

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Regular Board Meeting - Tuesday, May 15, 2007 2:00 PM
Special Board Meeting - Wednesday, May 16, 2007 1:00 PM

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

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Jew

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Jew, moved to approve the Board Meeting Minutes of April 17, 2007. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070458 [Appropriating \$35,000,000 of San Francisco Taxable General Obligation Bonds for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007]
Supervisor Dufty

Ordinance appropriating \$35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

Ordinance No. 117-07
FINALLY PASSED

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Jew, moved to approve the Board Meeting Minutes of April 17, 2007.

The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

070458 [Appropriating \$35,000,000 of San Francisco Taxable General Obligation Bonds for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007]
Supervisor Dufty

Ordinance appropriating \$35,000,000 of City and County of San Francisco Taxable General Obligation Bonds (Seismic Safety Loan Program, 1992), Series 2007A, for the Seismic Safety Loan Program in the Mayor's Office of Housing for Fiscal Year 2006-2007.

Ordinance No. 117-07

FINALLY PASSED

- 070325** [Authorizing the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services]
Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Section 8.42 and amending Section 10.100-195, to authorize the collection and use of an additional penalty assessment on criminal fines, penalties, and forfeitures to support emergency medical services pursuant to SB 1773, and setting an expiration date. (Public Health Department)

Ordinance No. 120-07
FINALLY PASSED

Recommendations of the Rules Committee

- 070482** [Settlement of Lawsuit - Carl Montgomery]

Ordinance authorizing settlement of the lawsuit filed by Carl Montgomery against the City and County of San Francisco for \$30,000; the lawsuit was filed on August 24, 2004 in San Francisco Superior Court, Case No. 434-032; entitled Carl Montgomery, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

- 070509** [Settlement of Government Claim - San Francisco Forty Niners, Ltd.]

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

PASSED, ON FIRST READING

- 070485** [Appointment - Pedestrian Safety Advisory Committee]

Resolution appointing Catherine Liddell and William Riggs, terms ending March 28, 2008, and Pi Ra, term ending March 28, 2009, to the Pedestrian Safety Advisory Committee.

Catherine Liddell, succeeding Cheryl Brinkman, term expired, seat 1, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2008.

Pi Ra, succeeding Anna Zacher, term expired, seat 2, must be a representative from pedestrian safety organizations, for the unexpired portion of a two-year term ending March 28, 2009.

William Riggs, succeeding Brian Canevari, resigned, seat 11, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2008.

Resolution No. 253-07
ADOPTED

070567 [Appointment - Commission of Animal Control and Welfare]

Resolution appointing Philip Gerrie, Dr. Pam Hemphill, Sally Stephens, and Andrea Brooks, terms ending April 30, 2009, to the Commission of Animal Control and Welfare.

Philip Gerrie, succeeding Gerald Yeager, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

Dr. Pam Hemphill, succeeding William Hamilton, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

Sally Stephens, succeeding Sherri Franklin, term expired, seat 5, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

Andrea Brooks, succeeding Richard Schulke, term expired, seat 6, must be a member representing the general public having interest and experience in animal matters, for the unexpired portion of a two-year term ending April 30, 2009.

Resolution No. 254-07

ADOPTED

070568 [Appointment - Children and Families First Commission]

Resolution appointing Nancy Lim-Yee, Suzanne Giraudo, and Dr. Shannon Thyne, terms ending April 29, 2011, to the Children and Families First Commission; residency requirement waived.

Nancy Lim-Yee (residency requirement waived), succeeding Raymond Weisberg, term expired, seat 6, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year term ending April 29, 2011.

Suzanne Giraudo, succeeding Cheryl Polk, term expired, seat 7, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year term ending April 29, 2011.

Dr. Shannon Thyne, succeeding Lucy Crain, term expired, seat 9, must represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for a four-year term ending April 29, 2011.

Resolution No. 255-07

ADOPTED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

070451 [Public Employment - Department of Economic and Workforce Development]
Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the creation of one (1) new position in the Department of Economic and Workforce Development.

(Supervisor Elsbernd dissented in committee.)

Ordinance No. 121-07

FINALLY PASSED by the following vote:

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

Noes: 3 - Elsbernd, Jew, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070456 [Public Employment and Accept-Expend Grant - HIV/AIDS Statistics and Epidemiology]
Supervisors Dufty, Ammiano, Mirkarimi

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 1 position (.125 FTE) in the Department of Public Health (DPH) – AIDS Office, and authorizing DPH to retroactively accept and expend a grant in the amount of \$373,619 from the Department of Health and Human Services, National Institutes of Health and to approve three contracts with the following agencies: ISIS Inc., The University of Pittsburgh, and PHFE Management Solutions for the period of January 1, 2007 through December 31, 2007.

PASSED ON FIRST READING by the following vote:

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

**070346 [Use of Rincon Hill In Lieu Fees]
Supervisor Daly**

Resolution approving a plan submitted by the Mayor's Office of Housing for the use of in lieu fee payments imposed on residential development in the Rincon Hill Area and approving the expenditure of those funds pursuant to Section 827(b)(5)(E) of the Planning Code.

(Fiscal Impact.)

Resolution No. 270-07

ADOPTED by the following vote:

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

**070385 [Approval of an historical property contract for 1080 Haight Street ("John C. Spencer House")]
Supervisors Peskin, Mirkarimi**

Resolution under Chapter 71 of the San Francisco Administrative Code, approving an historical property contract between Fellmore Management LLC, the owner of 1080 Haight Street ("John C. Spencer House"), and the City and County of San Francisco; authorizing the Director of Planning and the Assessor to execute the historical property contract.

Resolution No. 266-07

ADOPTED by the following vote:

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

070393 [Sale of Vacant Real Property Located at 849 Cesar Chavez Street, San Francisco, California (Lot 5 in Assessor's Block 4357)]

Resolution authorizing the sale of vacant land, located at 849 Cesar Chavez Street, under the jurisdiction of the San Francisco Public Utilities Commission to Gaehwiler; adopting findings that the conveyance is in conformity with the City's General Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act; ratifying acts and authorizing actions in furtherance of this resolution; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Resolution No. 267-07

ADOPTED by the following vote:

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

**070503 [Issuance and Sale of Tax-Exempt Bonds - Pacific Institute]
Supervisor Mirkarimi**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$32,000,000 to finance the acquisition and construction of improvements to and equipping of senior residential care facilities owned by Pacific Institute or an affiliate.

Resolution No. 269-07

ADOPTED by the following vote:

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

**070543 [Multifamily Housing Revenue Bonds - 275 10th Street Supportive Housing]
Supervisor Daly**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$25,000,000 for 275 10th Street Supportive Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$25,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 252-07

ADOPTED by the following vote:

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

**070455 [Public Employment and Accept-Expend Grant - Improving Primary Care]
Supervisor Dufty**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (.72) FTE, in the Department of Public Health (DPH) – Primary Care, and authorizing DPH to retroactively accept and expend a grant in the amount of \$241,225 from the California HealthCare Foundation for the period of March 15, 2007 through December 14, 2007.

PASSED ON FIRST READING by the following vote:

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

**070457 [Public Employment and Accept-Expend Grant - DPH to Expand Oral Health Services]
Supervisor Dufty**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 6 positions (1.05 FTEs) in the Department of Public Health – Tom Waddell Health Center (DPH – TWHC), and authorizing DPH to retroactively accept and expend a grant in the amount of \$1,841,000 from Tenderloin Health to participate in a project to expand oral health services for homeless individuals infected with HIV disease in San Francisco's Tenderloin district, for the period of April 1, 2007 through December 31, 2011.

PASSED ON FIRST READING by the following vote:

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

070394 [Agreement to Purchase 4-8 Guy Place]

Resolution approving and authorizing an agreement for the purchase of real property located on 4-8 Guy Place (Lot 005, Block 3749), for public open space for a purchase price of \$1,800,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

(Fiscal Impact.)

Resolution No. 251-07

ADOPTED by the following vote:

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

Recommendation of the Land Use and Economic Development Committee**070544 [Endorsing a Conceptual Framework for the Redevelopment of Candlestick Point and the Hunters Point Shipyard, and Authorizing Environmental Review and Planning]
Supervisor Maxwell**

Resolution endorsing a Conceptual Framework for the creation of a mixed-use development on Candlestick Point and Hunters Point Shipyard that includes the possibility of a new state-of-the art stadium for the San Francisco 49ers and that will provide parks and open space, jobs, affordable housing and other tangible economic and public benefits for the Bayview Hunters Point community as soon as possible; making a determination that the proposed mixed-use redevelopment project as described in the Conceptual Framework is feasible for purposes of commencing environmental review; and urging City staff and the Redevelopment Agency to proceed with environmental review and planning work, including significant community review and input, in conjunction with the Lennar Corporation, for the proposed redevelopment project.

Resolution No. 264-07

ADOPTED by the following vote:

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

Recommendations of the Rules Committee**070082 [Pedestrian Safety Advisory Committee - Membership]
Supervisor Jew**

Ordinance amending the San Francisco Administrative Code by amending Article IV, Sections 5.20 to reconstitute the membership of the Pedestrian Safety Advisory Board and making clerical, corrective changes.

PASSED ON FIRST READING by the following vote:

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

**061700 [Establishing the Peak Oil Awareness Task Force]
Supervisor Mirkarimi**

Resolution establishing the Peak Oil Preparedness Task Force in order to coordinate the assessment of the City of San Francisco's vulnerability to energy price shocks and to determine appropriate measures to mitigate municipal vulnerability, and to draft a comprehensive response plan for recommendation to the Board of Supervisors.

Resolution No. 268-07

ADOPTED by the following vote:

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

CALLED FROM THE BUDGET & FINANCE COMMITTEE

**070526 [Public Employment - Administrative Services (ADM)]
Mayor**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Administrative Services (ADM) staffing by decreasing total staffing by 1.00 FTE. (Mayor)

PASSED ON FIRST READING by the following vote:

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

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

Supervisor Peskin welcomed and introduced Congressman Martinez of Honduras.

Supervisor Alioto-Pier welcomed, introduced, and presented a Certificate of Honor to students from Convent of the Sacred Heart and Stuart Hall who participated in the Heart to Heart Backpack Drive Program.

Supervisor Alioto-Pier welcomed, introduced, and presented a Certificate of Honor to Deputy Sheriff Doug Novak.

COMMITTEE REPORTS

**070538 [Public Employment - Human Services Agency and Department of Public Health]
Supervisor Daly**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Human Services Agency (DSS) and the Department of Public Health (DPH) staffing by increasing total staffing by 9.00 positions (0.36 FTE).

(Fiscal Impact.)

Continued to June 5, 2007.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

**070540 [Appropriating \$19,719,628, for Children, Senior and Disabled Programs for 2006-2007; and Deappropriate \$15,830,000 General Fund and Appropriate \$15,830,000 Rainy Day Reserve]
Supervisor Daly**

Ordinance appropriating total sources of \$19,719,628, including \$17,646,834 of Unappropriated General Fund Balance, \$1,930,000 of Unappropriated Children's Fund Balance, \$125,000 of Food Stamps Employment and Training Funds and \$17,794 of SB 90 State Mandated Costs Fund; and appropriating total uses of \$19,719,628, including \$6,240,000 to the Department of Children, Youth and Their Families, \$7,280,628 to the Human Services Agency, \$705,000 to the Department of Public Health, \$350,000 to the Mayor's Office of Disability, \$1,900,000 to the Mayor's Office of Community Development, \$1,244,000 to the Mayor's Office of Housing and \$2,000,000 to the Department of Recreation and Park for various programs for Children, Youth, Families, Seniors and People with Disabilities for Fiscal Year 2006-2007, and Amending Ordinance _____, File Number 070407, to Deappropriate \$15,830,000 of General Fund Balance and Appropriate \$15,830,000 of Rainy Day Reserve--Capital and One-Time Spending. All funds appropriated below, excluding salaries and mandatory fringe benefits, are placed on reserve pending release by the Budget and Finance Committee.

(Fiscal Impact.)

Continued to June 5, 2007.

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

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

PUBLIC COMMENT

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

*Abdullah Megaheed; expressed concern with issues relating to the homeless
James Chaffee; expressed concern with issues relating to the SF Public Library
Maura Kopp; expressed concern with issues relating to the PUC rate structure
Denise LaPoint; expressed concern with issues relating to the PUC rate structure
David Cohen; expressed concern with issues relating to the medical cannabis facilities
Marc Lobca; expressed concern with issues relating to medical cannabis
Eugene Gordon Jr.; expressed concern with various issues
Male speaker; expressed concern with issues relating to affordable housing
Peter Warfield; expressed concern with issues relating to the library
John Di Donna; expressed concern with various issues
Male speaker; expressed concern with issues relating to affordable housing
Female speaker; expressed concern with issues relating to various issues
Rev. Webster; expressed concern with issues related to medical cannabis
Beth Johnson; expressed concern with issues related to medical cannabis
Ed Row; expressed concern with issues related to medical cannabis
Jean Rea; expressed concern with issues relating to parrot health
Kathy Smith; expressed concern with issues relating to various issues
Les Turner; expressed concern with issues relating to VA services
Male speaker; expressed concern with issues relating to the stables at Golden Gate Park
Denise Dory; expressed concern with issues relating to medical cannabis
John Flood; expressed concern with issues relating to OCC appeals
John Martinelli; expressed concern with issues relating to medical cannabis*

Supervisor Dufty was noted absent at 3:30 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

**070634 [Zoning-Extension of Planning Commission review period]
Supervisor McGoldrick**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Planning Code Sections 315.3 and 315.6 of the Residential Inclusionary Affordable Housing Program to extend the requirements of the Program from all housing projects of five (5) units or more to all housing projects of two (2) units or more.

Resolution No. 271-07

ADOPTED

**070635 [Commending Scott Shaw]
Supervisor Peskin**

Resolution commending Scott Shaw for 30 years of dedicated service in the Department of Public Works in the City and County of San Francisco.

Resolution No. 258-07

ADOPTED

**070636 [Commending Richard Schulke]
Supervisor Peskin**

Resolution commending Richard Schulke for his advocacy, leadership, and persistent efforts to improve the welfare of animals in the City and County of San Francisco.

Resolution No. 256-07

ADOPTED

**070637 [Public Works Week - May 20 through May 26, 2007]
Supervisors Peskin, Elsbernd**

Resolution proclaiming May 20 through 26, 2007 as Public Works Week in San Francisco.

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

Resolution No. 257-07

ADOPTED

**070638 [Commending Sherri Franklin]
Supervisors Peskin, Elsbernd**

Resolution commending Sherri Franklin for her inspiring leadership and devotion to improving the welfare of animals in the City and County of San Francisco.

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

Resolution No. 259-07

ADOPTED

**070639 [School Patrol Day - May 17, 2007]
Supervisors Peskin, Elsbernd**

Resolution proclaiming May 17, 2007 as AAA School Safety Patrol Day in San Francisco.

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

Resolution No. 260-07

ADOPTED

**070640 [Black Cat Café Plaque for 710 Montgomery Street]
Supervisors Peskin, Elsbernd**

Resolution authorizing the placement of a plaque in the sidewalk in front of 710 Montgomery Street to honor the Black Cat Café.

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

Resolution No. 261-07

ADOPTED

**070642 [Urging swift passage of Assembly Bill 102]
Supervisor Ammiano**

Resolution supporting and urging the swift passage of AB 102, the Name Equality Act.

Resolution No. 265-07

ADOPTED

**070645 [Proclaiming May 16, 2007 as Livestrong Day]
Supervisors Mirkarimi, Elsbernd**

Resolution proclaiming May 16, 2007 as Livestrong Day in the City and County of San Francisco and commending the Lance Armstrong Foundation's annual grassroots initiatives to unite people affected by cancer.

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

Resolution No. 262-07

ADOPTED

070610 [Final Map - 2161 Sutter Street]

Motion approving Final Map 3866, a 116 Unit Residential Condominium Project, located at 2161 Sutter Street, being a merger and resubdivision of Lot 5 and those lots shown on "MAP OF 2000 POST STREET, PHASE 1" recorded in Book 26 of CONDOMINIUM MAPS, page 26 in Assessors Block No. 0682 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M07-58

APPROVED

070612 [Final Map - 4200 18th Street]

Motion approving Final Map 4037, a 15 Unit Commercial Condominium Project, located at 4200 18th Street being a subdivision of Lot 052 in Assessors Block No. 2648 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M07-59

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from For Adoption without Reference to Committee

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

**070620 [Calling File No. 070526 from the Budget and Finance Committee]
Supervisor Dufty**

Motion to call File No. #070526 – (Ordinance amending Ordinance No. 203-06, Annual Salary Ordinance FY 2006-2007, to reflect the proposed changes to Administrative Services staffing by decreasing total staffing by 1.00 FTE) - from the Budget and Finance Committee to be heard by the Full Board of Supervisors on May 15th, 2007.

Motion No. M07-60

APPROVED by the following vote:

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

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

**070641 [Gift to City of travel from Chamber of Commerce for 2007 CityTrip]
Supervisor Peskin**

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of \$16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

Supervisor Daly requested that this item be referred to committee.

REFERRED to the Budget and Finance Committee.

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

070611 [Final Map - 1390 Market Street]

Motion approving Final Map 3859, a One Residential Unit and Four Commercial Unit Mixed-Use Condominium Project, located at 1390 Market Street being a subdivision of Lot 6 in Assessors Block No. 0813 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Continued to May 22, 2007.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

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

OFF-AGENDA LEGISLATION

Ordinances**070667 [Medical Cannabis Dispensary Permits]
Supervisor Alioto-Pier**

Ordinance amending Sections 3304, 3005, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require the Department of Building Inspection to review and approve Dispensaries' security measures, including lighting and alarms, (c) authorize the Mayor's Office of Disability to approve equivalents to new construction accessibility requirements where Dispensaries demonstrate a hardship and satisfy minimum standards; and (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to January 1, 2008.

5/15/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/14/2007. June 12, 2007 - Referred to Planning Department for review.

**070669 [Deappropriating \$28,050,000 in Mayor's Office of Housing, Reappropriating to Board of Supervisors for Affordable Housing, Real Ownership Opportunities, and housing services for Fiscal Year 2006-2007]
Supervisor Daly**

Draft Ordinance deappropriating \$28,050,000 in the Mayor's Office of Housing and Reappropriating \$28,050,000 to the Board of Supervisors for Fiscal Year 2006-2007, including \$20,000,000 for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons, including but not limited to 18-24 year old youths exiting systems of care, who are currently homeless or who at risk of being homeless; \$5,000,000 for repairs and services at public housing developments; \$2,500,000 for the Real Ownership Opportunities for Tenants project (ROOTS); \$550,000 for the Acquisition a site for a Housing Services Collaborative in the Mission District/Dolores Park Area for Fiscal Year 2006-2007 and reserving the funds pending review of expenditure plans by the Finance Committee.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070670 [Deappropriating \$5,000,000 from Mayor's Office of Housing and Reappropriating to the Board of Supervisors for a Down Payment Assistance Loan Program for Fiscal Year 2006-2007]
Supervisor Daly**

Draft Ordinance deappropriating \$5,000,000 from the Mayor's Office of Housing and Reappropriating \$5,000,000 to the Board of Supervisors for a Down Payment Assistance Loan Program for Fiscal Year 2006-2007 and reserving the funds pending review of an expenditure plan by the Finance Committee.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070671 [Amending the Planning Code to Create the Fringe Financial Service Restricted Use District and Making Related Zoning Map Amendments]
Supervisor Ammiano**

Ordinance amending San Francisco Planning Code Sections 249.5, 781.8, 781.9, 782, and 783 and adding Section 249.35 to the San Francisco Planning Code to create a noncontiguous Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions; amending San Francisco Planning Code Section 312 to require certain notice in Neighborhood Commercial Districts; amending San Francisco Planning Code Section 227 to add Fringe Financial Service Use to the Commercial District Zoning Control Table; amending San Francisco Planning Code Sections 702.4 and 710 through 730 to add Fringe Financial Service Use to the Neighborhood Commercial District Zoning Control Tables; adding Section 790.111 and 890.113 to the San Francisco Planning Code to define a Fringe Financial Service Use; amending San Francisco Planning Code Sections 790.110, 790.112, 890.110, and 890.112 to require that use applications for Financial Services and Limited Financial Services include a copy of any state-issued license; amending San Francisco Planning Code Sections 803.2, 810, 811, and 812 to add Fringe Financial Service Use to the Chinatown Zoning Control Tables; amending San Francisco Planning Code Sections 814 through 818 to add Fringe Financial Service Use to certain Zoning Control Tables in the South of Market area; amending San Francisco Planning Code Section 827 to add Fringe Financial Service Use to the Rincon Hill Downtown Residential Mixed Use District Zoning Control Table; amending Sections 909, 910, 911, 912, 913, and 914 to add Fringe Financial Service Use to certain Mission Bay Zoning Control Tables; amending Sectional Maps Numbers 1SU, 2SU, 6SU, 7SU, 8SU, and 10SU of Zoning Map of the City and County of San Francisco to indicate the boundaries of the Fringe Financial Service Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(5/23/07 - Economic Impact.)

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007.

**070672 [Initiative Petition Circulator Identification Requirements]
Supervisor Daly**

Ordinance amending the Municipal Elections Code by adding section 335 to require initiative petition circulators to display a badge disclosing whether they are volunteer or paid circulators.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/14/2007.

**070676 [Landmark tree designation of holly at 733 27th Avenue]
Supervisor McGoldrick**

Ordinance designating the holly at 733 27th Avenue (Assessor's Block 1617, Lot 003) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

5/15/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070678 [Planning - institutional master plan review for medical institutions]
Supervisor Maxwell**

Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship to citywide health care needs of medical institutions' institutional master plans, revisions, and conditional use applications, to provide comments to the Planning Department, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007.

**070679 [Residential Rental Units: Lock Replacements by Landlord When Tenants Vacate]
Supervisor McGoldrick**

Ordinance amending the Administrative Code by adding Chapter 49B to provide that landlords re-key or replace all locks on all outside doors after all tenants vacate a residential rental unit, including outside doors on the unit itself and any separate outside doors on any storage and/or garage facility provided for the exclusive use of that unit.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007.

**070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses]
Supervisor Peskin**

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 6/14/2007.

**070681 [Zoning - Pacific Avenue Individual Area Neighborhood Commercial District]
Supervisor Peskin**

Ordinance adding Planning Code Sections 731 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/14/2007. SUPPORTING DOCUMENTS: Planning Commission Resolution 17431 and Executive Summary.

**070682 [Prohibition of possession or sale of firearms or ammunition on county property]
Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Section 617 to prohibit the possession or sale of firearms or ammunition on property controlled by the City and County of San Francisco.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/14/2007.

**070683 [Requirement that firearms located within a residence be kept in a locked container or secured with a trigger lock]
Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Section 4512 to require that all handguns located within a residence be kept in a locked container or disabled with a trigger lock.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/14/2007.

**070684 [Requiring dealers to inventory firearms every six months]
Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by amending Section 613.10 to require licensed firearms dealers to transmit to the Chief of Police an inventory of firearms every six months.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/14/2007.

**070689 [Gun Offender Registry]
Mayor, Supervisors Maxwell, Mirkarimi**

Ordinance amending the San Francisco Police Code by adding Section 4513 to create a local registry of gun offenders convicted in San Francisco.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/14/2007.

**061215 [Tax Collector's reports to Board of Supervisors on Biotechnology and Clean Energy Technology Business exclusions from Payroll Expense Tax; contents are public information; certain individual taxpayer information required in reports]
Supervisor Maxwell**

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 6.22-1 to make all contents of Tax Collector's reports to the Board of Supervisors regarding the Biotechnology Exclusion and the Clean Energy Technology Business Exclusion non-confidential public information, and by amending Sections 906.1 and 906.2 to require that, beginning with the report for the 2008 tax year, the reports include the names and addresses of individual taxpayers who have claimed the exclusions unless only one business has claimed the exclusion, and to make non-substantive, technical amendments to correct punctuation and reference errors.

8/15/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

5/15/07, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

5/15/07, ASSIGNED to Budget and Finance Committee.

**070586 [Prohibiting outdoor use of single feed rodenticides in City Parks]
Supervisor Jew**

Ordinance amending Sections 300 and 305 of the Environment Code to prohibit the outdoor use of single feed rodenticides in City Parks.

5/1/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/31/2007.

5/15/07, SUBSTITUTED. Supervisor Jew submitted a substitute ordinance bearing same title.

5/15/07, ASSIGNED to City Operations and Neighborhood Services Committee. June 12, 2007 Referred to Planning (Paul Maltzer) for determination of Environmental Review

Resolutions

**070641 [Gift to City of travel from Chamber of Commerce for 2007 CityTrip]
Supervisor Peskin**

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of \$16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

5/8/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/15/07, REFERRED to Budget and Finance Committee. Supervisor Daly requested that this item be referred to committee.

**070668 [Rejecting the 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission on May 8, 2007]
Supervisors Alioto-Pier, Jew, Elsbernd**

Resolution rejecting the 2007-2008 water and wastewater rates adopted by the San Francisco Public Utilities Commission at its public meeting on May 8, 2007, and requiring the San Francisco Public Utilities Commission to adopt new water and wastewater rates that do not adversely affect persons that reside in single-family homes.

(Submitted 5/17/07 - Charter Section 2.109 requires Board of Supervisors rejection within 30 days; Fiscal Impact.)

5/15/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests that the item be calendared at the Government Audit & Oversight Committee on June 4, 2007.

6/8/07 -Received correspondence from the Public Utilities Commission informing that the PUC had rescinded its Resolution 07-0079 and 07-0080 adopting schedules of rates, fees and charges of the San Francisco Public Utilities Water and Wasterwater Enterprise for water and wastewater services.

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

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

5/15/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**070674 [Public Education Enrichment Fund - First Five Commission]
Supervisors Daly, Dufty, Ammiano**

Resolution approving the San Francisco First Five Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2007-2008.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070675 [Public Education Enrichment Fund - Unified School District]
Supervisors Daly, Dufty, Ammiano**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2007-2008.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070685 [Issuance and sale of tax-exempt bonds - Hamlin School]
Supervisors Alioto-Pier, Sandoval**

Resolution approving the issuance and sale of tax-exempt bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$20,000,000 to finance various capital facilities owned by The Hamlin School or an affiliate.

5/15/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070686 [Evelyn and Walter Haas, Jr. Fund Commendation]
Supervisor Peskin**

Resolution commending the Evelyn and Walter Haas, Jr. Fund for its extraordinary leadership gift to the Presidio.

5/15/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070687 [Commending Kate Favetti, Executive Officer, Civil Service Commission]
Supervisors Elsbernd, Ammiano, Dufty**

Resolution commending Kate Favetti, Executive Officer, Civil Service Commission, upon her retirement after thirty six years of dedicated service.

5/15/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070688 [Declaring May 23, 2007, James Loyce Jr. Day in San Francisco]
Supervisors Ammiano, Dufty**

Resolution in recognition and appreciation of James Loyce Jr. upon his retirement from service to the City & County of San Francisco, and declaring May 23, 2007 James Loyce Jr. day in San Francisco

5/15/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070690 [Approval of non-exclusive agreement between SF Public Utilities Commission and Earth Link, Inc.]
Mayor**

Resolution approving a non-exclusive agreement for a term of potentially more than ten years between the San Francisco Public Utilities Commission and EarthLink, Inc. granting EarthLink a license to use street light poles owned by the San Francisco Public Utilities Commission to install communications equipment as part of the wireless broadband Internet network EarthLink has agreed to construct to provide free wireless broadband Internet service within the City and County of San Francisco; and making General Plan and environmental findings.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing**070660 [Possibility of creating, within the San Francisco PUC, a body similar to the California Public Utilities Commission, Division of Ratepayers Advocates]
Supervisors Alioto-Pier, Jew, Elsbernd**

Hearing to discuss the possibility of creating, within the San Francisco Public Utilities Commission, a body similar to the California Public Utilities Commission, Division of Ratepayers Advocates.

5/15/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**070661 [Marina Farmer's Market]
Supervisor Alioto-Pier**

Hearing on the Marina Farmers' Market. This hearing will explore the best location for the market based testimony from the community, merchants, and nearby residents.

5/15/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070662 [National Flood Insurance Program and FEMA's current flood mapping effort]
Supervisor Elsbernd**

Hearing to consider the National Flood Insurance Program and FEMA's current flood mapping effort.

5/15/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**070663 [Lennar's work procedures regarding health issues]
Supervisor Maxwell**

Hearing to consider the community concerns regarding Lennar's work procedures as they relate to dust control; and health issues arising in Hunters Point Shipyard during efforts to clean the area, specifically, the reports made regarding health issues, Department of Public Health's study of the health issues and findings, Lennar's efforts to mitigate the issues, and the City's involvement in same.

5/15/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**070664 [Old Mint Development Plan Status]
Supervisor Peskin**

Hearing on the status of the development plan for the Old Mint.

5/15/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 070665** [Budget implications using temporary workers, interim workers, per diem employees and other short-term or substitute employees at the Legion of Honor, the de Young Museum and the Asian Art Museum]
Supervisors Sandoval, Daly, Peskin, Ammiano, Dufty, Mirkarimi

Hearing before the Budget and Finance Committee to examine the budget implications using temporary workers, interim workers, per diem employees and other short-term or substitute employees at the Legion of Honor, the de Young Museum and the Asian Art Museum.

5/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

- 070666** [Motion directing the Clerk of the Board to calendar, bi-monthly, a closed session of the Board of Supervisors to discuss matters related to San Francisco's emergency preparedness and homeland security activities]
Supervisor Alioto-Pier

Motion directing the Clerk of the Board to calendar, bi-monthly, a closed session of the Board of Supervisors to discuss matters related to San Francisco's emergency preparedness and homeland security activities.

5/15/07, RECEIVED AND ASSIGNED to Rules Committee.

- 070691** [Closed Session - Conference with City's Labor Negotiators]
Supervisor Peskin

Motion that the Board of Supervisors convene in closed session with the City's Labor Relations Negotiators and the Director of Human Resources, for the purpose of reviewing the City's positions in pending labor negotiations with organizations representing City employees.

This closed session is permitted by Government Code Section 54957.6, and San Francisco Administrative Code Section 67.8.

5/15/07, ASSIGNED to Board of Supervisors. Scheduled for Board consideration May 22, 2007.

Charter Amendment

- 070677** [Requiring the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for public hearing]
Supervisors Elsbernd, Peskin, McGoldrick, Alioto-Pier, Maxwell

Charter amendment (First Draft) to amend Sections 2.113 and 3.100 to require the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for a public hearing.

5/15/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/14/2007.

PROPOSED ORDINANCES

- 070598 [Partial Settlement of Lawsuit - AON Risk Services of New York, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Aon Risk Services of New York, Inc. for \$220,000; San Francisco's causes of action against AON were filed on February 15, 2006, and constitute part of the coordinated proceeding entitled Jail No. 3 Replacement Project Cases, JCCP Case No: 4422, venued in San Mateo Superior Court; other material terms of said settlement are that San Francisco and AON will execute a mutual release, San Francisco will execute and file dismissals of all claims with prejudice, San Francisco and AON will each bear their own fees and costs of suit, AON will provide reasonable cooperation to San Francisco in regards to evidence that San Francisco may need for the case against ACMI and its related entities in the on-going litigation, and the settlement does not constitute an admission of liability regarding any claim. (City Attorney)
5/7/07, RECEIVED AND ASSIGNED to Rules Committee.
- 070599 [Settlement of Lawsuit - Coast Marine Industrial Supply, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Coast Marine Industrial Supply, Inc. for \$30,500; the lawsuit was filed on August 3, 2005 in San Francisco Superior Court, Case No. 443-691; entitled City and County of San Francisco, et al. v. Coast Marine Industrial Supply, Inc., et al. (City Attorney)
5/7/07, RECEIVED AND ASSIGNED to Rules Committee.
- 070601 [Payment of Criminal Justice Reward]**
Ordinance authorizing payment of a \$25,000 reward to John Doe for supplying information leading to the arrest and conviction of Joseph Stevens in the shooting deaths of Derna Wysinger and Naemon Wysinger. (Mayor)
5/4/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

- 070600 [Settlement of Administrative Civil Liability Complaint - San Francisco Water Quality Control Board]**
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 \$626,000; and alternatively approving an environmental mitigation project, subject to approval of the Regional Water Quality Control Board, in the amount not to exceed \$582,000, plus payment of a \$44,000 penalty. (City Attorney)
5/7/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED MOTIONS

Requests Granted

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft Amendments to the Minimum Compensation Ordinance to include the following assumptions identified by the stakeholder:

- Consider Proposition F sick leave mandate;*
- Consider paid time off or hourly cash equivalent, Current wage rate for IHSS workers is \$10.95, which includes a partial in lieu payment for the 12 days of PTO;*
- Assume the State cost share increases remains status quo;*
- Consider what has already been budgeted for the In Home Support Services Memorandum of Understanding;*
- Consider the \$11.36 beginning July 1, 2007;*
- Consider \$11.64 beginning January 1, 2008;*
- Yearly rate increase based on Consumer Price Index;*
- Current budgeting for wage increase in the MCO is up to \$10.50 per hour;*
- The Federal and State reimburse cap includes the hourly wage plus the value of the Paid Time Off (PTO) along with payroll tax (11.2%) and a flat cost of \$1.80/hr for mandatory fringe benefits;*
- The Federal rate for reimbursement is 50% of costs and are capped at 2X the State minimum wage. This cap will increase as the State minimum wage increases;*
- Current State cap is \$10.50 per hour for wages and \$.60 per hour for health benefits, so not all of the current costs are matched by the State.*
- Agreement with the City and the Public Authority is for wages to go to \$11.20 per hour if no increase in the State match and \$11.50 per hour if the state match increases.*

From: Supervisor Elsbernd

To: Director, Department of Elections

Requesting/Inquiring: Please provide an explanation of the Secretary of State's recent letter rejecting the ES&S request for certification, an explanation of the consequences of the Secretary's decision, and how you plan to respond.

From: Supervisor Dufty

To: Controller

Requesting/Inquiring: Requesting the Controller to perform a comparative review of Transgender services funded by the City, identifying the scope, gaps, and resources required, including the effect of the proposed closing of the UCSF Trans Project. The review should include an analysis of the UC Trans Project's assets including the site lease, and plans to transition clients to other existing services within the City.

From: Supervisor Ammiano

To: Director, Human Services Agency

To: City Attorney

Requesting/Inquiring: Requesting the Director of Human Services Agency and the City Attorney to respond to the following:

To the Director of the Human Services Agency, why have your contract officers not released pertinent information such as core sheets and evaluations related to RFP #338, in a timely and complete manner, as is required under the Sunshine ordinance.

To the City Attorney, does the HSA have a legal right to withhold said information (above) without citing any specific statutory authority? And, is the HSA therefore in violation of the Sunshine Ordinance?

In Memoriams

Will Reno - Supervisor Sandoval
John Phillip Dupre - Supervisor Dufty
Roxanne "Penny" Kowalski - Supervisor Ammiano
Dr. Richard Alan Cazen - Supervisor Dufty
Susumu Saiki - Supervisor Mirkarimi
Alfred A. Aicardi - Supervisor Peskin
Gaetano Balistreri - Supervisor Peskin

*Special Board of Supervisors Meeting
Budget and Finance Committee
May 16, 2007*

At the hour of 1:35 p.m. Supervisor Jake McGoldrick was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors. A Special Board of Supervisors meeting was convened.

Present: Supervisors Chris Daly, Tom Ammiano, Bevan Dufty, Ross Mirkarimi, Sean Elsbernd, and Jake McGoldrick

070545 Heard in Committee. Speakers: Supervisor McGoldrick; Judson True, MTA; Ken Bruce, Budget Analyst's Office; Christian Martin, Budget Analyst's Office; Harvey Rose, Budget Analyst; Steve Ballard, MTA; Louis Dill; Silvia Johnson.

Amended on page 1, line 5 and on page 1, line 23 to replace "three years" with "one year".

Recommended as Amended.

Ayes: 5 - Daly, Ammiano, Dufty, Mirkarimi, Elsbernd

At the hour of 1:58 p.m. Supervisor Jake McGoldrick was noted absent and there was no longer a quorum of the Board of Supervisors.

The Special Board of Supervisors meeting adjourned at 1:58 p.m.

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:04 p.m.

Kay Gulbengay, Interim 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 June 19, 2007.



Kay Gulbengay
Interim Clerk of the Board