

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 14, 2006 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Daly, Dufty, Peskin

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Ammiano, Alioto-Pier, Peskin

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Mirkarimi, Elsbernd, Ammiano

Select Committee on Ending Gun and Gang Violence

Supervisors Maxwell, Mirkarimi, Ammiano

Meeting Days

Wednesday

1:00 PM

2nd Monday (Bi-monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Thursday

10:00 AM

1st and 3rd Monday

10:00 AM

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

Volume 101 Number 39

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, 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 Ammiano was noted absent.

There was a quorum.

Supervisor Ammiano was noted present at 2:11 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved to approve the October 24, 2006 Meeting Minutes. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

061135 [Liquor Licenses, 1415 Green Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1701 Greenwich Street to 1415 Green Street and the issuance of a Type 42 on-sale beer and wine public premises license at the same location to Ceri Lyn Smith for Biondivino will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 656-06

ADOPTED

**061265 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]
Mayor, Supervisor Maxwell**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$175,000 from the Department of Justice (DOJ), Office of Justice Programs (OJP), FY2006 Weed and Seed Program for the purpose of supporting activities to prevent, control and reduce violent crime, drug abuse, and gang activity in the designated Weed and Seed area in the Visitacion Valley neighborhood.

Resolution No. 660-06

ADOPTED

**061362 [STOP Intersections]
Supervisor Elsbernd**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

22nd Avenue and Moraga Street, stopping 22nd Avenue, making this intersection an All-Way STOP;
Peru Avenue and Athens Street, stopping eastbound Peru Avenue, the stem of this T-intersection;
Circular Avenue and Havelock Street, stopping southbound Circular Avenue (legislates existing conditions);
Dorantes Avenue at Magellan Avenue, stopping Dorantes Avenue, making this T-intersection an All-Way STOP; and,
Brighton Avenue at Lakeview Avenue, stopping southbound Brighton Avenue, the stem of this T-intersection.
(Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Supervisor Elsbernd request to be added as sponsor.

Resolution No. 663-06

ADOPTED

061363 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - ESTABLISH

Columbus Avenue, west side, from Broadway to 60 feet northerly.

ONE WAY STREET - RESCIND

Beale Street, between Bryant and Folsom Streets.

BIKE LANE (SOUTHBOUND) - ESTABLISH

Beale Street, west side, between Bryant and Folsom Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Resolution No. 664-06

ADOPTED

061412 [Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2006-07]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2006-07 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2006-07. (Public Health Department)

Resolution No. 665-06

ADOPTED

**061434 [Accept and Expend CALFED Water Use Efficiency Grant Funds]
Supervisor Ma**

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a CALFED Water Use Efficiency Grant in the amount of \$299,390 through the United States Department of the Interior, Bureau of Reclamation.

Resolution No. 666-06

ADOPTED

061454 [Parking Regulations]

Resolution enacting parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Gilbert Street, both sides, between Brannan Street to southern terminus (unit block, excludes Lot #18 and 32, block 3784).

(8/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3236.)

Resolution No. 667-06

ADOPTED

061460 [Accept-Expend State Grant - Sheriff's, Adult Probation and Juvenile Probation Departments]

Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend \$513,500 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs. (Sheriff)

Resolution No. 668-06

ADOPTED

**061467 [Grant to facilitate a community-based transportation plan for Treasure Island]
Supervisor Daly**

Resolution authorizing the San Francisco Department of Public Health (SFPDH), to accept and expend a new grant in the amount of \$98,000 from the California Department of Transportation for a community-based transportation plan to foster neighborhood and project design that enables more walking and biking for a healthier Treasure Island.

Resolution No. 669-06
ADOPTED

**061491 [Rapid Test Algorithm in Non-Traditional Test Sites to Improve Linkage to Care]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), AIDS Office – HIV Prevention Section to accept and expend retroactively a new grant in the total amount of \$242,573, from the Department of Health and Human Services, Centers for Disease Control and Prevention (CDC) in support of a program entitled Rapid Test Algorithm in Non-Traditional Test Sites to Improve Linkage to Care, for the period of September 30, 2006 through September 29, 2007.

Resolution No. 670-06
ADOPTED

Recommendations of the Land Use and Economic Development Committee**061238 [Zoning Map Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]
Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sheet 1 of the Zoning Map of the City and County of San Francisco to change the use district designation of Assessor's Block 0312, Lot 003 from C-3-R 3 (Downtown Retail) to C-3-O (Downtown Office), and amending Sheet 1H of the Zoning Map to change the height and bulk district classification of Assessor's Block 0312, Lot 003 from 80-130-F to 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

Ordinance No. 287-06
FINALLY PASSED

**061237 [General Plan Amendment - 710 Market Street, Northwest of the Intersection of Market, Kearny and Geary Streets, Block 0312, Lot 003]
Supervisor Daly**

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 (Downtown Land Use and Density Plan) and Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan to change the land use designation of Assessor's Block 0312, Lot 003 from Downtown Retail to Downtown Office and the height and bulk district classification from 80-130-F to a 150-X; adopting findings pursuant to the California Environmental Quality Act and findings of consistency with the Priority Policies of Planning Code Section 101.1. (Planning Department)

Ordinance No. 286-06
FINALLY PASSED

Recommendations of the Rules Committee**061401 [Settlement of Lawsuit - Daniel Kuhstoss]**

Ordinance authorizing settlement of the lawsuit filed by Daniel Kuhstoss against the City and County of San Francisco for \$465,000; the lawsuit was filed on April 18, 2005 in San Francisco Superior Court, Case No. 440-542; entitled Daniel Kuhstoss, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 285-06

FINALLY PASSED

061402 [Settlement of Lawsuit - Kevin Roy Jordan]

Ordinance authorizing settlement of the lawsuit filed by Kevin Roy Jordan against the City and County of San Francisco for \$100,000.00; the lawsuit was filed on February 21, 2003 in United States District Court, Case No. C03-1194; entitled Kevin Jordan, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 284-06

FINALLY PASSED

061403 [Settlement of Lawsuit - Vilda and Amber Curry]

Ordinance authorizing settlement of the lawsuit filed by Vilda Curry and Amber Curry, by and through her guardian ad litem, Vilda Curry against the City and County of San Francisco for \$625,000; the lawsuit was filed on March 31, 2003 in San Francisco Superior Court, Case No. 417-407; entitled Vilda Curry, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 283-06

FINALLY PASSED

061451 [Settlement of Lawsuit - People v. California Pacific Medical Group]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco on behalf of the People of the State of California, against California Pacific Medical Group, Inc., dba Brown and Toland Medical Group, on April 10, 2006 in San Francisco Superior Court, Case No. CGC-06451051, entitled The People of the State of California, et al. v. California Pacific Medical Group, Inc., dba Brown and Toland Medical Group. (City Attorney)

PASSED, ON FIRST READING

061452 [Settlement of Lawsuit - CCSF, et. al. v. Landavazo Brothers, Inc., et. al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco as a qui tam plaintiff and party against (a) Landavazo Bros., Inc. and its owners and (b) George, Theodore, Derrick and John Landavazo (together, the "Landavazos") on June 14, 2001, in United States District Court For the Northern District of California, Case No. C-01-2315 MHP, entitled, City and County of San Francisco et. al. v. Landavazo Brothers, Inc., et. al., with the Landavazos paying: (a) \$100,000 within 10 days of the final approval of the settlement ; (b) making sixty-five (65) monthly payments of \$7,500, beginning January 5, 2007; and (c) the City paying to the San Francisco Bay Area Rapid Transit District (BART") therefrom \$50,000, with \$25,000 to come from the initial payment and the balance to be paid at \$2,500 from the next ten (10) payments. The Landavazos are also to forego bidding on, or performing any work on San Francisco or BART projects through December 31, 2008. (City Attorney)

PASSED, ON FIRST READING

061449 [Settlement of Unlitigated Claim - Fred Finch Youth Center]

Resolution approving the settlement of the unlitigated claim filed by the Fred Finch Youth Center against San Francisco for \$50,000; claim was filed on October 13, 2005. (City Attorney)

Resolution No. 671-06

ADOPTED

061450 [Settlement of Unlitigated Claim - Unified Teldata]

Resolution approving the settlement of the unlitigated claim filed by Unified Teldata against San Francisco for \$44,381.55; claim was filed on August 10, 2006. (City Attorney)

Resolution No. 658-06

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from Consent Agenda

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

Supervisor Ma Excused From Voting

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

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

061358 [Liquor License Transfer, 46 Geary Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 975 Bryant Street to 46 Geary Street to Eric Chung for Lounge 46 will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 661-06

ADOPTED by the following vote:

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

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

061361 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

990 Greenwich Street, from 7.4 feet to 16 feet east of Jones Street, accommodating two motorcycle parking spaces.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

22nd Street, both sides, between Bryant and Florida Streets.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

20th Avenue, both sides, between Eucalyptus Drive and Ocean Avenue (3000 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Cesar Chavez Street, both sides, between Noe and Sanchez Streets (4000 block).

NO PARKING ANYTIME - ESTABLISH

Shotwell Street, west side, from Cesar Chavez Street to 102 feet south of 26th Street.

NO PARKING (RED ZONES) ANYTIME - ESTABLISH

Broadway, south side, from Columbus Avenue to 65 feet easterly (6-foot extension of sidewalk); Broadway, north side, 57 feet west of Kearny Street (6-foot extension of the sidewalk); and, Broadway, south side, 52 feet west of Kearny Street (6-foot extension of the sidewalk)

TOW AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY – RESCIND**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Columbus Avenue, west side, from Broadway to 60 feet northerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Waller Street, north side, from the driveway of 530 Waller Street to the driveway of 532 Waller Street (18-foot space, accommodating 5 unmetered motorcycle parking spaces).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

16th Street, north side, from Bryant Street to 80 feet easterly (80-foot zone to create a right-turn only pocket).

TOW-AWAY, NO PARKING, 3:30 TO 7:00 PM, MONDAY THROUGH FRIDAY – ESTABLISH

Beale Street, west side, from Bryant Street to 50 feet northerly (50 foot zone).

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH

Beale Street, west side, from 50 feet to 230 feet north of Bryant Street (180 foot zone).

PERPENDICULAR PARKING – RESCIND

Beale Street, east side, from 300 feet to 353 feet south of Folsom Street and from 620 feet to 764 feet south of Folsom Street; and, Beale Street, west side, from Bryant Street to 630 feet northerly (north end of Harrison Overpass).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Pierce Street, west side, between Jackson Street and Pacific Avenue (legislates existing conditions).

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

California Street, north side, from Kearny Street to Mason Street.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

California Street, both sides, between Powell and Mason Streets. (Parking and Traffic Department)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Supervisor Daly requested that the question regarding parking regulations relating to Harrison Street be divided. (See File 061580)

DIVIDED.

Resolution No. 662-06

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be ADOPTED AS DIVIDED. The motion carried by the following vote:

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

061580 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING AND TRANSIT LANE ONLY, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Harrison Street, north side, from the Embarcadero to First Street

RESIDENTIAL PERMIT PARKING AREA "Y" (2 HOUR PARKING TIME LIMIT, 9 AM TO 10 PM, EVERYDAY) - ESTABLISH

Harrison Street, south side, between Fremont and Spear Streets (currently unregulated);

Spear Street, west side, from Harrison Street to 140 feet southerly (currently unregulated);

Main Street, both sides, between Harrison and Bryant Streets (currently unregulated);

Beale Street, both sides, between Bryant and Harrison Streets (replaces existing signed time limits); and,

Beale Street, west side, between Harrison and Folsom Streets (replaces existing signed time limits).

PARKING METER AREA 1 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Harrison Street, north side, between Beale and Spear Streets (currently unregulated);

Spear Street, east side, from Harrison Street to 140 feet southerly (currently unregulated);

Harrison Street, south side, between The Embarcadero and Spear Streets (replaces signed time limit);

Beale Street, east side, between Folsom and Harrison Streets (currently unregulated)

Townsend Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit);

Brannan Street, both sides, between 2nd Street and Colin P. Kelly Jr. Street (replaces 2 -hour signed time limit); and,

2nd Street, west side, between King and Townsend Streets (currently unregulated)

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3251.)

Supervisor Daly, seconded by Supervisor McGoldrick, moved that this Resolution be **RE-REFERRED** to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Appointment of President Pro Tempore

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

The President resumed the Chair shortly thereafter.

Vetoed by the Mayor

060700 [Police Foot Patrols]
Supervisors Mirkarimi, Daly, Ammiano, Maxwell, Sandoval

Ordinance adopting Section 10A.1 of the San Francisco Administrative Code to establish a one-year pilot program requiring foot patrols in crime-impacted areas within the boundaries of Northern, Park, Tenderloin, Mission, Ingleside, Taraval, Southern and Bayview Police District Stations, and require reporting and review on the effectiveness of the foot patrols.

NOTE: This action requires a 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 November 3, 2006. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before December 3, 2006.)

Motion to override the Mayor's veto passed by the following vote:

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

Noes: 2 - Alioto-Pier, Elsbernd

Recommendations of the Budget and Finance Committee

**061370 [Contract Amendment - CCSF and CBS Outdoor]
Supervisor Maxwell**

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to permit the contractor to advertise on the Third Street light rail vehicle platforms in exchange for maintenance of those platforms; to add shelters to the E-Line boarding islands; and retroactively consenting to the voluntary assignment of the Agreement from Outdoor Systems to Infinity Outdoor, and from Infinity Outdoor to Viacom Outdoor (now known as CBS Outdoor).

Ordinance No. 282-06

FINALLY PASSED by the following vote:

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

061510 [Contract Amendment - CCSF and CBS Outdoor]

Ordinance approving Fourth Amendment to Advertising Transit Shelter Agreement between the City and County of San Francisco and CBS Outdoor, to extend the agreement six months.

(Supervisor Daly dissenting in committee.)

Ordinance No. 288-06

FINALLY PASSED by the following vote:

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

061428 [Appropriating \$1,250,941 of Federal, State and General Fund Reserve to support overtime costs in the Sheriff's Department for Fiscal Year 2006-2007]

Mayor, Supervisors Daly, Dufty, Mirkarimi

Ordinance appropriating \$433,881 Federal revenue, \$181,609 State revenue and \$635,451 General Fund reserve to retroactively support overtime costs related to the staffing of one additional inmate Pod at the San Bruno Jail and increased boarding of prisoners in the Sheriff's Department for Fiscal Year 2006-2007, and placing \$667,530 on Financial Committee reserve pending review of actual overtime expenditures.

(Fiscal impact.)

Ordinance No. 290-06

FINALLY PASSED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

**050176 [Amending the Planning Code to make all massage establishments conditional uses]
Supervisors Ma, Maxwell, Sandoval**

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Ordinance No. 289-06

FINALLY PASSED by the following vote:

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

061376 [Rent Ordinance: applies to units where a tenant's occupancy predates federal low income housing tax credits]

Supervisors Peskin, Maxwell, McGoldrick, Mirkarimi

Ordinance amending Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37, "Rent Ordinance") by amending the Section 37.2(r)(4) definition of "rental units" covered by the ordinance to include units in buildings for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 Internal Revenue Code, 26 U.S.C. Section 42), where: a tenant's occupancy pre-dates recordation of the LIHTC regulatory agreement; and, the rent is not otherwise controlled or regulated by any use restrictions imposed by the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, the United States Department of Housing and Urban Development or the City. This change will encompass rental units where the qualifying tenant is in possession of the unit on or after the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance, including any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit prior to the effective date of this ordinance.

Ordinance No. 281-06

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma 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.

060944 [Food Service Waste Reduction Ordinance]
Supervisors Peskin, Daly, Mirkarimi, Ammiano, McGoldrick, Sandoval, Maxwell, Dufty, Ma, Alioto-Pier

Ordinance amending the San Francisco Environment Code by adding Chapter 16, Sections 1601 through 1611, to: (1) prohibit the use of polystyrene foam disposable food service ware and require the use of biodegradable/compostable or recyclable disposable food service ware by restaurants, retail food vendors, City departments and the City's contractors and lessees unless there is no affordable alternative; and, (2) provide for penalties for violation; and amending the San Francisco Health Code by repealing Sections 469 through 469.10, which ban the use of food packaging and plastic food service ware made with chlorofluorocarbons.

Supervisor Alioto-Pier requests to be added as cosponsor.

Supervisor Peskin, 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, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

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

061360 [Setting speed limit on portions of Kezar and John F. Kennedy Drives]

Ordinance amending the Traffic Code by adding a new Section 175.07, establishing a speed limit of 30 MPH on Kezar Drive between Lincoln Way and John F. Kennedy Drive, and on John F. Kennedy Drive between Kezar Drive and Stanyan Street.

(9/28/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3252.)

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee**061375 [Elections Code Amendments]
Supervisor Elsbernd**

Ordinance amending Sections 120, 200, 220, 300, 340, 500, 525, 530, 535, 545, 550, 590, and 610 of, and adding Section 815 to the Municipal Elections Code to: delete out-dated provisions relating to runoff elections; ensure that candidate statements are submitted in a uniform format; require that measures submitted by the Mayor, Board of Supervisors, or four or more Supervisors are submitted 95 days prior to the election; provide that failure to include an enacting clause in an initiative petition does not invalidate the petition; require the Department of Elections mail a voter information pamphlet to each registered San Francisco voter at least 29 days before an election; adjust the deadlines for ballot arguments and for the public review period to allow sufficient time for the voter information pamphlet to be prepared and mailed 29 days prior to the election; require ballot arguments to be submitted in a uniform format; provide a 24-hour period for the Ballot Simplification Committee to receive and act on written requests for the reconsideration of a digest; and clarify that candidates must file fees when submitting a candidate statement.

PASSED ON FIRST READING by the following vote:

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

061455 [Confirmation - San Francisco Redevelopment Agency]

Resolution confirming the reappointment of Benny Yee by the Mayor, term ending September 3, 2010, to the San Francisco Redevelopment Agency.

Continued to December 5, 2006

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

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

061400 [Authorizing Tax Collector Attorney to file suit against responsible relative of recipient of services at City hospitals to recover value of services]

Resolution authorizing Tax Collector Attorney to file suit against responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

Resolution No. 672-06

ADOPTED by the following vote:

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

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

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Sandoval, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Ammiano welcomed, introduced and presented a Commendation to Guillana Millense in recognition of her retirement.

Supervisor Sandoval welcomed, introduced and presented a Commendation to Stoney Burke in recognition of his 30 years of being a clown who stands up for free speech.

SPECIAL ORDER 4:00 P.M.

Appointment of President Pro Tempore

At the request of the President, Supervisor Elsbernd 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.

061327 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2564 Sutter Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 29, 2006 (Case No. 2005.0486E), exempting from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 (Class 1)], the proposed project at 2564 Sutter Street. The proposal would alter and add to an existing 29-foot tall, one-and-a-half-story over basement single-family residence to create an approximately 40-foot tall, four-story over basement, three-unit residential building. The proposed project includes 1) raising the structure to create a basement parking garage; 2) a 2-story, stepped-back, vertical addition that would increase the height to approximately 40-feet; 3) a 3-level horizontal (to the rear) addition that would extend the existing building to within approximately 34 feet of the rear property line; and 4) interior renovations of the existing building and alterations of the facade. A new garage, stairway and front door entry, as well as the alteration/enlargement of the basement level and related windows would be visible at the front facade. The project site is within the RH-3 (Residential, House, Three-Family) zoning district and within a 40-X height and bulk district. (Appellant: Stephen M. Williams)

President inquired as to whether or not any member of the public wished to address the Board members.

*Steve Williams, Attorney for the appellant
Faye Hollingsworth, support of appellant
Mary Mackey, support of appellant
William Freed, support of appellant
Courtney Clarkson, support of appellant
Ellen Dudley, support of appellant
Zac Stewart, support of appellant
Judith Moyer, support of appellant
Joe Butler, Architect, support of appellant
Kindall Goh, Bernal Heights Preservation, support of appellant
Kieran, support of appellant
Paul Maltzer, and Nannie Turrel, Representatives of the Planning Department reviewed with the Board members the Planning Department's recommendation.
Andrew Julius, Attorney for Project Sponsor
Debra Harris, support of project sponsor
Roger, support of project sponsor
Laura McCluskey, support of project sponsor
Kevin O'Connor, support of project sponsor
Jack Kruger, support of project sponsor
Mr. McCarthy, support of project sponsor
Greg Newsom, support of project sponsor
Peter McCluskey, Project Sponsor
Architect for project sponsor*

Rebuttal Period:

*Steve Williams, Attorney for appellant
Joe Buttler, Architect for appellant*

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

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

- 061328 [Affirming the categorical exemption issued for the 2564 Sutter Street project]**
Motion affirming the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.
Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be **TABLED**. The motion carried by the following vote:
Ayes: 7 - Ammiano, Daly, Duffy, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval
- 061329 [Disapproving the categorical exemption issued for the 2564 Sutter Street project]**
Motion disapproving the determination by the Planning Department that the 2564 Sutter Street project is categorically exempt from environmental review under the California Environmental Quality Act.
Motion No. M06-117
Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be **APPROVED**. The motion carried by the following vote:
Ayes: 7 - Ammiano, Daly, Duffy, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval
- 061330 [Preparation of findings related to the 2564 Sutter Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2564 Sutter Street is exempt from environmental review under the California Environmental Quality Act.
Motion No. M06-118
Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be **APPROVED**. The motion carried by the following vote:
Ayes: 7 - Ammiano, Daly, Duffy, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Absent: 1 - Sandoval

COMMITTEE REPORTS

- 061205 [Policy making marijuana offenses the lowest law enforcement priority]**
Supervisors Ammiano, Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X to make marijuana offenses by adults the lowest law enforcement priority in San Francisco, and require notification of state and federal officials.

(Supervisor Ma dissented)

Supervisor Daly requested to be added as cosponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Duffy, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

**061554 [Establish Community Oversight Committee Regarding Enforcement of Marijuana Offenses]
Supervisors Ammiano, Daly**

Ordinance amending the San Francisco Administrative Code by adding Chapter 12X.6 to establish a Community Oversight Committee regarding enforcement of marijuana offenses.

(Supervisor Ma dissented)

Supervisor Daly requested to be added as cosponsor.

PASSED ON FIRST READING by the following vote:

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

Noes: 3 - Alioto-Pier, Elsbernd, Ma

Absent: 2 - Dufty, Maxwell

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 appreciation for all who helped with election

James Chaffee; expressed concerns with saving the San Francisco Public Library

John Hammon; expressing concerns regarding skateboarding in Golden Gate Park

Malink Mofe; expressed appreciation for the Board's support of low-income people in S. F.

Lionel Sandford, Seniors Organizing Seniors; expressing appreciation for the Board's support of seniors in S. F.

Male Speaker; expressed concern with issues relating to the Leneai Hotel

Walter, shared expressions in song

Eugene Gordon Jr.; expressed various legislative concerns

John Denado; expressed pride in democracy

Female Speaker; expressed support for the Police Chief

Jan White; expressed concerns with crime and being a victim multiple times

Sylvia Johnson; expressed concern relating to various issues in song

Maria Martinez; expressing support of the mobbing resolution

Mr. Cruz; expressing support of the mobbing resolution

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.

- 061542 [Authorizing the Executive Director/CEO of the Municipal Transportation Agency or his or her designee and the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance]
Supervisor Peskin

Resolution authorizing the Executive Director/CEO of the Municipal Transportation Agency or her or her designee and the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal and State transportation grants expiring on June 30, 2007.

Resolution No. 657-06
ADOPTED

- 061544 [Hepatitis B Screening Goal]
Supervisor Ma

Resolution establishing the goal of universal Hepatitis B screening and vaccination for Asian and Pacific Islander residents of San Francisco.

Resolution No. 659-06
ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed from Adoption Without Committee Reference

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

- 061541 [Supporting the development and provision of flexible work-life practices and policies for individuals employed by the City of San Francisco]
Supervisor Alioto-Pier

Resolution supporting work-life practices and policies for employees of the City of San Francisco.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Government Audit and Oversight Committee by the following vote:

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

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

- 061543 [Recognizing the detrimental impact of mobbing on creating a safe and productive workplace for all employees]**
Supervisor Sandoval

Resolution requesting the Department of Human Resources to recognize the detrimental impact of mobbing on creating a safe and productive workplace for all employees.

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Government Audit and Oversight Committee by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 061562 [Amending the Working Families Credit Program and the Working Families Credit Fund]**
Mayor

Ordinance amending the San Francisco Administrative Code by renumbering section 10.100-347 to 10.100-79 and amending Sections 12S.1 and 10.100-79 to establish that: 1) the Working Families Credit Program and the Working Families Credit Fund are administered by the Human Services Agency (HSA); 2) incentive payments may be calculated based on a flat rate; and 3) HSA may enter into agreements with private industries to provide other discounted services or products to program participants.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 061563 [Condominium conversion lottery based on seniority of participation]**
Supervisor Dufty

Ordinance amending the Subdivision Code by amending Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; adding Section 1396.3 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and to continue this lottery selection process for two years; and making environmental findings.

11/14/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/14/2016.

**061566 [Limited equity accumulation for membership shares of ROOTS Program Assisted Housing Cooperatives]
Supervisor Mirkarimi**

Ordinance amending San Francisco Board of Supervisors Ordinance No. 71-06 appropriating \$20,000,000 from the General Fund for Affordable Housing projects, including \$1,000,000 to the Mayor's Office of Housing (MOH) for the Real Opportunities for Tenants (ROOTS) program, by amending the criteria for the ROOTS program to require that the Articles of Incorporation or the Bylaws of housing cooperatives assisted by ROOTS Program funds mandate that membership shares of members who cease to be permanent residents be sold at a price equaling no greater than a transfer value and clarify that resident housing organizations that are assisted by ROOTS must be structured in the form of a cooperative; and adopting regulations governing MOH's administration of the ROOTS program.

11/14/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**061569 [Sole Source Designation of Professional Services Contracts for Health and Behavioral Health Services and Support]
Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code to add Section 21.42, approving the sole source designation of professional services contracts for health and behavioral services and support by the San Francisco Health Commission, where such services are provided by non-profits.

11/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**061581 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management]
Mayor**

Ordinance authorizing the Department of Emergency Management to accept and expend a federal pass through grant in the amount of \$1,667,904 from the United States Department of Homeland Security through the Governor's Office of Homeland Security under three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS), and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**061582 [Grant of Federal Homeland Security Funds]
Mayor**

Ordinance authorizing the Department of Emergency Management to accept and expend a grant of \$22,656,000 in funds from the United States Department of Homeland Security through the California Office of Homeland Security under the Urban Area Security Initiatives Program, and incorporating an amendment to the Annual Salary Ordinance to provide for the extension of certain grant-funded positions.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061585 [Public Employment - Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006/2007) reflecting the extension of thirty-nine positions at the following departments: Emergency Management Department, Emergency Services Division, Police, Fire, Public Health and Sheriff.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions**061561 [Recreation and Park-Golden Gate Park AB 716 Grant Funds]****Mayor**

Resolution authorizing the Recreation and Park Department to re-appropriate \$527,221 of Proposition 40, AB 716 Grant Program funds from the Urban Forestry Yard project to the South Murphy Windmill Project.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061564 [Support Goals for Federal Funding - Community Development Block Grant]**Supervisor Maxwell**

Resolution supporting Fiscal Year 2007-2008 Community Development Block Grant (CDBG) Action Plan Goals.

11/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061565 [Reducing the cost of adult MUNI Fast Passes for 18-24 year olds]**Supervisor McGoldrick**

Resolution urging the Municipal Transportation Agency (MTA) to reduce the cost of monthly adult MUNI fast passes for transitional aged young adults ages 18 to 24 years old.

11/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

061567 [Board of Supervisors - Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the January 17, 2007, February 20, 2007, May 29, 2007, July 5, 2006, October 9, 2007, November 27, 2007, December 18, 2007, December 26, 2007 and January 2, 2008 meetings and by canceling all Board and Committee meetings from August 15 through September 4, 2007. (Clerk of the Board)

11/14/06, RECEIVED AND ASSIGNED to Rules Committee.

061568 [Ratification of prior professional service contracts for health and behavioral health services and approval of three year extensions]**Supervisor Peskin**

Resolution ratifying prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approving three year extensions.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061570 [Issuance and Sale of Revenue Bonds - Elder Care Alliance of San Francisco]**Supervisor Dufty**

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 \$37,000,000 to refinance a portion of the costs of acquisition, construction and equipping of an assisted living and dementia care facility.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**061571 [Condemning Human Rights Violations in the Philippines]
Supervisors Mirkarimi, Daly, Ammiano**

Resolution condemning the politically-motivated killings and other human rights violations in the Philippines, extending sympathy to the families of victims and urging President Macapagal-Arroyo to reassert human rights and allow for an independent investigation into the killings.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**061572 [Commemorating National Prematurity Awareness Month]
Supervisor Mirkarimi**

Resolution commemorating National Prematurity Awareness Month, acknowledging that premature birth is a serious, common and costly problem. The etiology of premature birth is unknown and can happen to any pregnant woman. We hope all of you will join us in the campaign to reduce premature birth by supporting research, educating the public and health care providers about this critical issue.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**061573 [Urging NBC-Universal to reconsider its decision to eliminate local Spanish newscasts at KSTS-48 Telemundo]
Supervisor Sandoval**

Resolution urging NBC-Universal to reconsider its decision to eliminate local Spanish news newscasts at KSTS-48 Telemundo.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**061574 [Recognizing the City of Santa Ana for electing a Council reflective of its constituency's diverse ethnic majority]
Supervisor Sandoval**

Resolution recognizing the City of Santa Ana for electing a Council reflective of its constituency's diverse ethnic majority.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**061575 [Supporting Saul Arellano, a 7 year-old boy whose mother has taken refuge at a church in Chicago to avoid deportation]
Supervisor Sandoval**

Resolution supporting Saul Arellano, a 7 year-old boy whose mother has taken refuge at a church in Chicago to avoid deportation.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 061583 [Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of fiscal year 2006 federal and state homeland security funds and to make San Francisco primary grantee and fiscal agent]**
Mayor

Resolution authorizing City and County officials to enter into a Memorandum of Understanding that would create a Urban Area Working Group with other Bay Area governmental entities to govern expenditure of federal and state fiscal year 2006 Urban Area Security Initiatives Program funds and that would make San Francisco the primary grantee and fiscal agent for those funds; further authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco any and all documentation necessary to apply for and receive federal and state financial assistance under the Urban Area Security Initiatives Program and other federal and state homeland security programs.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 061586 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Emergency Services Division]**
Mayor

Resolution authorizing the Department of Emergency Management, Emergency Services Division, to accept and expend a Federal pass through grant in the amount of \$776,000 from the Governor's Office of Homeland Security for the Buffer Zone Protection Program.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 061541 [Supporting the development and provision of flexible work-life practices and policies for individuals employed by the City of San Francisco]**
Supervisor Alioto-Pier

Resolution supporting work-life practices and policies for employees of the City of San Francisco.

11/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/14/06, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

- 061543 [Recognizing the detrimental impact of mobbing on creating a safe and productive workplace for all employees]**
Supervisor Sandoval

Resolution requesting the Department of Human Resources to recognize the detrimental impact of mobbing on creating a safe and productive workplace for all employees.

11/7/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/14/06, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

**061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]
Supervisor Maxwell**

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

10/3/06, SCHEDULED FOR PUBLIC HEARING. Scheduled for November 7, 2006 at 3:00 p.m.

11/14/06, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing the same title.

11/14/06, ASSIGNED to Board of Supervisors. Scheduled for December 5, 2006 at 3:00 p.m.

11/16/06 - Notice of Public hearing sent to owner found on Assessor's Roll, CALTrans.

11/18/06 - Notice of Public hearing published in SF Chronicle.

Hearings

**061560 [Hearing to discuss clerical, analytical and budget support for the Board of Supervisors]
Supervisor Peskin**

Hearing to discuss clerical, analytical and budget support for the Board of Supervisors.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**061576 [Hearing to discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."]
Supervisor Alioto-Pier**

Hearing to discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."

11/14/06, ASSIGNED to Board of Supervisors. Pursuant to File 061577, Board to sit as a Committee of the Whole on December 5, 2006 at 4:00 p.m.

**061578 [Hearing on the proposed development plan at Candlestick Point]
Supervisor Peskin**

Hearing to discuss the proposed development at Candlestick Point.

11/14/06, ASSIGNED to Board of Supervisors, Pursuant to File 061579, Board to sit as a Committee of the Whole on November 21, 2006 at 2:00 p.m.

**061587 [Reserved Funds, Department of Emergency Management, Division of Emergency Services]
Mayor**

Hearing to consider release of reserved funds, Department of Emergency Management, Division of Emergency Services (DEM) in the amount of \$1,322,061 for the FY 2005 Homeland Security Grant funds.

11/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions**061559 [Legislative Analyst Request]
Supervisor Elsbernd**

Motion requesting the Legislative Analyst to research comparable Natural Areas Plans that have been developed and implemented in other jurisdictions. As well, please explore the availability of existing studies that provide data that may assist in determining potential costs for San Francisco's Natural Areas Program Management Plan (NAP MP).

11/14/06, ASSIGNED to Board of Supervisors. Scheduled for Board consideration November 21, 2006. Brief report, desired delivery date December 14, 2006.

**061577 [Calling for the Board of Supervisors to sit as a Committee of the Whole on December 5, 2006, at 4:00 pm to consider findings of recent economic report]
Supervisor Alioto-Pier**

Motion calling for the Board of Supervisors to sit as a Committee of the Whole on December 5, 2006, at 4:00 pm to hear and discuss the findings of the report, "Focusing San Francisco's Economic Strategy: From Goals to Strategic Priorities."

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**061579 [Motion to Hold Public Hearing on the proposed development plan at Candlestick Point]
Supervisor Peskin**

Motion directing the Board of Supervisors to hold a public hearing on November 21, 2006, at 2:00 p.m., with the Board sitting as a committee of the whole, to discuss the proposed development at Candlestick Point.

11/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES**061514 [Zoning Map Amendment for 18 Arago Street]**

Ordinance amending Sheet 11 of the Zoning Map of the City and County of San Francisco for property located at 18 Arago Street, Assessor's Block 3154 Lot 063, to change the use district classification from P (Public Use) to RH-1 (Residential House, One-Family); adopting findings pursuant to the California Environmental Quality Act and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Department)

11/3/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/4/2006. (SUPPORTING DOCUMENTS: Planning Commission Resolution 17328; Executive Summary; and Determination of Exemption from Environmental Review).

- 061517 [Vacation and immediate quitclaim of a sewer easement and vacation and delayed quitclaim of a water line easement in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11)]**
Ordinance ordering the vacation of a 10-foot wide water line easement and a 20-foot wide sewer easement in former Hubbell street, within the Mission Bay South Redevelopment Project Area; authorizing an immediate quitclaim of the sewer easement and a delayed quitclaim of the water line easement of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 176,502 ; and authorizing other official acts in connection with this ordinance. (Public Works Department)
11/6/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 061519 [Condominium conversion lottery extension to 2008]
Supervisor McGoldrick**
Ordinance amending Subdivision Code Section 1396 to extend the annual 200-unit condominium conversion lottery until 2008; repealing Section 1396.1 to delete condominium conversion lottery provisions that are void by their own terms; adding Section 1396.1 to reenact the condominium conversion lottery process from 2005 and to establish provisions concerning the standby list selection process; and making environmental findings. (Public Works Department)
11/6/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2006.
11/13/06, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.
- 061520 [Settlement of Lawsuit - Cynthia Fitzgerald]**
Ordinance authorizing settlement of the lawsuit filed by Cynthia Fitzgerald against the City and County of San Francisco for \$140,000; the lawsuit was filed on November 8, 2004 in San Francisco Superior Court, Case No. 436-152; entitled Cynthia Fitzgerald, et al., v. City and County of San Francisco, et al. (City Attorney)
11/6/06, RECEIVED AND ASSIGNED to Rules Committee.
- 061521 [Settlement of Lawsuit - Bradford Wilson]**
Ordinance authorizing settlement of the lawsuit filed by Bradford Wilson against the City and County of San Francisco for \$70,000.00; the lawsuit was filed on October 27, 2005 in the San Francisco Superior Court, Case No. 446116; entitled Bradford Wilson v. City and County of San Francisco, et al. (City Attorney)
11/6/06, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 061515 [Agreement with Caltrans for street construction at Fifth and King Streets intersection with State Route 280]**
Resolution approving the Cooperative Agreement between the City and County of San Francisco and the State of California Department of Transportation concerning the new street construction for the King Street Westbound Frontage Road and ancillary improvements at Fifth and King Streets intersection with State Route 280 and authorizing official acts in furtherance thereof. (Public Works Department)
11/6/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

061516 [Vacation of sewer and water line easements in former Hubbell Street (a portion of Assessor's Block 8709, Lot 11)]

Resolution declaring the intention of the Board of Supervisors to vacate a 10-foot wide water line easement and 20-foot wide sewer easement in former Hubbell Street within the Mission Bay South Redevelopment Project Area; setting the hearing date for all persons interested in the proposed vacation of the easements; and adopting findings that the vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; accepting the Department of Public Works Order No. 176,502, dated October 24, 2006; and authorizing other official acts in connection with this Resolution. (Public Works Department)

11/6/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
To: City Librarian, San Francisco Public Library
Requesting/Inquiring: Requesting the Department of Public Works and the San Francisco Library to report on the status of removing graffiti from Western Addition Branch Library.*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs located at the following locations: 1730 Baker St., 265 Rivoli St., 1533 Shrader St., 1530 Shrader St., 1235 Stanyan St., 4812 - 17th St.*

*From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repairing the parking sign located at 1543 Fulton Street.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from garbage cans at the following location: Southwest corner of Hayes and Lyon.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the mailboxes at the following location: Northwest corner of Divisadero and Eddy.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following location: Southwest corner of Broderick and McAllister (Chronicle).*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the phone switch boxes at the following locations: Southeast corner of Belgrave and Stanyan and the Southeast corner of Hayes and Lyon.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing multiple potholes at the following locations: 176 Carl Street and Baker Street between Oak and Fell.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing the sidewalk at 1139 Cole St.*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of needing trimming at the south end of the intersection of Belgrave and Stanyan. Parking signs are not visible.*

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from light switchboxes at the following locations: Northwest corner of Divisadero and Post. Northeast corner of Divisadero and Eddy. Southeast corner of Divisadero and Fulton.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti on the parking signs at the following locations: 1308 Cole St., 1154 Cole St., 116 Carl St., 340 Carl St., 123 Beulah St., 1260 Waller St., 550 Baker St., and 1543 Fulton St. Yellow diamond at the dead end of Stanyan and Belgrave.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following property location: 590 Baker St.

From: Supervisor Alioto-Pier

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation establishing a Sports Commission. The Sports Commission will be charged with:

- attracting, hosting, and supporting both amateur and professional sports events in San Francisco;*
- supporting the development and maintenance of amateur and professional athletic facilities;*
- working to attract amateur and professional sports teams and other sports based organizations to San Francisco;*
- working to identify facilities, accommodations and local businesses to provide related commercial support for sporting events and participants;*
- developing a bank of volunteers from which sports event sponsors can draw support;*
- measuring and reporting on the economic impact of sports events to city officials and the community at large;*
- developing charitable and/or non-charitable sports and fitness programs for people of all ages, and specifically for disadvantaged youth in San Francisco;*
- supporting training programs to amateur athletes competing in local, regional, national and/or international competitions;*
- educating the general public regarding the importance of sports and recreational activities and facilities in San Francisco;*
- ensuring that the appropriate marketing, organizational, administrative and volunteer support systems are in place to enhance the ultimate success of new and existing sporting events in San Francisco;*
- leading the effort to build a new football stadium and a downtown multi-purpose arena; and*
- leading the effort to attract professional sports teams to San Francisco.*

Department Collaboration

The Sports Commission will work closely with the Department of Recreation and Parks, Office of Convention and Facilities Management, Entertainment Commission, and the Mayor's Office of Economic and Workforce Development to achieve its mission. The Sports Commission will have ultimate authority over Monster Park, Kezar Stadium and Rec/Parks recreational sports programs.

Appointment of Members

The Mayor will appoint members of the Sports Commission

In Memoriams

Marian Eaves Hinman, Supervisor Peskin

Assunta Femia, Supervisor Ammiano

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:24 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 12, 2006.



Gloria L. Young
Clerk of the Board