

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, November 25, 2008 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT

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

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Maufas, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

Volume 103 Number 38

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Dufty was noted absent.

There was a quorum present.

Supervisor Dufty was noted present at 2:08 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of October 28, 2008. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

081270 [Accept and Expend Public Safety Interoperable Communications Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$14,941,976.82]
Supervisor Alioto-Pier

Ordinance authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Public Safety Interoperable Communications grant in the amount of \$14,941,976.82 from the United States Department of Commerce and to provide \$451,122 as San Francisco's portion of required matching funds; and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions (.58 FTE - 0941 Manager VI and .58 FTE - 0931 Manager III) in the Department of Emergency Management.

(Fiscal Impact.)

Ordinance No. 292-08

FINALLY PASSED

**081343 [Appropriating \$34,755,000 of bond sale proceeds and Library Preservation Fund balance for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009]
Mayor**

Ordinance appropriating \$34,755,000 of bond sale proceeds, unappropriated fund balance and unappropriated general reserve for improvements and construction of San Francisco Public Library Facilities in Fiscal Year 2008-2009. Place on Controller's Reserve \$33,955,000 of the bond sale proceeds pending sale of the bond.

(Fiscal Impact.)

**Ordinance No. 289-08
FINALLY PASSED**

**081344 [Appropriating \$13,222,746 of State Proposition 1B Revenue for Street Resurfacing Projects in the Department of Public Works for Fiscal Year 2008-2009]
Mayor, Supervisor Elsbernd**

Ordinance appropriating \$13,222,746 of FY 2008-09 State Proposition 1B Local Streets and Roads Improvement funds for road maintenance and resurfacing projects in the Department of Public Works for Fiscal Year 2008-2009. The department will use the funds to implement road maintenance and resurfacing projects at various locations.

(Fiscal Impact.)

**Ordinance No. 288-08
FINALLY PASSED**

**081345 [Lease Financing for Library Projects]
Mayor**

Ordinance approving the issuance and sale of lease revenue bonds to finance various projects under the Branch Library Improvement Program, as further described herein; approving the form of a Facilities Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain real property described herein; approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the lease revenue bonds; directing the publication of the Notice of Intention to Sell the lease revenue bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the lease revenue bonds; approving the form of an Official Statement in preliminary and final form and directing the Controller to return to the Board at a later date with a revised official statement; approving the form of a Continuing Disclosure Certificate; authorizing the payment of cost of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the lease revenue bonds; approving modifications to documents; adopting findings under the California Environmental Quality Act ("CEQA") and findings pursuant to City Planning Code Section 101.1 and City Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

**Ordinance No. 286-08
FINALLY PASSED**

Recommendations of the Land Use and Economic Development Committee**081082 [Requiring Activation of Closed Captions During Video Events]
Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by amending Sections 4401 and 4402 to require the activation of closed captioning during video events in a park, open space, zoo, or other outdoor recreation area.

**Ordinance No. 284-08
FINALLY PASSED**

**081340 [Amending Administrative, Police, Public Works, Business & Tax and Transportation Codes, to conform to the 11/06/2007 Proposition on Transit Reform, Parking Enforcement and Emissions Reduction]
Supervisor Peskin**

Ordinance amending San Francisco Administrative Code Sections 2A.81, 5.20, 5.130-5.132, Chapter 17, and repealing Administrative Code Sections 2A.180 and 10.150-10.151; amending San Francisco Police Code Sections 386, 835-839, 939, 1054, 1076, 1175-1180, 3057, 3910, adding Police Code Sections 835.1-835.2, 939.1-939.6, 975.1-975.5, and repealing Police Code Sections 710.2, 1166, 1170-1171, and Article 16, Division IX; amending San Francisco Public Works Code Sections 2.4.3 and 724.4, and repealing Section 701; repealing San Francisco Business & Tax Code Sections 1.11-1.14 and 129.2-129.5; repealing and re-enacting San Francisco Transportation Code Division 1, to conform those sections to the 11/06/2007 Proposition on Transit Reform, Parking Regulation, and Emissions Reduction.

**Ordinance No. 287-08
FINALLY PASSED**

**081058 [Planning - Conditional Use Requirement for Power Plants in M-1 and M-2 Zoning Districts]
Supervisors Maxwell, Peskin**

Ordinance amending Planning Code Section 226 to require that power plants in M-1 and M-2 zoning districts obtain conditional use authorization, adding Section 226.1 requiring additional findings; amending the Administrative Code to add Chapter 29A to require the Board of Supervisors consider the criteria of Planning Code Section 226.1(c) prior to taking City power plant approval actions; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

**Ordinance No. 282-08
FINALLY PASSED**

**081247 [Zoning - Conditional use authorization for new development in the Bernal South Slope Area]
Supervisor Ammiano**

Ordinance amending Planning Code Section 242 to require conditional use authorization for new development in the Bernal South Slope Area, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

**Ordinance No. 294-08
FINALLY PASSED**

- 081335** [Summary Vacation of Public Utility Easements at the intersection of Crescent Way and Executive Park Boulevard]
Supervisor Maxwell

Ordinance ordering the summary vacation of unused and unnecessary public utility easements located at the intersection of Crescent Way and Executive Park Boulevard in San Francisco (within Assessor's Block 4991); making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated public utility easements to Top Vision Development, LLC; and authorizing other actions in furtherance of this Ordinance.

Ordinance No. 291-08
FINALLY PASSED

Recommendations of the Rules Committee

- 081157** [Appointment, Children's Collaborative Task Force - Adina Safer, Natasha Hoehn, Rebecca Kroll, Steven E. Mitchel, Laurie Poston, Judy McKie, Cammy Blackstone and Matt Middlebrook]
Motion appointing Adina Safer, Natasha Hoehn, Rebecca Kroll, Steven E. Mitchel, Laurie Poston, Judy McKie, Cammy Blackstone and Matt Middlebrook, terms to be determined at first meeting, to the Children's Collaborative Task Force.

Motion No. M08-172
APPROVED

- 081307** [Appointment, SOMA Community Stabilization Fund Community Advisory Committee - Ian Kim and Conny Ford]
Motion appointing Ian Kim and Conny Ford, terms ending April 27, 2010, to the SOMA Community Stabilization Fund Community Advisory Committee.

Motion No. M08-173
APPROVED

- 081319** [Appointment, Commission on the Aging Advisory Council - Gracia Wiarda]
Motion appointing Gracia Wiarda, term ending March 31, 2010, to the Commission on the Aging Advisory Council.

Gracia Wiarda, succeeding Carlos Serrano-Quan, seat 5, term expired, must be nominee of District 4 Supervisor, term ending March 31, 2010.

Motion No. M08-174
APPROVED

081156 [Appointment, Immigrant Rights Commission - Vera Haile, Gilberto Alexander and Rael Silva]

Motion appointing Vera Haile and Gilberto Alexander, terms ending June 6, 2010 and Rael Silva, term ending June 6, 2009, to the Immigrant Rights Commission.

Vera Haile, succeeding herself, seat 1, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for two-year term ending June 6, 2010.

Gilberto Alexander, succeeding himself, seat 2, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for two-year term ending June 6, 2010.

Rael Silva, succeeding Felix Levy, seat 6, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for unexpired portion of a two-year term ending June 6, 2009.

Motion No. M08-171

APPROVED

The motion to approve the consent agenda passed by the following vote:

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

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to rescind the previous vote. The motion passed by the following vote:

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

The foregoing items were acted upon by the following vote:

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

Severed from the Consent Agenda

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

081364 [Appointments, Urban Forestry Council - Maria D'Agostino, Naomi LeBeau, Bonnie Ora Sherk and Carolyn Blair]

Motion appointing Maria D'Agostino, Naomi LeBeau, and Bonnie Ora Sherk, terms ending November 18, 2010, to the Urban Forestry Council.

Maria D'Agostino, new assignment, seat 2, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects), for two-year term ending November 18, 2010.

Naomi LeBeau, new assignment, seat 4, must be member of non-profit organization involved in urban forestry or other environmentally-related issues, for two-year term ending November 18, 2010.

Bonnie Ora Sherk, new assignment, seat 5, must be member of non-profit organization involved in urban forestry or other environmentally-related issues, for two-year term ending November 18, 2010.

Carolyn Blair, new assignment, seat 6, must be member from the community, for two-year term ending November 18, 2010.

Supervisor McGoldrick, seconded by Supervisors Mirkarimi, moved to divide the appointment of Carolyn Blair into File No. 081497.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Motion be DIVIDED. The motion carried by the following vote:

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

Motion appointing Maria D'Agostino, Naomi LeBeau, and Bonnie Ora Sherk terms ending November 18, 2010, to the Urban Forestry Council.

Maria D'Agostino, new assignment, seat 2, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects), for two-year term ending November 18, 2010.

Naomi LeBeau, new assignment, seat 4, must be member of non-profit organization involved in urban forestry or other environmentally-related issues, for two-year term ending November 18, 2010.

Bonnie Ora Sherk, new assignment, seat 5, must be member of non-profit organization involved in urban forestry or other environmentally-related issues, for two-year term ending November 18, 2010.

APPROVED AS DIVIDED by the following vote:

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

081497 [Appointment, Urban Forestry Council - Carolyn Blair]

Motion appointing Carolyn Blair terms ending November 18, 2010, to the Urban Forestry Council.

Carolyn Blair, new assignment, seat 6, must be member from the community, for two-year term ending November 18, 2010.

Divided from File No. 081364.

Motion No. M08-176

APPROVED by the following vote:

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

Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, McGoldrick

REGULAR AGENDA**UNFINISHED BUSINESS****From the Budget and Finance Committee Without Recommendation**

**081086 [Public Works Code - annual right-of-way occupancy assessment fee for driveways]
Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 716 to establish an annual public right-of-way occupancy assessment fee for the portion of an automobile runway (driveway) that requires or required modification to the public right-of-way; and making environmental findings.

Ordinance No. 293-08

FINALLY PASSED by the following vote:

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd

From the City Operations and Neighborhood Services Committee Without Recommendation

**080658 [General advertising on City buildings and street furniture]
Supervisor McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 4.20-1 to prohibit any new general advertising signs on street furniture over the number authorized as of January 1, 2008 and to prohibit new general advertising signs visible to the public on the exterior of City-owned buildings as of March 5, 2002; adopting environmental and other findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on December 5, 2008. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before January 4, 2009.

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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

From the Land Use and Economic Development Committee Without Recommendation

061438 [Public Works Code - Sidewalk flower-vending stands]
Supervisor McGoldrick

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to establish an annual public right-of-way occupancy fee, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations; and adding Section 165 concerning the establishment of new sidewalk flower-vending stand locations, including permit application fees.

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

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

NOT PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 5 - Ammiano, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 6 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Mirkarimi

PREVIOUS VOTE RESCINDED by the following vote:

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

Continued to December 9, 2008.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

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

Recommendations of the Land Use and Economic Development Committee**080934 [Requiring Air Quality Assessment and Ventilation for Certain Urban Infill Residential Developments]
Supervisor Ammiano**

Ordinance amending the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments; amending the San Francisco Building Code by adding a third paragraph to Section 1203.5 and amending the San Francisco Mechanical Code by adding new Section 419 to require special ventilation systems for certain urban infill residential developments; making environmental findings; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission.

(Economic Impact.)

Ordinance No. 281-08

FINALLY PASSED by the following vote:

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

**081002 [Zoning - Violations of General Advertising Sign Requirements]
Supervisors Alioto-Pier, Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 610 to require response to a notice of violation to be given within 30 days instead of 45 days and to add subsection (f), which addresses repeat violations of general advertising sign requirements by a single entity on the same property; adopting findings, including environmental findings and findings required by Section 302 and Section 101.1 of the Planning Code.

Ordinance No. 290-08

FINALLY PASSED by the following vote:

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

**081235 [Subdivision Code - notice and appeal procedures, DBI review fee]
Supervisor Peskin**

Ordinance amending the Subdivision Code Section 1313 to modify noticing procedures for subdivision applications and delete the Department of Public Works appeal hearing on engineering and surveying matters; amending Section 1314 concerning appellants so that it conforms with the California Subdivision Map Act; amending Section 1359 to conform with the abovementioned amendments; amending Section 1315 to include a processing fee for all subdivisions that the Department of Building Inspection reviews; and making environmental findings.

Ordinance No. 283-08

FINALLY PASSED by the following vote:

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

Supervisor Daly was previously excused from voting on File Nos. 081152, 081153, 081154, 081155, 081333, 081334, 081339, 081469, 081470, 081471, 081472 and 081473, at his request, because of possible conflict of interest.

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

Continued to December 9, 2008.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED ON FINAL PASSAGE. The motion carried by the following vote:

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

081153 [Planning Code Amendments for the Eastern Neighborhoods Area Plans]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

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

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

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be COMBINED WITH EXISTING FILE. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating five special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the East, Potrero Avenue to the West, 15th Street to the North and 17th Street to the South; for Restricted Integrated PDR Special Use District bounded generally by Cesar Chavez Street to the South, Pennsylvania and Iowa Street to the West, 23rd Street to the North and Michigan and Maryland Streets to the East; for Mission Street Landmark Special Height District and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

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

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

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

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

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three four five four special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the East, Potrero Avenue to the West, 15th Street to the North and 17th Street to the South; for Restricted Integrated PDR Special Use District bounded generally by Cesar Chavez Street to the South, Pennsylvania and Iowa Streets to the West, 23rd Street to the North and Michigan and Maryland Streets to the East; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

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

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

081155 [Eastern Neighborhoods Area Plans - monitoring program, CAC, integrated PDR TIDF fee]

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements, the Integrated PDR Reporting program, and the Eastern Neighborhoods Citizens Advisory Committee; amending Administrative Code Chapter 38, Sections 38.1, 38.3, and 38.10 to create a Transit Impact Development Fee for Integrated PDR; and adopting environmental findings. (Planning Department)

Combined with File No. 081473.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be **COMBINED WITH EXISTING FILE**. The motion carried by the following vote:

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

PASSED ON FIRST READING AS AMENDED by the following vote:

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

**081333 [Zoning - SoMa Youth and Family Special Use Districts]
Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.41 and amending various sheets of the Zoning Map of the City and County of San Francisco to establish the South of Market (SoMa) Youth and Family Special Use District, bounded generally by Natoma Street on the north, Harrison Street on the south, 4th Street on the east, and 7th Street on the west, to address youth and family concerns and expand affordable housing opportunities, including establishment of in-lieu affordable housing fees; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

(Economic Impact.)

Continued to December 9, 2008.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED ON FINAL PASSAGE. The motion carried by the following vote:

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

**081334 [Zoning - Potrero Center Mixed-Use Special Use District]
Supervisor Maxwell**

Ordinance amending the San Francisco Planning Code by adding Section 249.40 and amending Sheet SU08 of the Zoning Map of the City and County of San Francisco to establish the Potrero Center Mixed-Use Special Use District for the existing shopping center at 2300 16th Street between Bryant Street and Potrero Avenue (Assessor's Block 3930A Lot 002); and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Continued to December 9, 2008.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED ON FINAL PASSAGE. The motion carried by the following vote:

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

**081339 [Zoning - Publicly-owned properties in the Eastern Neighborhoods]
Supervisor Peskin**

Ordinance amending the Zoning Map of the City and County of San Francisco to rezone various publicly-owned properties in the Eastern Neighborhoods Plan Area to a "P" (Public) zoning district; and adopting environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Continued to December 9, 2008.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED ON FINAL PASSAGE. The motion carried by the following vote:

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

From the Board

081469 [Eastern Neighborhoods Area Plans - duration of authorizations]
Ordinance amending the San Francisco Planning Code by adding section 175.9 concerning the duration and expiration of various Planning Code authorizations in the Eastern Neighborhoods Area Plans; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

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

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

Combined into File No. 081153.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Ordinance be **COMBINED WITH EXISTING FILE**. The motion carried by the following vote:

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

081471 [Eastern Neighborhoods - conditional use requirement tied to capital expenditures finding]
Ordinance amending the San Francisco Planning Code by adding Section 327.6(i) to establish a conditional use requirement that is tied to Board of Supervisors findings on the Eastern Neighborhoods Capital Expenditure Evaluation as set forth in Administrative Code Section 10E.7; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

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

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

Combined into File No. 081153.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Ordinance be **COMBINED WITH EXISTING FILE**. The motion carried by the following vote:

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

081472 [Eastern Neighborhoods Area Plans - large project authorization in Mixed Use Districts]
Ordinance amending the San Francisco Planning Code by adding Section 329 to establish large project authorization in Eastern Neighborhoods Mixed Use Districts; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

Combined into File No. 081153.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Ordinance be **COMBINED WITH EXISTING FILE**. The motion carried by the following vote:

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

081473 [Eastern Neighborhoods Area Plans - Capital Expenditure Evaluation]

Ordinance amending the Administrative Code by adding section 10E.7 to establish the Eastern Neighborhoods Capital Expenditure Evaluation and making environmental findings.

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

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

Combined into File No. 081155.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Ordinance be **COMBINED WITH EXISTING FILE**. The motion carried by the following vote:

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

Reactivated Pursuant to Board of Supervisors Rule 4.31

081015 [Mirant Potrero Power Plant retrofit]
Mayor

Resolution authorizing and directing the negotiation and execution of a memorandum of agreement relating to the retrofit of Potrero Power Plant Units 4, 5 and 6, the closure of all Potrero Power Plant generating units if and when such units are no longer needed for electric system reliability, and the reuse of the Potrero power Plant site upon such closure.

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

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

NOT ADOPTED by the following vote:

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

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to rescinded the previous vote.

PREVIOUS VOTE RESCINDED by the following vote:

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

NOT ADOPTED by the following vote:

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

Recommendations of the Rules Committee

**081190 [Elections for the Retiree Health Trust Fund Board, San Francisco Employee Retirement System Board and Health Service System Board]
Supervisor Elsbernd**

Ordinance amending the San Francisco Administrative Code by amending Sections 16.550-16.561 and 16.563-16.564, and adding Sections 16.553-1, 16.553-2 and 16.565, and amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.1-268, to provide for Retiree Health Trust Fund Board elections and making minor revisions to existing San Francisco Retirement System and Health Service System election procedures.

Ordinance No. 285-08

FINALLY PASSED by the following vote:

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

**081285 [Lobbyist Ordinance amendments to regulate permit lobbying]
Supervisors Peskin, Daly**

Ordinance amending Chapter 1 of Article II of the Campaign and Governmental Conduct Code by amending section 2.105 to require registration and disclosure under the Lobbyist Ordinance by persons who lobby the Zoning Administrator, the City Engineer, the County Surveyor, the Bureau Chief of the Department of Public Works' Bureau of Street Use and Mapping, elected officials, or the Director of the Planning Department, Department of Building Inspection or Department of Public Works regarding permits, parcel maps or subdivision tract maps.

Ordinance No. 280-08

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

**081328 [Recreation and Park Department - Marina Small Craft Harbor Fees]
Supervisor Alioto-Pier**

Ordinance making environmental findings and amending San Francisco Park Code, Article 12, Section 12.11 to increase the West Harbor berth rental fees in fiscal year 2012-2013, or upon completion of the West Harbor renovations.

PASSED ON FIRST READING by the following vote:

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

081346 [Approving Contract for Security Services - \$19,326,260]

Ordinance approving the contract between Guardsmark GP and the City and County of San Francisco to provide security services to the Human Services Agency for a one year term with four automatic extensions of one year each for a total cost not to exceed \$19,326,260 and also providing that Guardsmark may terminate the contract at the end of any year by providing appropriate notice. (Human Services Department)

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

**081329 [Recreation and Park Department - Marina Small Craft Harbor Loan]
Supervisor Alioto-Pier**

Resolution accepting a loan (the "Loan") from the State of California acting through its Department of Boating and Waterways (the "State") and approving the form of a loan agreement by and between the City and County of San Francisco (the "City") and the State (the "Loan Agreement"); granting general authority to City officials to take certain actions in connection with the Loan and the Loan Agreement; adopting findings under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Resolution No. 491-08

ADOPTED by the following vote:

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

081370 [Lease of Real Property - 1325A Evans Avenue]

Resolution authorizing a new lease of approximately 3,287 rentable square feet of space at 1325A Evans Avenue for the San Francisco Public Utilities Commission. (Real Estate Department)

Resolution No. 492-08

ADOPTED by the following vote:

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

081283 [Approving an Amendment to the Western Addition A-2 Redevelopment Plan to Extend the Redevelopment Agency's Time for Issuing and Repaying Debt and to Suspend the Limit on Total Tax Increment Revenue for Affordable Housing Development]
Supervisor Mirkarimi

Ordinance approving an amendment to the Western Addition A-2 Redevelopment Plan to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

Continued to December 9, 2008.

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

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

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

From the Budget and Finance Committee Without Recommendation

080846 [Reporting requirement certain non-profit employee salaries]
Supervisors McGoldrick, Daly

Ordinance limiting the use of City funds for non-profit executive director salaries.

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

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

Ayes: 2 - Elsbernd, McGoldrick

Noes: 9 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval

NOT PASSED ON FIRST READING by the following vote:

Ayes: 3 - Daly, McGoldrick, Sandoval

Noes: 8 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin

PREVIOUS VOTE RESCINDED by the following vote:

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

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

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

Ordinance requiring non-profit organizations receiving City funds to report salary and benefits paid to executive director and certain other employees.

PASSED ON FIRST READING AS AMENDED by the following vote:

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

Noes: 5 - Alioto-Pier, Ammiano, Chu, Dufty, Maxwell

Recommendations of the Government Audit and Oversight Committee

**080379 [Regulating the conditions for purchasing prior public service credit through the Retirement System]
Supervisor Elsbernd**

Ordinance amending Administrative Code Sections 16.55-1 through 16.55-4 and 16.61-5 to allow miscellaneous members of the San Francisco Employees' Retirement System to purchase credit for prior public service at any time before retirement, to require the Retirement System to calculate the cost to purchase that service credit based on the normal cost percentage for that service as determined by the actuary, to require the member to pay for all of the normal cost for the service credit, to allow eligible members to choose to receive prorated service credit if they terminate an installment agreement to purchase prior public service, to allow the Retirement System to accept rollovers to pay for public service purchases, and to conform to changes in the applicable law and Retirement System practices.

PASSED ON FIRST READING by the following vote:

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

**081286 [Authorizing the Real Estate Division to perform and award contracts for public work under a specified procedure]
Supervisor Peskin**

Ordinance adding San Francisco Administrative Code Chapter 6, Section 6.70, to authorize the Real Estate Division to perform and award contracts for facilities public work through competition among a pre-qualified pool of contractors.

PASSED ON FIRST READING by the following vote:

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

**081383 [Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date for transfer]
Supervisor Peskin**

Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

- 081397 [Urging the Municipal Transportation Agency and the Department of Public Health to collaborate and create health protective truck route planning in Southeast Neighborhoods]**
Supervisors Ammiano, Maxwell

Resolution urging the Municipal Transportation Agency and the Department of Public Health to collaborate and create health protective truck route planning in Southeast Neighborhoods. Encouraging cooperation between DPH and SFMTA and the local community in identifying and correcting health and safety related issues associated with truck traffic. Urging DPH to create a truck related exposure map identifying areas of significant exposure to air quality, noise and traffic hazards. Urging SFMTA to create a mitigation plan to address the impacts of local truck traffic on residential communities of southeast San Francisco that protects community health and provides efficient routes for commercial vehicle traffic.

Resolution No. 493-08

ADOPTED by the following vote:

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

- 081399 [Endorsing a Finance Plan for the Redevelopment of Candlestick Point and the Hunters Point Shipyard]**
Supervisor Maxwell

Resolution endorsing a Finance Plan for a proposed mixed-use development on Candlestick Point and Hunters Point Shipyard.

Resolution No. 494-08

ADOPTED by the following vote:

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

Recommendation of the Rules Committee

- 081258 [Confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency]**
Mayor

Motion confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012.

Motion No. M08-177

APPROVED by the following vote:

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

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

Supervisor Chu introduced, welcomed and presented Certificates of Honor to Mia Harriman and Liz Ozanich from McCormick and Kuleto's Restaurant in appreciation for their generosity in serving free meals to Veterans every year on Veteran's Day.

COMMITTEE REPORTS

081232 [Zoning - Requiring a Conditional Use Permit for Formula Retail Uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts]

Supervisor McGoldrick

Ordinance amending the Planning Code by amending Section 209.9, to require a conditional use permit for formula retail uses in the Residential-Commercial Combined Medium Density (RC-3) and Residential-Commercial Combined High Density (RC-4) Districts; and adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Duffy, Elsbernd

Absent: 1 - Sandoval

PREVIOUS VOTE RESCINDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Absent: 1 - Sandoval

PASSED ON FIRST READING by the following vote:

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

Noes: 4 - Alioto-Pier, Chu, Duffy, Elsbernd

Absent: 1 - 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.

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

Walter Paulson; express concern with various issues

Peter; expressed concern with civil rights

Richard McRee; expressed concern with issues relating to his design and patent for Sigmund Stern Grove

Mark Trout; expressed concern with issues relating to the public comment process

John di Donna; expressed concern with issues relating to gay and lesbian civil unions

Arnold Duffy; expressed concern with general issues

Edmund Juicy; expressed concern with issues relating to public housing

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.

**081456 [Commending Historic International Labor Partnership]
Supervisor Peskin**

Resolution applauding the historic new partnership between the San Francisco Labor Council and the Guangzhou Federation of Trade Unions.

Resolution No. 495-08

ADOPTED

**081457 [California Street Steps Tiling Project]
Supervisor McGoldrick**

Resolution supporting the gift of funds, once fundraising is completed, for the installation of artistic tile on the California Street Stairs to be maintained jointly by the San Francisco Arts Commission and the Department of Parks and Recreation.

Resolution No. 496-08

ADOPTED

**081458 [Municipal Transportation Agency Board of Directors-Advertising Policy]
Supervisor McGoldrick**

Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors not to renew any advertising contracts that permit window-covering advertisements on SFMTA passenger vehicles.

Resolution No. 501-08

ADOPTED

**081459 [Congratulating Tim Lincecum on winning the 2008 National League Cy Young Award]
Supervisor Dufty**

Resolution congratulating Tim Lincecum on winning the 2008 National League Cy Young Award.

Resolution No. 497-08

ADOPTED

**081461 [Senior Citizens' Property and Renters' Tax Assistance Program]
Supervisor Daly**

Resolution urging Governor Arnold Schwarzenegger to restore the entire \$190.9 Million appropriation for the Senior Citizens' Property and Renters' Tax Assistance Program in the 2008 California State Budget.

Resolution No. 498-08

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from Adoption without Committee Reference**Appointment of President Pro Tempore**

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item: File No. 081411.

The President resumed the Chair shortly thereafter.

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

**081411 [Opposing location of proposed Presidio Fine Arts Museum]
Supervisor Peskin**

Resolution declaring official City policy opposing preferred alternatives 2 and 2A in the San Francisco Presidio Trust's Draft Supplemental Environmental Impact Statement (DSEIS) that propose the construction of a large hotel and museum facility in the Presidio.

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

NOT ADOPTED by the following vote:

Ayes: 5 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin
Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell
Absent: 1 - Sandoval

PREVIOUS VOTE RESCINDED by the following vote:

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

Continued to December 9, 2008.

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

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Absent: 1 - Sandoval

Supervisor Daly requested that this item be severed so that it might be considered separately.

**081460 [Proposed Contemporary Art Museum]
Supervisor Alioto-Pier**

Resolution supporting the location of the proposed Contemporary Art Museum in the City and County of San Francisco.

Referred to committee.

REFERRED to the City Operations and Neighborhood Services Committee.

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 McGoldrick, seconded by Supervisor Mirkarimi, moved to adopt the Purely Commendatory Finding.

The motion carried by the following vote:

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

[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.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved to adopt the Brown Act Findings. The motion carried by the following vote:

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

**081490 [Commending Supervisor Tom Ammiano]
Supervisor Peskin**

Resolution Commending and Honoring Supervisor Tom Ammiano for his distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 475-08

ADOPTED by the following vote:

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

**081491 [Commending Brian Cahill]
Supervisor Dufty**

Resolution commending Brian Cahill and his truly remarkable service with Catholic Charities CYO and wishing him the best in all of his future endeavors.

Resolution No. 499-08

ADOPTED by the following vote:

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

**081492 [Commemorating the 30th Anniversary of the San Francisco Gay Men's Chorus to the Board of Supervisors of San Francisco]
Supervisor Dufty**

Resolution commemorating the 30th Anniversary of the San Francisco Gay Men's Chorus to the Board of Supervisors of San Francisco.

Resolution No. 500-08

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**081499 [Accept and Expend FY 08 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$29,724,000]
Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$29,724,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of two grant-funded positions in the Department of Emergency Management.

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081500 [Obtain, Accept and Expend Federal Interoperable Emergency Communications Program Grant and Amend Annual Salary Ordinance, FY 2008-2009 - \$1,374,422]
Supervisor Alioto-Pier**

Ordinance authorizing the Department of Emergency Management (DEM), as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to obtain, accept and expend an Interoperable Emergency Communications Program Grant (IECGP) award in the amount of \$1,374,422 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for the period October 6, 2008 to May 31, 2010, and amending Ordinance No. 141-08 (Annual Salary Ordinance, FY 2008-2009) to reflect the addition of one grant-funded position (0.50 FTE - 0931 Manager III) in the Department of Emergency Management.

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081504 [Massage Services in South of Market Residential/Service Mixed Use District]
Supervisors Daly, Dufty**

Ordinance amending the Planning Code by amending Section 803.4, Section 815, and Table 815 to allow a business operating as a full-service spa to provide massage services with a conditional use authorization; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

11/25/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/25/2008.

**081505 [Continuation of existing taxi fares and gate fee cap]
Supervisors Daly, Peskin**

Ordinance amending Section 1137 of the Police Code to maintain current taxi fares and gate fee cap.

11/25/08, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/25/2008.

12/5/08 - Referred to the City Attorney for approval as to form.

**081507 [Accept-Expend Federal Grant and amend Annual Salary Ordinance, FY 2008-2009 \$1,024,467.00]
Supervisor Elsbernd**

Ordinance authorizing the Police Department to retroactively accept and expend grant funding in the amount of \$1,024,467.00 from the National Institute of Justice for a program entitled "NIJ's 2008 Forensic DNA Unit Efficiency Improvement Program," and amending the Annual Salary Ordinance to create grant-funded positions.

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081509 [Summary Vacation of a Portion of Channel Street Between 7th Street and Carolina Street and Exchange of Property]
Supervisor Maxwell**

Ordinance ordering the summary vacation of a portion of Channel Street between 7th Street and Carolina Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; authorizing the exchange of such vacated City property with a new lot created in Record of Survey No. 4778, owned by Macor, Inc., Sunset Scavenger Company, and Norcal Waste Systems, Inc.; adopting environmental findings and findings that the vacation and exchange are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing actions in furtherance of the Ordinance.

11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081511 [Reentry Council]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by modifying Section 5.1-3 to clarify that the Board of Supervisors shall appoint four, rather than three, of the members of the Reentry Council who are former inmates, and to exempt all members of the Reentry Council from the requirement that they be electors of the City and County.

11/25/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/25/2008.

**081512 [Workforce Development - First Source Hiring Program]
Supervisors Mirkarimi, Maxwell**

Ordinance amending Administrative Code Chapter 83, Section 83.18 to eliminate the expiration date of the First Source Hiring Program, and Section 83.10 to eliminate the attorneys fees provision.

11/25/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/25/2008.

**081513 [Limited Equity Housing Cooperative Conversions]
Supervisor Peskin**

Ordinance approving a method for Limited Equity Housing Cooperatives to convert existing residential buildings to limited-equity housing cooperatives, and making findings including findings under the California Environmental Quality Act.

11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081514 [Appropriating \$45,000,000 of Certificates of Participation Revenue for the Moscone Center Improvement Project in the Office of the City Administrator for Fiscal Year 2008-2009]
Supervisor Peskin**

Ordinance appropriating \$45,000,000 of San Francisco Certificates of Participation (COPs) Series 2009B to fund the Moscone Center Improvement Project in the General Services Agency - Office of the City Administrator for Fiscal Year 2008-2009 and placing these funds on Controller's Reserve pending issuance of the COPs.

(Fiscal Impact.)

11/25/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081522 [Appropriating \$136,000,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for Fiscal Year 2008-2009]
Mayor**

Ordinance appropriating \$136,000,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election authorizing the issuance of general obligation bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for Fiscal Year 2008-2009.

(Fiscal Impact.)

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081523 [General Obligation Bond Short-Term Indebtedness]
Mayor**

Ordinance amending the San Francisco Administrative Code by adding Article 43.11, Sections 43.11.1 through 43.11.5, to authorize the issuance of short-term indebtedness in anticipation of the issuance of general obligation bonds authorized by the voters.

(Fiscal Impact.)

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081525 [Sale of City Property]
Mayor

Ordinance ordering the sale at public auction of seven City-owned properties located along the former Central Freeway right of way and the newly constructed Octavia Boulevard; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this Ordinance.

11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080652 [Rental Subsidy Program for Low-Income Families]
Supervisors Daly, Sandoval

Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

5/13/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/12/2008.

7/29/08, RE-REFERRED to Land Use and Economic Development Committee. Referred to Committee as amended.

10/7/08, CONTINUED. Continued to October 21, 2008

10/21/08, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/21/08, PASSED ON FIRST READING AS AMENDED.

11/25/08, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

11/25/08, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

081490 [Commending Supervisor Tom Ammiano]
Supervisor Peskin

Resolution Commending and Honoring Supervisor Tom Ammiano for his distinguished service as a Supervisor of the City and County of San Francisco.

11/25/08, ADOPTED.

081491 [Commending Brian Cahill]
Supervisor Dufty

Resolution commending Brian Cahill and his truly remarkable service with Catholic Charities CYO and wishing him the best in all of his future endeavors.

11/25/08, ADOPTED.

**081492 [Commemorating the 30th Anniversary of the San Francisco Gay Men's Chorus to the Board of Supervisors of San Francisco]
Supervisor Dufty**

Resolution commemorating the 30th Anniversary of the San Francisco Gay Men's Chorus to the Board of Supervisors of San Francisco.

11/25/08, ADOPTED.

**081501 [Settlement of Administrative Civil Liability Complaint - \$64,000]
Supervisor Peskin**

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$64,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed \$32,000, plus payment of a \$32,000 penalty.

11/25/08, RECEIVED AND ASSIGNED to Rules Committee.

**081502 [Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project]
Supervisor McGoldrick**

Resolution Approving the Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project.

11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081503 [Approval of Fifth Amendment to the Management Agreement for Moscone Convention Center]
Supervisors Chu, Peskin, Dufty**

Resolution approving and authorizing the City Administrator to enter into a Fifth Amendment to the Management Agreement for Moscone Convention Center.

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081506 [State grants to fund agricultural projects - \$17,672.98]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend three grants with a total amount of \$17,672.98, from the California Department of Food and Agriculture (CDFA); with retroactive approval to accept and expend two of these grants (Agreements #08-0507 and #08-0415) totaling \$914.98, for the period of July 1, 2008 through June 30, 2009, and approval to accept and expend a third grant (Agreement #08-0345) in the amount of \$16,758.00 for the period of January 1, 2009 through December 31, 2009.

11/25/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081508 [Funds to support public health emergency preparedness - \$460,396]
Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$460,396 from the California Department of Public Health (CDPH) Emergency Preparedness Office, to fund the Hospital Preparedness Program; for the period of August 9, 2008 through August 8, 2009.

11/25/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081510 [Accept and Expend Grant - Juvenile Accountability Block Grant - \$200,000]
Supervisor Maxwell**

Resolution authorizing the Mayor's Office of Community Investment (MOCI) to accept and expend a grant in the amount of \$200,000 from the State Corrections Standards Authority for the purpose of strengthening existing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

11/25/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**081515 [Lease Financing For Improvements to Moscone Convention Center]
Supervisor Peskin**

Resolution authorizing the execution, delivery and sale of Certificates of Participation (the "Certificates") evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City under a Lease Agreement, for the purpose of financing various capital projects at Moscone Convention Center; approving the form of a Trust Agreement by and between the City and County of San Francisco (the "City") and a corporate trustee to be selected by the City (the "Trustee"), including without limitation certain indemnification obligations of the City contained therein; authorizing the selection of the Trustee; approving the form of a Facilities Lease by and between the City and the Trustee relating to certain real property described herein; approving the form of the Lease Agreement by and between the Trustee and the City relating to said real property; authorizing the payment of costs of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the Certificates, the Trust Agreement, the Facilities Lease and the Lease Agreement; authorizing modifications to documents; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

11/25/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**081517 [Resolution to Establish the Tourism Improvement District]
Mayor, Supervisors Peskin, Maxwell, Dufty**

Resolution of Formation: Establishing a business-based business improvement district to be known as the "Tourism Improvement District," ordering the levy and collection of assessments against defined hotel businesses located in that district for fifteen (15) years commencing January 1, 2009, subject to conditions as specified, and making environmental findings.

(Economic Impact)

11/25/08, RECEIVED AND ASSIGNED to Board of Supervisors. Scheduled for December 16, 2008 at 3:00 p.m.

12/9/08 - Referred to Planning for determination of environmental impact.

**081518 [Lease Financing For Library Projects]
Mayor**

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco Finance Corporation lease revenue bonds and authorizing the preparation, execution and delivery of a final official statement; ratifying the approvals and terms and conditions of a previous ordinance; and related matters.

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081519 [Sale of San Francisco General Hospital Bond Anticipation Notes, Series 2009A - Not to Exceed \$136,000,000]
Mayor**

Resolution authorizing and directing the sale of Not to Exceed \$136,000,000 General Obligation Bond Anticipation Notes, Series 2009A in anticipation of the issuance of \$136,000,000 General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2009A; Prescribing the Form and Terms of Said Notes; Providing For the Levy of a Tax To Pay the Interest and, if Applicable, the Principal Thereon; Authorizing the Execution, Authentication and Registration of Said Notes; Providing For the Appointment of Depositories and Other Agents For Said Notes; Providing For the Establishment of Accounts Related Thereto; Providing For the Manner of Sale of Said Notes, Whether By Competitive Sale or Negotiated Sale; Approving the Forms of Official Notice of Sale and Notice of Intention To Sell Notes; Directing the Publication of the Notice of Intention To Sell Notes; Approving the Form and Execution of the Note Purchase Agreement for the Sale of Said Notes; Approving the Form and Execution of the Official Statement Relating to the Sale of Said Notes; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications To Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority To City Officials To Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Notes.

(Fiscal Impact.)

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081520 [San Francisco General Hospital General Obligation Bond Issuance - Not to Exceed \$887,400,000]
Mayor**

Resolution Providing for the Issuance of Not to Exceed \$887,400,000 Aggregate Principal Amount of City and County of San Francisco General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008); Authorizing the Execution, Authentication and Registration of Said Bonds; Providing for the Levy of a Tax to Pay the Principal and Interest Thereof; Providing for the Appointment of Depositories and Other Agents for Said Bonds; Providing for the Establishment of Accounts Related Thereto; Ratifying Certain Actions Previously Taken; Adopting Findings Under the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, Including the Adoption of a Mitigation Monitoring and Reporting Program and a Statement Of Overriding Considerations; Finding that the Proposed Project Is In Conformity With the Priority Policies Of Planning Code Section 101.1(B) and With the General Plan Consistency Requirement Of Charter Section 4.105 and Administrative Code Section 2A.53; and Granting General Authority to City Officials to Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Bonds.

(Fiscal Impact.)

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081521 [Bond Sale of San Francisco General Hospital Improvement Bonds - Not To Exceed \$136,000,000]
Mayor**

Resolution Authorizing and Directing the Sale of Not To Exceed \$136,000,000 General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2009A; Prescribing the Form and Terms of Said Bonds; Authorizing the Execution, Authentication and Registration of Said Bonds; Providing For the Appointment of Depositories and Other Agents For Said Bonds; Providing For the Establishment of Accounts Related Thereto; Providing For the Manner of Sale of Said Bonds, Whether by Competitive Sale or Negotiated Sale; Approving the Forms of Official Notice of Sale and Notice of Intention To Sell Bonds; Directing the Publication of the Notice of Intention To Sell Bonds; Approving the Form and Execution of the Bond Purchase Agreement Relating Thereto; Approving the Form and Execution of the Official Statement Relating To the Sale of Said Bonds; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications To Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority To City Officials To Take Necessary Actions In Connection With the Authorization, Issuance, Sale and Delivery of Said Bonds.

(Fiscal Impact.)

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081524 [Accept-Expend Federal Regional Catastrophic Preparedness Grants - \$10,000,000]
Mayor**

Resolution authorizing the Department of Emergency Management (DEM), as fiscal agent for multiple local jurisdictions, to retroactively accept and expend Regional Catastrophic Preparedness Grant Program awards in the amount of \$10,000,000 from the United States Department of Homeland Security (DHS), through the California Office of Homeland Security (OHS), for regional catastrophic preparedness for the period September 1, 2008 through August 31, 2010.

11/25/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**081526 [Requesting California establish a Do Not Mail Registry]
Supervisors Mirkarimi, Dufty, Campos**

Resolution urging the California State Legislature to establish a Do Not Mail Registry.

11/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081527 [90 day extension for Planning Commission review - The Metro Theatre]
Supervisor Alioto-Pier**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.

11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**081528 [Mortgage Credit Certificates]
Supervisor Chu**

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

11/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**081529 [Accept-Expend Federal Pass Through Grant - Asian Women's Shelter - \$10,000]
Supervisor Chu**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$10,000 from the Asian Women's Shelter, allocated through the Office on Violence Against Women, Office of Justice Programs (OVW), to assist Asian and Pacific Islander (API) victims of domestic violence for fiscal year 2008-2010.

11/25/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

**081493 [Hiring and Retention of Disabled Employees by the San Francisco Unified School District]
Supervisor Alioto-Pier**

Hearing on the hiring and retention of disabled employees by the San Francisco Unified School District.
11/25/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

**081494 [Implementation of the Treatment on Demand Act 2008]
Supervisor Daly**

Hearing on the implementation of Proposition T - Treatment on Demand Act 2008, which requires that the City not reduce funding, staffing or the number of substance abuse treatment slots available as long as slots are filled or there are individuals seeking such slots, including an analysis on how the proposed reductions to substance abuse treatment services will impact on its implementation.

11/25/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**081495 [Use of SFUSD facilities]
Supervisor Dufty**

Hearing on the use of SFUSD facilities by neighbors and non-SFUSD organizations outside of regular school hours.

11/25/08, RECEIVED AND ASSIGNED to City and School District Select Committee.

**081498 [General Advertising Sign Program Annual Report]
Supervisor McGoldrick**

Hearing on the General Advertising Sign Program Annual Report.

11/25/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

081516 [Hearing - Tourism Improvement District]

Hearing of persons interested in or objecting to proposed Resolution of Formation: Establishing a business-based business improvement district to be known as the "Tourism Improvement District," ordering the levy and collection of assessments against defined hotel businesses located in that district for fifteen (15) years commencing January 1, 2009, subject to conditions as specified, and making environmental findings.

11/25/08, SCHEDULED FOR PUBLIC HEARING. Scheduled for December 16, 2008 at 3:00 p.m.

PROPOSED ORDINANCES

- 081477 [Settlement of Lawsuit - Laurent Katgely, et al. v. CCSF, et al. (C. Spencer) - \$67,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Chez Spencer, a partnership, against the City and County of San Francisco for \$67,000; the lawsuit was filed on December 8, 2004 in San Francisco Superior Court, Case No. 436942; entitled Laurent Katgely, et al. v. City and County of San Francisco, et al. (City Attorney)
11/17/08, RECEIVED AND ASSIGNED to Rules Committee.
- 081478 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (IMG Home) - \$500,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by IMG Home Corporation against the City and County of San Francisco for \$500,000; 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)
11/17/08, RECEIVED AND ASSIGNED to Rules Committee.
- 081479 [Settlement of Lawsuit - Jane Martin, et al. v. CCSF, et al. (N. Quimson) - \$45,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Noreen Quimson against the City and County of San Francisco for \$45,000; 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)
11/17/08, RECEIVED AND ASSIGNED to Rules Committee.
- 081480 [Settlement of Claim - SFD Union Square, LLC - \$40,000]**
Resolution approving the settlement of unlitigated claim of SFD Union Square, LLC dba Sir Francis Drake Hotel against San Francisco for \$40,000; claim was filed on August 25, 2008. (City Attorney)
11/17/08, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 081379 [Accept gift to the Fire Department - \$15,938]**
Resolution accepting a gift to the Fire Department from the Fireman's Fund Insurance Company Heritage Program of mask fit equipment and non-permeable emergency medical bags valued at \$15,938. (Fire Department)
11/25/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
- 081388 [Emergency contract to replace the stator core in Kirkwood Powerhouse generator number 1, designated "KPH1" - Not to Exceed \$1,327,531]**
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the stator core in the Kirkwood Powerhouse generator number 1, designated "KPH1." (Public Utilities Commission)
11/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081419 [Amendment to a Contract to Extend the Term for More than Ten Years]

Resolution authorizing the Department of Technology to enter into the Seventh Amendment of an agreement with Stratus Technologies, Inc., to extend the term of the agreement to fourteen years. (Department of Technology)

(Fiscal Impact.)

11/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

081454 [Approving Central Subway Partnership Contract - Not to Exceed \$147,375,171]

Resolution approving Municipal Transportation Agency Contract No. CS-149, Program Management and Construction Management Services for the Central Subway Project with Central Subway Partnership, A Joint Venture of AECOM USA, Inc. and EPC Consultants in an amount not to exceed \$147,375,171 for a term not to exceed five years with an option to extend the term an additional five years. (Municipal Transportation Agency)

(Fiscal Impact.)

11/17/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Request Granted

From: Supervisor Alioto-Pier

To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting a list and maps from the Public Utilities Commission of all developed and undeveloped land under the San Francisco Public Utilities Commission's jurisdiction within the City and County of San Francisco. The response should include two separate maps of (1) developed land and (2) undeveloped land.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Garbage Cans

Northwest corner of Frederick and Asbury

Northeast corner of Clayton and Hayes

Northwest corner of Grove and Fillmore

Northeast corner of Cole and Haight

Northwest corner of Haight and Fillmore

Mailboxes

Northwest corner of Haight and Fillmore

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

1148 Masonic

1151 Masonic

1153 Masonic

1432 Haight

799 Haight

122 Webster

999 Oak

214 Scott

745 Buchanan

1466 Haight

503 Haight

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Wood:

Northeast corner of Steiner and Germania

Metal Pole:

Northwest corner of Fillmore and Grove

1476 Fulton

Northwest corner of Fell and Haight

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:
San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
San Francisco Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight
SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:
Utility Boxes
Northeast corner of Fell and Oak
Bus Shelters
Northwest corner of Haight and Stanyan
All bus shelters on Haight and Fillmore need power washing and graffiti
Northwest corner of Haight and Masonic
Emergency Boxes
Southwest corner of Lyon and Golden Gate
Southeast corner of Scott and Fulton
Southwest corner of Golden Gate and Scott
Northeast corner of Oak and Scott
Southwest corner of Golden Gate and Laguna
Fire Hydrant
Southeast corner of Pierce and Golden Gate*

In Memoriams

*Belinda Barbara Newson - Entire Board
Susan Pugliese- Supervisor Alioto-Pier
Michael Dulay- Supervisor Dufty
Michael Joseph Dudley- Supervisor Dufty
Patrick Oliver Dillon- Supervisor Chu*

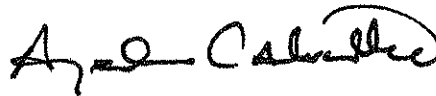
ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:56 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 January 6, 2009.



Angela Calvillo
Clerk of the Board