

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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

MEETING MINUTES

Regular Board Meeting - Tuesday, June 26, 2007 2:00 PM
Special Board Meeting - Wednesday, June 25, 2007 1:00 PM
Special Board Meeting - Wednesday, June 28, 2007 1:00 PM

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

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

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, 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

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Alioto-Pier was noted absent.

There was a quorum.

Supervisor Alioto-Pier was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Jew, seconded by Supervisor Dufty, moved to approve the Board Meeting Minutes of May 22, 2007. The motion carried by the following vote:

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

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

070529 [Gift of Equipment to Fire Department]

Resolution authorizing the San Francisco Fire Department to accept a gift of a 1988 GMC flatbed truck with a lift hoist valued at \$14,779 from the Pacific Gas and Electric Company for emergency preparedness, training, public safety and related purposes. (Fire Department)

Resolution No. 368-07

ADOPTED by the following vote:

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

**070624 [Apply for, Accept and Expend State Grant - Department of the Environment]
Supervisor Maxwell**

Resolution authorizing the Department of the Environment to apply for, accept and expend grant funds, available only for public agencies in California, in the amount of \$361,553 from the California Air Resources Board (CARB) for the purpose of purchasing low-polluting construction equipment and retrofitting existing construction equipment with pollution control devices.

Resolution No. 373-07

ADOPTED by the following vote:

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

**070626 [Grant to support the Public Health Laboratory Director Training Program]
Supervisor Mirkarimi**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Health Services, Division of Communicable Disease Control for the Public Health Laboratory Director Training Program, in the amount of \$300,655, for the period of April 1, 2007 through March 31, 2009.

Resolution No. 369-07

ADOPTED by the following vote:

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

**070629 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)]
Mayor, Supervisor Ammiano**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,550,932 from the State Corrections Standards Authority (CSA), from funds made available under Senate Bill 736 – known as the Juvenile Justice Crime Prevention Act (JJCPA) – for programs and approaches that have been demonstrated to be effective in reducing delinquency, for the period of July 1, 2007 to June 30, 2008.

Resolution No. 375-07

ADOPTED by the following vote:

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

**070850 [Accept and Expend State Grant - Department of the Environment]
Mayor**

Resolution authorizing the Department of the Environment to accept and expend grant funds, available only for public agencies in California, in the amount of \$110,880 from the California Air Resources Board for the purpose of upgrading Compressed Natural Gas (CNG) fueling stations at Cesar Chavez and Golden Gate Park.

Resolution No. 374-07

ADOPTED by the following vote:

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

**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.)

Ordinance No. 152-07

FINALLY PASSED by the following vote:

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

**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.)

Ordinance No. 153-07

FINALLY PASSED by the following vote:

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

**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.)

Ordinance No. 164-07

FINALLY PASSED by the following vote:

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

**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.)

Ordinance No. 163-07

FINALLY PASSED by the following vote:

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

**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.)

Ordinance No. 162-07

FINALLY PASSED by the following vote:

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

Recommendations of the Rules Committee

**070411 [Requiring the City to give public notice of the termination or expiration of a lease from the School District to the City, when the City has used the leased property in a manner directly serving the public]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Section 23.28, to require the City to give public notice of the termination or expiration of a lease of property from the San Francisco Unified School District to the City, when the City has used the property under the lease in a manner directly serving the public.

Ordinance No. 159-07

FINALLY PASSED by the following vote:

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

**070084 [Shelter Monitoring Committee]
Supervisors Mirkarimi, Ammiano**

Ordinance amending sections 20.302, 20.303, 20.304, and 20.312 of the San Francisco Administrative Code to: 1) require the Department of Public Health to provide administrative support for the Shelter Monitoring Committee; 2) broaden the purpose of the Shelter Monitoring Committee by authorizing it to assess City policies that affect shelter clients; 3) require Committee members to keep certain information confidential; 4) designate divisions within the Department of Human Services and the Department of Public Health from which Committee members may be appointed; 5) require City departments to respond to reasonable requests for information from the Shelter Monitoring Committee within 15 days, and 6) eliminate the Committee's obligation to prepare annual reports with the Local Homeless Coordinating Board.

Ordinance No. 150-07

FINALLY PASSED by the following vote:

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

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)

Ordinance No. 154-07

FINALLY PASSED by the following vote:

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

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)

Ordinance No. 158-07

FINALLY PASSED by the following vote:

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

070700 [Settlement of Claim Against Sprint/Nextel]

Ordinance authorizing settlement of a claim by the City and County of San Francisco against the Sprint/Nextel Corporation for funding the planning for reconfiguration of the City's 800 MHz Radio Communications System. (City Attorney)

Ordinance No. 151-07

FINALLY PASSED by the following vote:

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

070747 [Settlement of Lawsuit - Colonial American Casualty and Surety Company and Competent Builders, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Colonial American Casualty and Surety Company and Competent Builders, Inc., against the City and County of San Francisco, for payment to the City of \$450,000; the lawsuit was filed on October 9, 2002 in San Francisco Superior Court, Case No. CGC 02-413272; entitled Division of Labor Standards Enforcement v. Colonial American Casualty and Surety Company, et al; other material terms of said settlement are payment by Competent Builders, Inc., and other parties, to Colonial American Casualty and Surety Company, and full releases among all parties. (City Attorney)

Ordinance No. 157-07

FINALLY PASSED by the following vote:

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

070766 [Settlement of Lawsuit - Northwest Airlines Corporation, et al.]

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 Northwest Airlines Corporation, for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Northwest Airlines Corporation, et al., Debtors, Case No. 05-17930ALG, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Northwest Airlines Corporation, for agreement to pay a percentage allocation of 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)

Ordinance No. 156-07

FINALLY PASSED by the following vote:

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

070767 [Settlement of Lawsuit - Delta Air Lines Inc., et al.]

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 Delta Air Lines, Inc., for the settlement of the litigated bankruptcy claim between the Airport with regard to In re Delta Air Lines Inc., et al., Debtors, Case No. 05-17923PCB, United States Bankruptcy Court for the Southern District of New York; and authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission against Delta Air Lines, Inc., for agreement to pay a percentage allocation of 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)

Ordinance No. 155-07

FINALLY PASSED by the following vote:

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

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

070770 [Interim Government Funding, Fiscal Year 2007-2008]
Mayor

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2008.

Ordinance No. 149-07

FINALLY PASSED by the following vote:

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

*Supervisor Daly, seconded by Supervisor Mirkarimi, moved to rescind the previous vote.
Motion to rescind the previous vote passed without objection.*

Ordinance No. 149-07

FINALLY PASSED by the following vote:

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

**070771 [Interim Public Employment, Fiscal Year 2007-2008]
Mayor**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2008, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal Impact.)

Ordinance No. 148-07

FINALLY PASSED by the following vote:

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

*Supervisor Daly, seconded by Supervisor Mirkarimi, moved to rescind the previous vote.
Motion to rescind the previous vote passed without objection.*

Ordinance No. 148-07

FINALLY PASSED by the following vote:

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

Recommendations of the Government Audit and Oversight Committee

**070715 [Unrepresented Employees]
Mayor, Supervisor McGoldrick**

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.)

Supervisor Elsbernd was previously excused from voting on this matter.

Ordinance No. 160-07

FINALLY PASSED by the following vote:

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

**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.

Supervisor Elsbernd was previously excused from voting on this matter.

Ordinance No. 161-07

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070830 [Official Advertising - Type 1 consecutive-day official advertising]

Resolution designating the Examiner and the Chronicle as the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive-day official advertising, from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

Resolution No. 361-07

ADOPTED by the following vote:

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

070831 [Official Advertising - Type 2 non-consecutive day official advertising]

Resolution designating the Examiner and the Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

Resolution No. 362-07

ADOPTED by the following vote:

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

070832 [Outreach Advertising - Outreach newspapers]

Resolution designating El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; San Francisco Bay View to be the outreach newspaper of the City and County of San Francisco for the African American community; and, the Asian Week, China Press, World Journal, and Sing Tao to be the outreach newspapers of the City and County of San Francisco for the Chinese Community, to provide outreach advertising services from July 1, 2007 through June 30, 2008. (Office of Contract Administration)

Resolution No. 355-07

ADOPTED by the following vote:

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

**070883 [Outreach Advertising]
Supervisor Dufty**

Resolution designating The Bay Area Reporter and The San Francisco Bay Times to be the outreach newspapers of the City and County of San Francisco for the Lesbian, Gay, Bisexual, Transgender Community, to provide outreach advertising services from July 1, 2007 through June 30, 2008.

Resolution No. 354-07

ADOPTED by the following vote:

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

**070834 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]
Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: convention facilities management, central shops security, janitorial and security services (Administrative Services); body removal services (Medical Examiner); budget analyst (Board of Supervisors); security services (Public Works); community services (District Attorney); security services (Human Services Agency); Project S.A.F.E. (Police); and jail food services (Sheriff).

Resolution No. 366-07

ADOPTED by the following vote:

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

**070886 [Proposition J Contract/Certification of specified contracted-out services previously approved for
Juvenile Probation]
Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for shelter and intake services at the Department of Juvenile Probation

Resolution No. 370-07

ADOPTED 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

**070452 [Minor Sidewalk Encroachments - Public right-of-way occupancy assessment fee]
Supervisor Alioto-Pier**

Ordinance amending Public Works Code Section 723.2 to clarify that the public right-of-way occupancy assessment fee for minor sidewalk encroachments applies to specified building permits and to all subsidewalk basements.

PASSED ON FIRST READING by the following vote:

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

070042 [Liquor License Transfer, 1369 Folsom Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 289 8th Street to 1369 Folsom Street (District 6) to John Gardiner and Joseph Banks for the Hole in the Wall Saloon will 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. 367-07

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee**061537 [Repeal of Planning Commission alternative review process]
Supervisor Peskin**

Ordinance amending Planning Code Section 306 and Administrative Code Sections 2A.53 and 31.04 to repeal provisions that are void by their own terms and concern an alternative review process if the Planning Commission were unable to meet because a majority of its members has not been nominated, approved, and sworn in to office.

PASSED ON FIRST READING by the following vote:

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

**070628 [Describing the Limits on the Redevelopment Agency's Use of Eminent Domain to Acquire Real Property in Existing Redevelopment Plan Project Areas]
Mayor, Supervisor Peskin**

Ordinance describing the limits in existing redevelopment plans on acquisition of real property by the Redevelopment Agency of the City and County of San Francisco through the use of eminent domain, in compliance with a new requirement of the California Community Redevelopment Law.

PASSED ON FIRST READING by the following vote:

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

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

Ordinance adding Planning Code Sections 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

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

070764 [Changing Official Sidewalk Width - Jessie Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1574 to change the official sidewalk width on the northerly side of Jessie Street westerly of Ecker Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modifications, or both of facilities affected by the sidewalk width change. (Public Works Department)

Supervisor McGoldrick requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

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

Recommendations of the Rules Committee**070270 [Charter Amendment - Limiting hold-over service by members of City boards and commissions]
Supervisors McGoldrick, Ammiano**

Charter amendment (First Draft) to add Section 4.101.5 to limit hold-over service by members of City boards and commissions whose terms have expired.

Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED.

The motion carried by the following vote:

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

070677 [Charter Amendment - Requiring the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for public hearing]

Supervisors Elsbernd, Peskin, McGoldrick, Alioto-Pier, Maxwell

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

Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED.

The motion carried by the following vote:

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

070939 [Charter Amendment - Prior Board review of initiatives submitted by the Mayor or four or more members of the Board of Supervisors; limiting hold-over service by members of City boards and commissions]

Supervisors Elsbernd, McGoldrick, Ammiano, Peskin, Alioto-Pier, Maxwell

Charter amendment (First Draft) to amend Sections 2.113 and 3.100 to require the Mayor or four or more members of the Board of Supervisors proposing to submit an initiative to the voters to submit the measure to the Board of Supervisors first for a public hearing, and to add Section 4.101.5 to limit hold-over service by members of City boards and commissions whose terms have expired.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to combine File No. 070270 and File No. 070677 to create File No. 070939.

Continued to July 10, 2007 with the Board Sitting as a Committee of the Whole.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Charter Amendment be CONTINUED.

The motion carried by the following vote:

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

Recess

The Board recessed at the hour of 3:22 p.m.

Reconvening of the Board

The Board reconvened at the hour of 3:30 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 8

Supervisors Ammiano and Dufty were noted present at 3:34 p.m.

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

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Dufty, 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, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd welcomed, introduced, and presented a Certificate of Honor to Lieutenant Thomas Catchings of the Sheriff's Department, on the occasion of his retirement. Sheriff Michael Hennessey thanked the Board and commended Lt. Catchings.

Supervisor Peskin welcomed, introduced, and presented Certificates of Honor to Scott Shaw and Nelson Wong, Department of Public Works, on the occasion of their retirement.

Recess

The Board recessed at the hour of 3:37 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:01 p.m.

Calling the Roll

The following Supervisors were noted present: Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin, Sandoval - 9

Supervisor McGoldrick was noted present at 4:06 p.m.

SPECIAL ORDER 4:00 P.M.**Supervisor Jew Excused From Voting**

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved to excuse Supervisor Jew, at his request, from voting on File Nos. 070694, 070695, 0707696 and 070697 because of possible conflict of interest. The motion carried by the following vote:

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

070694 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2462 - 27th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination that a project at 2462 - 27th Avenue (Building Permit Application No. 2005.10.14.5610, Case No. 2006.0378D) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposal would remove the bedroom at the rear of the building and construct a three-story horizontal addition at the rear of the building and a one-story vertical addition. The vertical addition would set back 11' from the front building wall and measure 53' in depth. There will be a new roof deck built into the roof within the 11' front setback area on a single family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 2399, Lot 026).
(Appellant: Stephen M. Williams)

(Filed May 15, 2007; companion measure to 070695, 070696, 070697; District 4.)

Stephen Williams, Attorney for the appellant
Male Speaker, in support of appellant
Sylvia Johnson, in support of appellant
Karen Mitchell, in support of appellant
Miriam, in support of appellant
Harriet Julinus, in support of appellant
Jennifer Ng, in support of appellant
Nancy Wuerfel, in support of appellant
Inge Horton, in support of appellant
Joseph McInerney, in support of appellant
Chris Mitchell, in support of appellant
Vincent Marsh, in support of appellant

Paul Maltzer and Sophie Middlebrook, Representatives of the Planning Department, reviewed with the Board the Planning Department's recommendation.

Judy Rensler, Attorney for the project sponsor

Rebuttal:
Stephen Williams, Attorney for the Appellant

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

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

070695 [Affirming the categorical exemption issued for 2462-27th Avenue]

Motion affirming the determination by the Planning Department that the 2462-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

- Ayes: 7 - Ammiano, Daly, Duffy, McGoldrick, Mirkarimi, Peskin, Sandoval
- Noes: 2 - Elsbernd, Maxwell
- Absent: 1 - Alioto-Pier
- Excused: 1 - Jew

070696 [Disapproving the categorical exemption issued for 2462-27th Avenue]

Motion disapproving the determination by the Planning Department that the 2462-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M07-76

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

- Ayes: 9 - Ammiano, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- Absent: 1 - Alioto-Pier
- Excused: 1 - Jew

070697 [Preparation of findings related to the 2462-27th Avenue 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 2462-27th Avenue is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M07-77

APPROVED by the following vote:

- Ayes: 9 - Ammiano, Daly, Duffy, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
- Absent: 1 - Alioto-Pier
- Excused: 1 - Jew

SPECIAL ORDER 4:30

070708 [Public Hearing - Appeal of Final Mitigated Negative Declaration - 3400 Cesar Chavez Street]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on April 19, 2007, approving a Final Mitigated Negative Declaration (File No. 2005.0030E), for the proposed demolition of the existing building and construction of a new four-story building that would house a Walgreens store and up to three other small retail spaces on the ground floor, as well as 60 one-, two-, and three-bedroom owner-occupied residential units above. The building would be about 115,000 gross square feet in size and approximately 50 feet in height. A total of about 97 parking spaces would be provided, with most located in a basement parking garage. The ground-floor retail stores would serve as a podium for a residential courtyard above. Access to the residential and employee parking garage would be from Bartlett Street, while access to surface-level customer parking for the retail stores would be from Cesar Chavez Street. The project site is located within an NC-3 (Moderate Scale Neighborhood Commercial) zoning district and within a 50-X height and bulk district in the Mission neighborhood. (Appellant: Nick Pagoulatos on behalf of the Mission Anti-displacement Coalition.)

(Filed May 22, 2007; companion measure to Files 070709, 070710, 070711, District 9.)

Continued to July 17, 2007

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

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

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision 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.)**070709 [Affirming adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]**

Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

Continued to July 17, 2007

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

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

070710 [Reversing adoption of the mitigated negative declaration for the 3400 Cesar Chavez Street Project]

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

Continued to July 17, 2007

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

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

070711 [Preparation of findings to reverse adoption of the mitigated negative declaration for 3400 Cesar Chavez Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for the 3400 Cesar Chavez Street Project.

Continued to July 17, 2007

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

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

COMMITTEE REPORTS

**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.)

PASSED ON FIRST READING by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

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.

Abudullah Megaheed; expressed concern with issues related to homelessness

James Chaffee; expressed concern with issues related to the Public Library

Gene Eplett; expressed concern with issues related to the City's budget

Eugene Gordon, Jr.; expressed concern with issues related to violations of human rights

Otto Duffy; expressed concern with various issues

John Di Donna; expressed concern with issues related to Octavia Boulevard

Female Speaker; expressed concern with issues related to the police officers pay

Rev. Amos Brown; expressed concern with issues related to the conduct of Board members during Board meetings

Male Speaker; expressed concern with issues related to the City's priorities in trimming trees

Peter Wiegandt; expressed concern with issues related to taxi cab drivers

Vicky Lydner; expressed concern with issues related to the Blue Angels

Richard Robinson; expressed concern with issues related to homelessness

Sylvia Johnson; expressed concern with various issues

Richard Knee; expressed concern with issues related to the Blue Angels

Female Speaker; requested clarification on what can be presented at general public comment at Board meetings

Supervisor Alioto-Pier was noted absent at 3:08 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

**070914 [Accept and Expend State Grant - Department of the Environment]
Mayor**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$90,000 from the California Department of Toxics Substances for the purpose of collaborating with California Green Business Network members to develop a regional, web-based database that will help Green Business Programs manage and track data.

Resolution No. 353-07

ADOPTED

**070932 [Trevor Hailey Plaque]
Supervisors Dufty, Ammiano**

Resolution honoring the unparalleled contributions of Trevor Hailey and recognizing Trevor as the Castro's original unofficial historian through the installation of a plaque at the Castro MUNI station honoring Trevor Hailey and all of her contributions to San Francisco and the Castro neighborhood.

Resolution No. 363-07

ADOPTED

**070934 [Supporting funding for the Central Subway]
Supervisors Peskin, Dufty, Jew**

Resolution supporting the pending action by the Metropolitan Transportation Commission to direct \$100 million in state infrastructure bond funding and efforts by San Francisco's Congressional Delegation to secure \$15 million in Fiscal Year 2008 Federal New Starts funding for the Central Subway project.

Supervisors Dufty and Jew requested to be added as co-sponsors.

Resolution No. 371-07

ADOPTED

The foregoing items were acted upon by the following vote:

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

Severed From Without Reference to Committee Agenda

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

- 070892 [Directing City Staff to report on actions to restrict Bisphenol-A in children's products]
Supervisor Alioto-Pier**

Resolution directing San Francisco's Department of Health and Department of the Environment to submit a report with recommendations on potential actions that can be adopted to address risks to public health from exposure to Bisphenol-A and to base that report on the findings of a National Institute of Health review panel along with the concerns of representatives of the scientific and children's health communities.

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

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

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

- 070930 [Requesting the San Francisco Housing Authority apply for federal grants, seek waiver of property taxes due the City, report the physical conditions of rental properties and status of resolving SFHA's "Troubled" status designation]
Supervisor Mirkarimi**

Resolution requesting the San Francisco Housing Authority to: apply for federal Hope IV funding; seek Board approval of Payment in Lieu of Taxes; Provide copies of any HUD proposed MOU regarding resolution of Troubled status; provide copies and status of property management proposal for Hunter's Point redevelopment area projects; provide a physical inspection report of SFHA Properties and inform residents living in substandard housing of their rights to demand improvements.

(No Economic Impact)

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Public Safety Committee.

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

- 070931 [Seeking a permanent halt to the Blue Angels air show over San Francisco]
Supervisor Daly**

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

(No Economic Impact)

Supervisor Elsbernd requested that this matter be referred to Committee.

REFERRED to the Government Audit and Oversight Committee.

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

- 070933 [Declaring intent of the City and County of San Francisco with regard to pending legislation amending the Medical Cannabis Act of 2005]
Supervisor Alioto-Pier**

Resolution declaring the intent of the City and County of San Francisco not to take enforcement action against those medical cannabis dispensaries that have properly applied for the necessary permits before July 1, 2007, while current legislation is pending.

Supervisor Elsbernd, seconded by Supervisor Sandoval, moved to excuse Supervisor Jew from voting on this matter, due to a possible conflict of interest.

Motion to excuse Supervisor Jew from voting on this matter was passed without objection.

Resolution No. 372-07

ADOPTED by the following vote:

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

Absent: 1 - Alioto-Pier

Excused: 1 - Jew

- 070935 [Supporting the Lorraine Hansberry Theatre]
Supervisors Peskin, Dufty, Mirkarimi, Sandoval, Maxwell, McGoldrick, Ammiano, Daly**

Resolution supporting the Lorraine Hansberry and its contributions to the cultural life of San Francisco and its Theater District.

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

Supervisors Maxwell, McGoldrick, Ammiano, and Daly requested to be added as a co-sponsors.

Resolution No. 364-07

ADOPTED by the following vote:

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

Absent: 1 - Alioto-Pier

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

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

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

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

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

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

**070940 [Honoring Tim King for his 37 years of dedicated service to the City and County of San Francisco and declaring Friday, June 29th, 2007 as Tim King Day in the City and County of San Francisco]
Supervisor Dufty**

Resolution honoring Tim King for his 37 years of dedicated service to the City and County of San Francisco and declaring Friday, June 29th, 2007 as Tim King Day in the City and County of San Francisco.

(No Economic Impact)

Resolution No. 365-07

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

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

**070947 [Exempting Wind Turbines from Height Limits in Bernal Heights]
Supervisor Ammiano**

Ordinance amending the San Francisco Planning Code by amending Section 242 (e)(1)(D) to exempt certain wind power generators from height limitations within the Bernal Heights Special Use District.

(No Economic Impact)

6/26/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/26/2007. Sponsor requests that the item be referred to Rules Committee for public hearing.

**070828 [Open Space Fund Financing]
Mayor**

Ordinance approving the issuance and sale of lease revenue bonds payable from the Park, Recreation and Open Space Fund to finance various park projects as further described herein; approving the form of a First Amendment to Site Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain City-owned properties located in the City (as further described herein); approving the form of a First Supplemental Lease by and between the Corporation and the City; approving the form of a First Supplemental Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an official notice of sale and a notice of intention to sell the lease revenue bonds; directing the publication of the notice of intention to sell the lease revenue bonds; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the payment of costs of issuance; authorizing reimbursement of certain expenditures; authorizing the establishment of a contingency fund; adopting findings under the California Environmental Quality Act and findings pursuant to City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

Supervisor Daly dissented in Committee.

(No Economic Impact)

6/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

6/26/07, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing same title.

6/26/07, ASSIGNED to Budget and Finance Committee.

**070961 [Recreation and Park Commission--Authorization to Modify Golf Course Hours and Fees; Creation of Golf Course Task Force]
Supervisor McGoldrick**

Ordinance adding Section 12.46 to Article 12 of the San Francisco Park Code to authorize the Recreation and Park Commission to modify golf course hours and fees; and to create a Golf Course Task Force that will evaluate measures to reduce General Fund support for operation and maintenance of golf courses, and explore alternative revenue sources.

(No Economic Impact)

6/26/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee. 07/09/07 - Referred to Planning for determination of environmental impact.

Resolutions

**070930 [Requesting the San Francisco Housing Authority apply for federal grants, seek waiver of property taxes due the City, report the physical conditions of rental properties and status of resolving SFHA's "Troubled" status designation]
Supervisor Mirkarimi**

Resolution requesting the San Francisco Housing Authority to: apply for federal Hope IV funding; seek Board approval of Payment in Lieu of Taxes; Provide copies of any HUD proposed MOU regarding resolution of Troubled status; provide copies and status of property management proposal for Hunter's Point redevelopment area projects; provide a physical inspection report of SFHA Properties and inform residents living in substandard housing of their rights to demand improvements.

(No Economic Impact)

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/26/07, REFERRED to Public Safety Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

**070931 [Seeking a permanent halt to the Blue Angels air show over San Francisco]
Supervisor Daly**

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

(No Economic Impact)

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/26/07, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

**070940 [Honoring Tim King for his 37 years of dedicated service to the City and County of San Francisco and declaring Friday, June 29th, 2007 as Tim King Day in the City and County of San Francisco]
Supervisor Dufty**

Resolution honoring Tim King for his 37 years of dedicated service to the City and County of San Francisco and declaring Friday, June 29th, 2007 as Tim King Day in the City and County of San Francisco.

(No Economic Impact)
6/26/07, ADOPTED.

**070952 [Urging regulation of the left-turn lane from Fell Street onto Masonic Avenue in order to increase the safety of bicyclists and pedestrians]
Supervisor Mirkarimi**

Resolutions urging the Municipal Transportation Agency create a traffic signal phase solely for bicycle and pedestrian traffic crossing Masonic Avenue and a separate left-turn signal for motorists turning left from Fell Street onto Masonic Avenue.

(No Economic Impact)
6/26/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070953 [Supporting AB 508 to amend the State Welfare and Institutions Code]
Supervisor Mirkarimi**

Resolution in support of Assembly Bill 508, which would amend Section 18901.3 of the State Welfare and Institutions Code in order to fully repeal the ban on drug felons' eligibility to receive Food Stamps.

(No Economic Impact)
6/26/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070954 [Miles For Peace- Cyclists Traversing the World for a Cause]
Supervisor Mirkarimi**

Resolution commending Miles For Peace for advocating the pacifist message of Iranian people to other nations around the world through the creative use of a European and North American bike ride between the dates of May 10th, 2007 and July 11th, 2007.

(No Economic Impact)
6/26/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070955 [Declaring July 22, 2007 as San Francisco Theater Day in San Francisco]
Supervisor Alioto-Pier**

Resolution declaring Saturday, July 22, 2007 as San Francisco Theatre Day.

(No Economic Impact)

6/26/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070956 [Issuance and Sale of Revenue Bonds - Schools of the Sacred Heart]
Supervisor Sandoval**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$33,000,000 to finance educational projects owned and operated by the Schools of Sacred Heart – San Francisco.

(No Economic Impact)

6/26/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070957 [Urging the California State Legislature to oppose Assembly Bill 830]
Supervisor McGoldrick**

Resolution urging the California State Legislature to oppose Assembly Bill 830 which would allow for the continued degradation of our public spaces through the conversion of existing billboards along California's landscaped highways to a digital format.

(No Economic Impact)

6/26/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070958 [Competitive bidding of City contracts for Property Management and Supportive Housing]
Supervisors Peskin, Ammiano, Mirkarimi, McGoldrick**

Resolution calling on the Department of Public Health to issue a Request for Proposal for Property Management and Supportive Housing services.

(No Economic Impact)

6/26/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**070963 [Directing City staff to report on actions to restrict Bisphenol-A in children's products]
Supervisor Alioto-Pier**

Resolution directing San Francisco's Department of Public Health and Department of the Environment to submit a report with recommendations on potential actions that can be adopted to address risks to public health from exposure to Bisphenol-A and to base that report on the findings of a National Toxicology Program report along with the concerns of interested parties including representatives of the scientific and children's health communities.

(No Economic Impact)

6/26/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**070941 [Metro Charter School lease to occupy the Newcomer High School campus]
Supervisor Alioto-Pier**

Hearing on the Metro Charter School lease to occupy the Newcomer High School campus. 1) What was the process by which the Newcomer school was leased to the Metro Charter School? 2) Where do the Metro students live? 3) What public outreach was conducted prior to signing the lease?

(No Economic Impact)

6/26/07, RECEIVED AND ASSIGNED to City and School District Select Committee.

**070942 [Sunset Boulevard Landscaping Maintenance Issues]
Supervisor Jew**

Hearing to determine why Sunset Boulevard has been allowed to become overgrown with dead grass and other plantings on both sides of Sunset Boulevard, to establish a remedial maintenance schedule, and to provide public assurance should the state of Sunset Boulevard result in a fire or safety hazard to nearby property owners.

(No Economic Impact)

6/26/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**070943 [City's golf course revenue collection practices and expenditures]
Supervisor McGoldrick**

Hearing to consider the request of the Controller to perform a review of the City's golf course revenue collection practices and expenditures.

(No Economic Impact)

6/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**070944 [Removal of the trash receptacles in the Richmond District]
Supervisor McGoldrick**

Hearing to discuss the removal of the trash receptacles at various locations in the Richmond District, how it has affected the small businesses and residents, requesting that the trash receptacles be replaced immediately to all locations including: 1) Park Presidio NW corner bus stop, 2) 15th Avenue NW corner in front of 711 and SW corner, 3) 16th Avenue SW corner, 4) 17th Avenue NE corner Geary Mall, NW corner, 5) 18th Avenue NE corner, SW and SE corners, 6) 19th Avenue NE, SE and NW corners, 7) 20th Avenue SE and NE corners, and 8) 21st Avenue NE.

(No Economic Impact)

6/26/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motions

**070945 [Legislative Analyst Request - Elected official's code of conduct]
Supervisor McGoldrick**

Motion requesting the Legislative Analyst to look into best practices on elected official's code of conduct.

(No Economic Impact)

6/27/07, ASSIGNED to Board of Supervisors. Scheduled for Board consideration July 10, 2007.

**070946 [Motion to amend the Rules of Order Governing the Board of Supervisors to adopt a Code of Conduct]
Supervisors Alioto-Pier, Dufty**

Motion amending the Rules of Order Governing the Board of Supervisors to adopt a Code of Conduct.

(No Economic Impact)

6/26/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

070901 [Contracting Process for San Francisco General Hospital Rebuild Project]

Ordinance authorizing the Director of Public Works to issue a Request for Proposals for the services of a Construction Manager/General Contractor for the San Francisco General Hospital Rebuild Program and to award a contract for such services based on the best qualifications and fee. This ordinance further authorizes the Director to negotiate and obtain prices from certain core subcontractors and to allow them to become subcontractors to the CM/GC, provided said prices are validated by City-retained cost estimators. (Public Works Department)

(Fiscal Impact.)

(No Economic Impact)

6/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070904 [Permits for communications companies and equipment]

Ordinance amending Chapter 11, Article 1 of the San Francisco Administrative Code by amending sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings. (Public Works Department)

6/18/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/26/2007.

PROPOSED RESOLUTIONS**070902 [Master Agreements for Federal and State transportation funds]**

Resolution authorizing the Director of Public Works or his or her designee to execute Master Agreements between the City and County of San Francisco, through its Department of Public Works, and the California Department of Transportation. (Public Works Department)

(No Economic Impact)

6/15/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS**Requests Granted**

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation that would require removal of illegal wheat paste posters within 24 hours of notice and strengthen penalties (through fines among other things) levied on violators and repeat violators. Additionally, the Supervisor requests the City Attorney draft legislation to authorize the Department of Public Works to be able to immediately abate the illegal wheat pasted blight after the violator does not comply within 24 hours, and escalate penalties against the violator in terms of fees, fines, costs of abatement and possible permit withdrawing/withholding in this case.

From: Supervisor Daly

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to promote ethical work place standards for elected officials and public employees. The proposed legislation should raise to the highest standards the City's provisions against sexual harassment and preventing hostile work environments. To that end the legislation should prohibit sexual relations between supervisors or managers and employees, making supervisors and managers the responsible parties for such relationships; prohibit and enact penalties on intoxication and substance abuse during meetings of advisory bodies, boards, commission and legislative bodies; and promote higher standards of attendance of elected and appointed officials at official public meetings.

In Memoriams

*Dante R. Del Chiaro - Supervisor Sandoval
Judy Black - Supervisors Elsbernd, Dufty, and Daly
John Kendall Redmond - Supervisor Ammiano*

*Special Board of Supervisors Meeting
Budget and Finance Committee
June 25, 2007*

At the hour of 1:47 p.m. Supervisor McGoldrick was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors. A Special Board of Supervisors meeting was convened.

Present: Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Eslbernd, McGoldrick

070887 Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for golf course maintenance services at the Department of Recreation and Park.

Recessed to June 28, 2007:

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

At the hour of 2:17 p.m. Supervisor McGoldrick was noted absent and there was no longer a quorum of the Board of Supervisors.

The Special Board of Supervisors meeting adjourned at 2:17 p.m.

*Special Board of Supervisors Meeting
Budget and Finance Committee
June 28, 2007*

At the hour of 12:47 p.m. Supervisor Sandoval was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors. A Special Board of Supervisors meeting was convened.

Present: Supervisors Peskin, Ammiano, Dufty, Mirkarimi, Elsbernd, and Sandoval

070778 Hearing to consider the Annual Budget for Administrative Services, Public Works, Telecommunications & Information Services, Child Support Services, Human Services Agency, Public Health, Asian Art Museum, Art Commission, Children, Youth & Families, Children and Families Commission, Fine Arts Museums, Academy of Sciences, County Education Office, War Memorial, and Department on the Status of Women for fiscal year 2007-2008.

Tabled by the following votes:

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

At the hour of 1:05 p.m. Supervisor Sandoval was noted absent and there was no longer a quorum of the Board of Supervisors.

At the hour of 2:48 p.m. Supervisor McGoldrick was noted present at the Budget and Finance meeting creating a quorum of the Board of Supervisors. A Special Board of Supervisors meeting was reconvened.

Present: Supervisors Daly, Ammiano, Dufty, Mirkarimi, Elsbernd, McGoldrick

070887 Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for golf course maintenance services at the Department of Recreation and Park.

Referred without recommendation by the following vote:

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

At the hour of 3:16 p.m. Supervisor McGoldrick was noted absent and there was no longer a quorum of the Board of Supervisors.

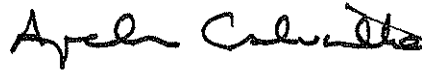
ADJOURNMENT

There being no further business the Board adjourned at the hour of 9:40 p.m.

Angela Calvillo, Clerk of the Board

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

Approved by the Board of Supervisors on July 31, 2007.



Angela Calvillo
Clerk of the Board