(4)

From Serena Bardell, Commenting on restaurant inspection regulations.(5)

From Department of Public Works, responding to an inquiry on potholes on Geneva Street, between Freeway 280 and Ocean Avenue.(6)

From San Francisco Public Library, submitting Branch Library Improvement Program's "2000 Branch Library Improvement Bond Quarterly Report" for the fourth quarter of 2007 (October-December 2007)(7)

From Municipal Transportation Agency, regarding the status on various projects in District 5. (Reference 20080115-001, 20080108-018)(8)

From Francisco Da Costa, submitting an article from www.indybay.org.(9)

From John Kasper, commenting on various issues and concerns. 2 letters.(10)

From Designing Accessible Communities, submitting letters to various department regarding Poesia Restaurant. 2 letters.(11)

From concerned citizens, urging the Board to support and fund for a LAFCo's approved Community Choice Energy Project, 2 letters.(12)

From State of California Fish and Game Commission, submitting a continuation notice of proposed regulatory action relating to the ocean salmon sport fishing.(13)

From Disability Rights Advocates, commenting on the closing of the resource center, Buster's Place.(14)

From Municipal Transportation Agency, regarding status on placement of a new shelter at the bus stop on the corner of Buchanan Street and Sutter Street located in District 5. (Reference 20080304-001)(15)

From Kimo Crossman, commenting on digital recording enhancements in San Francisco meetings/hearings.(16)

From concerned citizen, commenting on after shave and perfume in public places.(17)

From Eleanor Soto, submitting concerns about mid-year budget cuts.(18)

From Athan Rebelos, commenting on Paul Gillespie's reappointment as San Francisco Taxi Commissioner. 3 letters.(19)

From Civil Grand Jury, submitting a report to the public entitled "How many agencies does it take for San Francisco to throw a party?" Copy: Each Supervisor.(20)

From Kimo Crossman, commenting on Order of Determination: #08013-Kimo Crossman v. SOTF Administrator.(21)

From Building Inspection Commission, regarding Green Building Requirements Ordinance. File 080063, Copy: Each Supervisor.(22)

From Office of the Controller, submitting a Citywide Development Impact Fee Study - Consolidated Report.(23)

From concerned citizens, commenting issues and concerns about immigrations. 6 letters.(24)

From Library Users Association, submitting supports and comments on ordinance relating to audio and video recording of public meetings held in City Hall hearing rooms. File 071596.(25)

From Department of Public Health, submitting a status report on San Francisco Health Care Security Ordinance.(26)

From Office of the Controller, regarding status on verifying funds in the Mayor's Energy Conservation Account (MECA) and drafting an ordinance that would reserve funds in this account pending the clarification of fund used by the Board of Supervisors. (Reference 20080325-003)(27)

From Mary Miles, submitting public comment and request for continuance on proposed development of 55 Laguna Mixed Use Project. Copy: Each Supervisor.(28)

From Mary Miles, submitting request for continuance on proposed legislation on Market and Octavia Area Plan. Copy: Each Supervisor.(29)

From Mary Miles, submitting a notice of intent to appeal on Market-Octavia Re-zoning legislation. Copy: Each Supervisor.(30)

From Department of Public Works, regarding status on removing graffiti from utility poles at various location in District 5. (Reference 20080318-005)(31)

From Office of the Treasurer and Tax Collector, responding to an inquiry regarding issuing business registration certificates and regulatory licenses. 2 letters.(32)

From Municipal Transportation Agency, regarding status on synchronizing traffic lights on the intersection of Ocean Avenue and Junipero Serra Boulevard located in District 7. (Reference 20070807-016)(33)

From Barbara Gormely, submitting comments about Mayor Newsom's citywide greening initiative. 3 letters(34)

From Department of Public Works, responding to an inquiry about Mayor Newsom's citywide greening initiative.(35)

From concerned citizen, commenting on issues related to biofuels.(36)

From Isis Rodriguez, submitting concerns about garbage cans.(37)

From G.R. Burrell, commenting on various issues.(38)

From Designing Accessible Communities, regarding disability access dock on the Port of San Francisco facilities.(39)

From Ebenezer Missionary Baptist Church, submitting a proclamation request for Reverend Eugene Lumpkin, Jr. Copy: Each Supervisor.(40)

From concerned citizens, urging the Board to restore and maintain St. Luke's Hospital. File 071556, Copy: Each Supervisor.(41)

From Christina Becher, submitting support for ordinance on prohibiting smoking in enclosed

areas, certain unenclosed areas, and sport stadiums. File 080438.(42)

From California Manufactured Housing Institute, commenting on California Legislation Bill Number SB 538.(43)

ADJOURNMENT

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. **THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.** Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics