

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, May 22, 2007 2:00 PM

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

Regular Meeting

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

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

Volume 117 Number 18

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 2:04 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Dufty, moved to approve the Board Meeting Minutes of April 24, 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

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.

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

Ordinance No. 122-07

FINALLY PASSED

**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.

**Ordinance No. 123-07
FINALLY PASSED**

Recommendations of the City Operations and Neighborhood Services Committee

**070454 [Grant to improve care for patients in San Francisco with anxiety disorders]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (DPH – CBHS) to accept and expend a new 24-month grant in the amount of \$377,345, from the Mylan Settlement Fund (State of Connecticut, et al. v. Mylan Laboratories), to provide services for patients with anxiety disorders; for the period of June 1, 2007 through May 31, 2009.

**Resolution No. 279-07
ADOPTED**

**070542 [Accept-Expend Gift - Department of Public Works]
Supervisor Daly**

Resolution authorizing the Department of Public Works (DPW) to accept a gift in the amount of \$100,000 from the San Francisco Giants for the services of DPW to install hanging baskets along 3rd Street, plant a ceremonial magnolia tree for Arbor Day on Cesar Chavez Street, assist in the mounting of brackets and banners as it pertains to the All Star Game and provide trees for the Giants Volunteer Day.

**Resolution No. 274-07
ADOPTED**

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.

**Ordinance No. 127-07
FINALLY PASSED**

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)

Ordinance No. 124-07

FINALLY PASSED

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)

Ordinance No. 126-07

FINALLY PASSED

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

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.

Ordinance No. 125-07

FINALLY PASSED by the following vote:

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

From the Budget and 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)

Ordinance No. 119-07

FINALLY PASSED by the following vote:

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

Recommendation of the Land Use and Economic Development Committee

**070217 [Zoning - Interim moratorium on installation of microcell equipment]
Supervisors Peskin, Jew, Sandoval, McGoldrick, Maxwell, Daly, Mirkarimi, Ammiano, Dufty, Alioto-Pier, Elsbernd**

Urgency Ordinance approving an interim zoning moratorium on installation of microcell equipment for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Continued to June 12, 2007.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, 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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

**070466 [Public Works Excavation Code]
Supervisor Mirkarimi**

Ordinance amending Public Works Code Sections 2.4.44 and 2.4.46 to delete the street restoration fee and amending Section 2.4.55 to require restoration of all affected lanes for the entire block when 25% or more of the block's length is excavated to extend to the time required for backfill, replacement of pavement base, and finished pavement associated with street restoration from 72 to 120 hours; and making environmental findings.

PASSED ON FIRST READING by the following vote:

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

**070488 [Appropriating \$2,345,549 for the Juvenile Hall Youth Guidance Center Replacement Project in the Department of Public Works for Fiscal Year 2006-2007]
Supervisor Elsbernd**

Ordinance appropriating \$2,345,549, of which \$1,077,589 is from Juvenile Hall Youth Guidance Center Replacement Project Certificates of Participation (COPs) interest earned, \$847,960 is from the Reserve for Rainy Day – One-time Spending Account, and \$420,000 is from a deappropriation of the Youth Guidance Center facilities maintenance project, to fund Juvenile Hall Youth Guidance Center Replacement Project construction costs in the Department of Public Works for Fiscal Year 2006-2007. (Public Works Department)

(Fiscal Impact.)

(Supervisor Daly dissented in Committee on the question of appropriating to CONIGAGFACP 096R1 Reserve for Rainy Day - One time spending of \$847,960).

PASSED ON FIRST READING by the following vote:

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

**070499 [Public Employment - Department of Human Resources]
Supervisor Daly**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 15 positions (1.20 FTE) at the Department of Human Resources (HRD).

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

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

**070582 [Public Employment - Treasurer/Tax Collector]
Mayor**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed change to Treasurer/Tax Collector (TTX) staffing by decreasing total staffing by 1.00 position (.04 FTE).

PASSED ON FIRST READING by the following vote:

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

070421 [Department of Building Inspection Annual Report printing]

Resolution authorizing the Department of Building Inspection, in accordance with Administrative Code Section 1.56, to expend funds to print 50 copies of its fiscal year 2005/06 Annual Report and 50 copies of its fiscal year 2006/07 Annual Report. (Building Inspection Department)

(Supervisor Daly dissented in Committee.)

Resolution No. 284-07

ADOPTED by the following vote:

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

070424 [Lease of Real Property at 1212 Market Street]

Resolution authorizing the lease of 14,472 square feet of space at 1212 Market Street (and also commonly known as 11 Grove Street) for the Department of the Environment. (Real Estate Department)

(Fiscal Impact.)

Resolution No. 285-07

ADOPTED by the following vote:

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

- 070483 [Lease of Real Property at the southwest corner of 13th Street and South Van Ness Avenue]**
Resolution authorizing the lease of a parking lot, containing approximately 78,005 square feet, located at the southwest corner of 13th Street and South Van Ness Avenue. (Real Estate Department)

(Supervisors Ammiano and Mirkarimi dissented in committee.)
(Fiscal Impact.)

Resolution No. 276-07

ADOPTED by the following vote:

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

- 070506 [Lease of Real Property - 1390 Market Street]**
Supervisor Peskin

Resolution authorizing the exercise of an option to extend an approximate 68,783 square foot lease at 1390 Market Street for use by the City Attorney.

(Fiscal Impact.)

Resolution No. 278-07

ADOPTED by the following vote:

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

- 070545 [Extension of Agreement with Serco Management Services, Inc.]**
Supervisor McGoldrick

Resolution approving the Fourth Amendment to the agreement between Serco Management Systems, Inc. and the City and County of San Francisco, extending the contract by one year, and raising the not-to-exceed amount of the contract from \$50,000,000 to \$61,000,000.

(Fiscal Impact.)

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

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

Resolution approving the Fourth Amendment to the agreement between Serco Management Systems, Inc. and the City and County of San Francisco, extending the contract by one year, and raising the not-to-exceed amount of the contract from \$50,000,000 to \$51,000,000.

(Fiscal Impact.)

Resolution No. 277-07

ADOPTED AS AMENDED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee**070467 [Prohibiting the Feeding of Wild Birds, Including Red-Masked Parakeets]
Supervisors Peskin, Dufty**

Ordinance amending section 486 of the Police Code to specify that the feeding of Red-Masked Parakeets is prohibited.

PASSED ON FIRST READING by the following vote:

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

**070607 [Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]
Supervisor Jew**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in an additional section of the City on Saturday, May 5, 2007 as part of Small Business Week.

Supervisor Jew, seconded by Supervisor Elsbernd, moved that this Ordinance 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, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**070367 [City's ADA Transition Plan and Uniform Physical Access Strategy]
Supervisors Alioto-Pier, Ammiano**

Resolution adopting the City's ADA Transition Plan and Uniform Physical Access Strategy.

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

Resolution No. 273-07

ADOPTED by the following vote:

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

**070369 [Supporting a study to explore small boat storage in the Marina Yacht Harbor]
Supervisor Alioto-Pier**

Resolution supporting a study to explore small boat storage in the Marina Yacht Harbor.

Resolution No. 272-07

ADOPTED by the following vote:

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

SPECIAL ORDER**Board of Supervisors Sitting as a Committee of the Whole**

Called From the City Operations and Neighborhood Services Committee

070401 [San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies] Supervisor Daly

Hearing to explore San Francisco's Participation in the "Focusing Our Vision" Program of the Regional Agencies--Association of Bay Area Governments, Metropolitan Transportation Commission, Bay Conservation and Development Commission, and Bay Area Air Quality Management District.

Representatives from the Association of Bay Area Governments and Planning Department staff reviewed and updated the Board on San Francisco's participation in "Focusing Our Vision".

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

There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

Supervisor Elsbernd welcome, introduced, and presented a Certificate of Honor to Kate Favetti, Executive Officer, Civil Service Commission, in recognition of her 36 years of service to the City and County of San Francisco.

Supervisor Peskin welcomed, introduced, and presented a Certificate of Honor to the Department of Public Works in recognition of National Public Works Week.

Supervisor Mirkarimi welcomed, introduced, and presented Certificates of Honor to members of the VIP Huckleberry House Program.

SPECIAL ORDER 4:00 P.M.

Supervisors Daly and Dufty Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisors Daly and Dufty, at their request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alloto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 2 - Daly, Dufty

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

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

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

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

Mary Miles, Representative for the appellant, Coalition for Adequate Review

John Bardis

Male Speaker

Paul Olsen

Continued to June 12, 2007

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

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 2 - Daly, Dufty

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

(Only one of the following two motions should be approved.)**070561 [Affirming certification of Market and Octavia Area Plan FEIR]**

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

Continued to June 12, 2007

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

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 2 - Daly, Dufty

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

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

Continued to June 12, 2007

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

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 2 - Daly, Dufty

- 070563 [Preparation of findings to disapprove certification of the Market and Octavia Area Plan FEIR]**
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Market and Octavia Area Plan FEIR.

Continued to June 12, 2007

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

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

COMMITTEE REPORTS

- 070439 [Appointment - Citizens' General Obligation Bond Oversight Committee]**
Resolution appointing Kristin Chu, term ending November 21, 2008, to the Citizens' General Obligation Bond Oversight Committee.

Kristin Chu, succeeding John Hentz, term expired, seat 3, must be active in a community organization, for the unexpired portion of a two-year term ending November 21, 2008.

Resolution No. 283-07

ADOPTED by the following vote:

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

- 070513 [Urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code]**
Supervisor Ammiano

Resolution urging the California State Legislature to repeal Section 1569.147 of the Health and Safety Code to allow local governments to limit the annual rent increase imposed on occupied units of licensed residential care facilities for the elderly.

Resolution No. 275-07

ADOPTED by the following vote:

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

Appointment of President Pro Tempore

At the request of the President, Supervisor Elsbernd assumed the Chair.

The President resumed the Chair shortly thereafter.

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

Walter; shared with the Board, in song, various city memorabilia

Malè speaker; expressed concern with various issues

Mark Gruber; expressed concern with issues relating to Yellow Cab leasing practices

Erwin Lum, Local 250A representative; expressed concern with issues relating to a proposed Charter Amendment regarding Muni

Barbara Brooks, Muni Operator; expressed concern with issues relating to Muni and a proposed Charter Amendment regarding Muni

Dave Farlow, United Taxicab Workers; expressed concern with issues related taxi leases

Eugene Gordon Jr.; expressed concern with various issues

Male speaker; expressed concern with issues relating to emissions and Muni services and supported the proposed Charter Amendment

Glenda Levin, Local 200; expressed concern with issues relating to Muni and a proposed Charter Amendment regarding Muni

Albert Gomez; expressed concern with various issues

Ms. Estella; expressed concern with issues relating to immigration

Gloria Caso; expressed concern with issues relating to immigration

Female speaker; expressed concern with issues relating to immigration

Christine Gutierrez; expressed concern with issues relating to immigration

Sylvia Johnson; expressed concern with various issues

Richard Robinson; expressed concern with various issues

CONFERENCE WITH CITY'S LABOR NEGOTIATORS

Supervisor Alioto-Pier was noted absent at 4:28 p.m.

**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.

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

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

CLOSED SESSION

The Board recessed at the hour of 4:28 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:58 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Persons in attendance:

Jim Horan, Acting Director of Human Resources

Micki Callaghan, Deputy Director, Department of Human Resources

Cheryl Adams, Deputy City Attorney

Monique Zmuda, Deputy Controller

Kay Gulbengay, Interim Clerk of the Board

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending City Labor Negotiations. (Collective Bargaining)

Supervisor Elsbernd, seconded by Supervisor Jew, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

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

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.

**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.

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

Resolution No. 282-07

ADOPTED

**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.

Resolution No. 286-07

ADOPTED

**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

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

Resolution No. 280-07

ADOPTED

The foregoing items were acted upon by the following vote:

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

Absent: 1 - Daly

Supervisor Peskin requested that this matter 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)

Motion No. M07-61

APPROVED by the following vote:

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

Absent: 3 - Alioto-Pier, Daly, McGoldrick

Severed from for Adoption without Reference to Committee

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

**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.

Resolution No. 281-07

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Ordinances

**070715 [Unrepresented Employees]
Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2007.

(Fiscal Impact.)

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

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

(Fiscal Impact.)

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

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

(Fiscal Impact.)

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

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

(Fiscal Impact.)

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

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

(Fiscal Impact.)

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

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

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

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

(Fiscal Impact.)

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

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

(Fiscal Impact.)

**070738 [Planning - Inner Clement Street Neighborhood Commercial District - full-service restaurants and bars]
Supervisor McGoldrick**

Ordinance amending Planning Code Sections 716.1, 716.41, and 716.42 of the Inner Clement Street Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new wine and beer bar uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

**070739 [Accept-Expend Federal Grant - Department of Economic and Workforce Development]
Supervisor Mirkarimi**

Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$200,000 in FY 2006-07 from the Private Industry Council of San Francisco, Inc. for workforce development administration, contracting, and data management, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

**070743 [Public Employment - Airport Commission and City Planning]
Mayor, Supervisor Peskin**

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to the Airport Commission (AIR) and City Planning (CPC) staffing by decreasing total staffing by 3.00 positions (0.12 FTE).

**070740 [Accept-Expend Federal Grant - Department of Economic and Workforce Development]
Supervisor Mirkarimi**

Ordinance authorizing the Department of Economic and Workforce Development to accept and expend a grant in the amount of \$5,765,890 in FY 2007-2008 from the California Employment Development Department for workforce development, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

**070213 [Planning - public review process for wireless telecommunications services facilities as accessory uses]
Supervisor Peskin**

Ordinance amending the Planning Code Section 311 and 312 to apply the public review processes for building permit applications in R and NC Districts to wireless telecommunications services facilities permitted as accessory uses under Article 2 of the Planning Code, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Resolutions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**070741 [Issuance and Sale of Tax-Exempt Bonds - Katherine Delmar Burke School]
Supervisor McGoldrick**

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 \$17,000,000 to finance various capital facilities owned by The Katherine Delmar Burke School or an affiliate.

**070742 [Traffic Regulation]
Supervisor Maxwell**

Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Mendell Street between Palou Avenue and 70 linear feet southwest of Oakdale Avenue from 6:30 A.M. to 3:30 P.M. on every Wednesday from May 23, 2007 through December 30, 2009.

**070748 [Issuance and sale of tax-exempt bonds - St. Ignatius College Preparatory]
Supervisor Elsbernd**

Resolution approving the issuance of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$22,000,000 for the financing of the construction, improvement, furnishing and/or equipping of certain educational facilities at St. Ignatius College Preparatory and certain other matters relating thereto.

**070749 [Condemning prosecution of medical marijuana by the Federal government]
Supervisor Ammiano**

Resolution condemning federal prosecution of Ed Rosenthal and acknowledging importance of safe and legal access to medical cannabis in San Francisco.

**070750 [Celebrating the 78th birthday of Harvey Milk and honoring his memory]
Supervisors Ammiano, Dufty, Mirkarimi, Elsbernd**

Resolution celebrating the 78th birthday of Harvey Milk, LGBT civil rights pioneer, former Supervisor, and legendary San Francisco leader.

**070751 [Urging the Federal government to declare a moratorium on ICE raids]
Supervisors Ammiano, Elsbernd**

Resolution urging a moratorium on ICE raids (at the very least) until the unresolved question of what to do about separated families, the trauma they are forced to endure, who should care for children left behind after their parents are deported, and who shall bare the associated costs, and until comprehensive immigration reform is agreed upon at the Federal level.

**070752 [Urging the State Assembly Appropriations Committee to support Assembly Bill 433 (Beal)]
Supervisor Maxwell**

Resolution urging the State Assembly Appropriations Committee to support Assembly Bill 433 (Beal) to require the Department of Social Services (DSS) to propose a new name for the Food Stamp program and to establish categorical eligibility for food stamp benefits for Medi-Cal recipients who are eligible for services funded by the Temporary Assistance for Needy Families (TANF) block grant.

**070753 [Urging the US Congress to support 2007 Farm Bill]
Supervisor Maxwell**

Resolution urging the United States Congress to support a strong Nutrition Title in the 2007 Farm Bill that will improve the Food Stamp Program, strengthen The Emergency Food Assistance Program (TEFAP), fully fund the Commodity Supplemental Food Program (CSFP), and support adequate nutrition for everyone.

- 070754 [Urging environmental analysis of water supply alternatives that will not increase diversions of freshwater from the Tuolumne River and urging active implementation of conservation and recycled water programs]**

Supervisors Maxwell, Peskin, McGoldrick, Mirkarimi, Ammiano

Resolution urging the San Francisco Planning Department and the San Francisco Public Utilities Commission to fully analyze a water supply alternative in the Programmatic Environmental Impact Report that will not result in increased diversions of freshwater from the Tuolumne River.

- 070755 [Urging the University of California San Francisco to reduce its energy consumption through a reduction of night lighting]**

Supervisor Mirkarimi

Resolution urging the University of California San Francisco to reduce its energy consumption by 10% over the next two years, in part through a reduction of night lighting on its campuses.

Hearings

- 070712 [Budget Analyst's update on the Management Audit of the Division of Emergency Services]**

Supervisor Alioto-Pier

Hearing on the Budget Analyst's update on the Management Audit of the Division of Emergency Services.

- 070713 [Public safety concerns in the Tenderloin]**

Supervisor Daly

Hearing on public safety concerns in the Tenderloin.

- 070714 [Overview of SFUSD Student Nutrition Services and current infrastructure needs]**

Supervisor Maxwell

Hearing before the City and School District Committee on the following topics: 1) Overview of SFUSD Student Nutrition Services and current infrastructure needs; 2) One-time infrastructure investment in San Francisco Unified School District and Student Nutrition Services as a solution to increase student consumption of healthy foods; 3) Investment benefits include long-term recurring improvements to the nutrition quality and variety of school food, reduce administrative costs and burdens, and eliminate stigma associated with receiving a free meal.

Charter Amendments

- 070724 [Funding for Affordable Housing Programs]**

Supervisor Daly

Charter amendment (First Draft) to add Section 16.127 to appropriate funds for affordable housing programs.

**070725 [Use of City Surplus Real Property for Affordable Housing]
Supervisor Daly**

Charter amendment (First Draft) to add Section 16.128 - Use of City Surplus Real Property for Affordable Housing.

**070726 [Requiring the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board]
Supervisor Daly**

Charter amendment (First Draft) to amend Sections 2.103 and 3.100 to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

**070727 [MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality review]
Supervisors McGoldrick, Sandoval**

Charter amendment (First Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

**070728 [To provide retirement benefits for police department employees who were also airport police officers prior to December 27, 1997, as if they had been members of the police department during their service as airport police officers]
Supervisor McGoldrick**

Charter amendment (First Draft) to amend Section A8.506-2 to authorize the Board of Supervisors to amend a contract with the Public Employees Retirement System in order to transfer to the San Francisco Employees' Retirement System the assets and liabilities of certain airport police officers, and by adding Section A8.597-10(d) to include time worked as an airport police officer in the calculation for retirement benefits for police department employees.

**070729 [City Elections In Even-Numbered Years]
Supervisor McGoldrick**

Charter amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

**070730 [Renewal of Library Preservation Fund for fifteen-year term and authorization to issue debt for Library purposes secured by and/or repaid from the Fund]
Supervisors Peskin, Maxwell, Jew, Elsbernd, Alioto-Pier, Mirkarimi, McGoldrick, Dufty, Ammiano**

Charter amendment (First Draft) to repeal the existing Section 16.109 and to add a new Section 16.109, to renew the Library Preservation Fund for fifteen years and to authorize the City and County of San Francisco to issue debt for Library purposes secured by and/or repaid from the Fund.

070731 [Emissions Reduction and Transit Reform]
Supervisor Peskin

Charter amendment (First Draft) to amend Sections 8A.101 through 8A.106, 8A.108 through 8A.110, 8A.112 through 8A.113, 9.118, and A8.404, repealing Section 16.110; and by re-numbering Sections 16.100 and 16.102 as 8A.114 and 8A.115, respectively, all to increase the efficiency, effectiveness and autonomy of the Municipal Transportation Agency.

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

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

070632 [Landmark Tree Designation of New Zealand Christmas Tree at 1221 Stanyan Street]
Supervisor Mirkarimi

Ordinance designating the New Zealand Christmas tree in front of 1221 Stanyan Street (Assessor's Block 2664, Lot 008) as a landmark street tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Supervisor Mirkarimi requested to be added as the sponsor.

070647 [Settlement of Lawsuit - Teri Rouse]

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

070657 [Repealing expired and superceded provision establishing Heavy Truck Loading Zones]

Ordinance amending the San Francisco Traffic Code by repealing expired Section 33.3.1 establishing heavy truck loading zones, and making a conforming change to Section 132 to eliminate the penalty for violating Section 33.3.1. (Municipal Transportation Agency)

070658 [Eliminating obsolete peddler permitting program that expired in 1989]

Ordinance amending the San Francisco Traffic Code by amending Section 68 to remove obsolete references to Traffic Zone No. 1 and an expired permitting program for peddlers. (Municipal Transportation Agency)

070659 [Establishing restrictions on trucks and buses on portions of Broderick, Ellis, and Eddy Streets and St. Joseph's Avenue]

Supervisor Mirkarimi

Ordinance amending the San Francisco Police Code by adding Sections 1183.37 through 1183.40 and amending the San Francisco Traffic Code by adding Sections 28.1.171 through 28.1.174 to establish bus and vehicle weight restrictions on portions of Broderick Street, St. Joseph's Avenue, Eddy Street and Ellis Street. (Municipal Transportation Agency)

Supervisor Mirkarimi requested to be added as the sponsor.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

070655 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY ONTO CARTER STREET - ESTABLISH
Walbridge Street, eastbound onto Carter Street

NO TURN ON RED - RESCIND
Geneva Avenue, eastbound, at Carter Avenue and Walbridge Street

ONE-WAY STREET - ESTABLISH
Florentine Street, southbound (uphill), from Mission Street to Brunswick Street

LEFT LANE MUST TURN LEFT - ESTABLISH
Buchanan Street, northbound, at Hermann Street (Parking and Traffic Department)

(5/3/07 - 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. DPW Order No. 3356)

5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

070656 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Market Street, north side, from 64 feet to 143 feet west of Castro Street (a 79-foot zone);
Mason Street, west side, from Jefferson Street to 40 feet southerly (removes two parking meter spaces to accommodate buses turning left onto Mason Street); and,
Geneva Avenue, south side, from Carter Street to 100 feet westerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Minnesota Street side of 1415 Indiana Street, from 2 feet to 9 feet north of the Minnesota Street driveway for 1415 Indiana Street (accommodating two unmetered motorcycle parking spaces).

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

Beachmont Drive, both sides, between Sloat Boulevard and Lagunitas Drive (unit block).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Grove Street, both sides, between Buchanan and Webster Streets (700 block).

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH

Stanyan Street, east side, from Fulton Street to McAllister Street (legalizing existing conditions) (Parking and Traffic Department)

(5/3/07 - 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. DPW Order No. 3356)

5/9/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED MOTIONS

Requests Granted

From: Supervisor Alioto-Pier

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation creating an Office of the Ratepayer Advocate within the San Francisco Public Utilities Commission.

From: Supervisor Alioto-Pier

To: Director, Public Utilities Commission

Requesting/Inquiring: Inquiring of the Public Utilities Commission, what is the PUC's per unit cost to provide water to San Francisco?

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

- Broderick between Haight and Page (multiple)*
- Baker between Fell and Hayes (multiple)*
- 1554 Grove*
- Intersection of Baker and Grove - North section of intersection near crosswalk*
- Southeast section of Baker and California*
- Intersection of Octavia and Fulton - South section of intersection near crosswalk*

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations: Northeast corner of Octavia and Grove and 2725 California (both Emergency Boxes). Northwest Baker and McAllister (Fire Hydrant).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- 556 Central*
- 600 Broderick*
- 561 Fulton*

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 mailboxes at the following locations:

- Northwest corner of Turk and Baker*
- Northeast corner of Golden Gate and Baker*
- Northeast corner of Masonic and Golden Gate*
- Southeast corner of Masonic and Grove*
- Southeast corner of Buchanan and Hayes*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from the following locations:*

Light Switch Box

- Southeast corner of Steiner and Fell*
- Southeast corner of Masonic and Golden Gate*
- In front of 536 Octavia*

Phone Switch Box

- Box in the middle of the 1600 block of Fulton*
- Southeast corner of Lyon and Hayes (plus two small metal poles in front of box)*

Curb Cut

- Northwest corner of McAllister and Baker*

*From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from news stands at the following locations:*

- Southwest corner of Central and Hayes (Chronicle)*
- Near 555 Hayes Street (Examiner)*
- Southwest corner of Lyon and Fulton (SF Weekly)*
- Southwest corner of Central and Hayes (SF Weekly)*
- Southwest corner of Hayes and Webster (Advertiser)*

*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 or repairing signs on the DPT property at the following locations:*

- One-Way traffic sign at the intersection of Fell Street and Lyon (Panhandle side of intersection)*
- Light signal pole at the Northwest corner of Masonic and Fulton*
- Pedestrian Crossing Signals at all four corners of Fulton and Broderick*
- Pedestrian Crossing Signals at all four corners of Pierce and Oak*
- STOP Sign - Northeast corner of Golden Gate and Baker*
- STOP Sign - Southeast corner of Golden Gate and Baker*
- STOP Sign - all four corners of Central and Golden Gate*
- Missing "Fulton" Street identification sign at the intersection of Fulton and Central (Repair)*

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

- Broderick between Page and Fell*
- Golden Gate between Broderick and Divisadero*
- Broderick between Golden Gate and Turk*
- Central between Fulton and Turk*
- Ashbury between Grove and Hayes*
- Hayes between Fillmore and Buchanan*

*From: Supervisor Mirkarimi
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting the Municipal Transportation Agency to report on the status of removing graffiti on a MUNI identification sign at the MUNI stop at the Northwest corner of Turk and Baker.*

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

Metal Poles

- Northwest corner of Golden Gate and Baker*
- Northwest corner of Central and Fulton*
- Northeast corner of Turk and Masonic*
- Northwest corner of Masonic and Fulton*

*From: Supervisor Mirkarimi
To: Director, Recreation and Park Department
Requesting/Inquiring: Requesting the Recreation and Park Department to report on the status of removing graffiti from the walls of the Hayes Valley Playground.*

*From: Supervisor Elsbernd
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of improving the pedestrian crossing at the intersection of Monterey & Detroit.*

*From: Supervisor Ammiano
To: Director, Human Services Agency
Requesting/Inquiring: Requesting copies of the City surveys quoted by Trent Rhorer in the May 17, 2007 San Francisco Chronicle and San Francisco Examiner articles about shelter standards. The Shelter Monitoring Committee, and myself, were unaware of any city surveys regarding satisfaction of shelter residents. I would like to review them. I would like to review these surveys prior to June 6th.*

*From: Supervisor McGoldrick
To: Sir Richard Branson, Virgin Atlantic Airlines
Requesting/Inquiring: Requesting a letter to Virgin Atlantic head Sir Richard Branson asking him to refrain from posting the giant red Air Sickness bags illegally all over San Francisco, for advertisement purposes. They are cluttering our beautiful City, and are absolutely illegal.*

In Memoriams

*Terri White - Supervisor Ammiano
Dr. Tod Mikuriya - Supervisors Ammiano and Mirkarimi
Francette Sneed - Supervisor Maxwell
Frederick Bertram Sims - Supervisor Sandoval
Rose Chinn - Supervisor Sandoval*


ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:59 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 26, 2007.



Kay Gulbengay
Interim Clerk of the Board