

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 6, 2008 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL
Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

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

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

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisors Alioto-Pier, Maxwell, McGoldrick and Mirkarimi were noted absent.

There was a quorum present.

Supervisors Alioto-Pier, Maxwell, McGoldrick and Mirkarimi were noted present at 2:06 p.m.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board informed the Board that she was in receipt of a communication from the Mayor indicating that he was vetoing legislation contained in File No. 071596, which would make additional public meetings held in City Hall hearing rooms accessible to the general public on the internet.

This matter will be agendized at the May 13, 2008 Board meeting for Board action.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

080467 [Lease of Real Property at 68 12th Street, Suite 200B]

Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007. (Real Estate Department)

Resolution No. 219-08

ADOPTED

080468 [Lease of Real Property at 1360 Mission Street, Suite 401]

Resolution authorizing the Director of Property to exercise an extension option for a three-year term for the lease of real property located at 1360 Mission Street, Suite 401, for the Department of Public Health retroactively to January 1, 2008. (Real Estate Department)

Resolution No. 220-08

ADOPTED

Recommendation of the Land Use and Economic Development Committee**071674 [Zoning - Amending Superseded Height and Bulk Provisions in the North Beach NCD]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 722.1 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 87-08
FINALLY PASSED

Recommendations of the Rules Committee**080334 [Settlement of Lawsuit - CCSF v. Pacific Gas & Electric Company, et al. - \$357,036.43]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Co., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, City and County of San Francisco, a municipal corporation v. Pacific Gas and Electric Co., a corporation, Stacy and Witbeck/Esquivel, a joint venture, Stacy and Witbeck, Inc., a corporation, Esquivel Grading and Paving, Inc., a corporation, Bauman Landscape, Inc., a corporation, and DOES 1 to 25, inclusive. (City Attorney)

Ordinance No. 82-08
FINALLY PASSED

080454 [Settlement of Lawsuit - John Weatherspoon III- \$5,150,000.00]

Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for \$5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 83-08
FINALLY PASSED

080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker- \$70,000.00]

Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for \$70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 84-08
FINALLY PASSED

080456 [Settlement of Lawsuit - Jane Martin- \$75,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 85-08
FINALLY PASSED

080457 [Settlement of Lawsuit - Margarita Hill- \$55,000]

Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 86-08
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA**UNFINISHED BUSINESS****From the Board****(Only one of the following two motions should be approved.)****080461 [Disapproving Conditional Use Application for property located at 1575 South Van Ness Avenue]**

Motion approving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

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

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

080462 [Approving Conditional Use Application for property located at 1575 South Van Ness Avenue]
Motion disapproving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

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

Motion No. M08-81

Supervisor Ammiano, seconded by Supervisor Chu, moved that this Motion be **APPROVED AS AMENDED**. The motion carried by the following vote:

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

080463 [Findings - 1575 South Van Ness Avenue Conditional Use Application Appeal]
Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Motion No. M08-78

Supervisor Ammiano, seconded by Supervisor Chu, moved that this Motion be **APPROVED**. The motion carried by the following vote:

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

Recommendation of the City Operations and Neighborhood Services Committee

071294 [Climate change goals and action plan]
Supervisor Mirkarimi

Ordinance amending the San Francisco Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings.

Ordinance No. 81-08

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendation of the Budget and Finance Committee

- 080544 [Approve SOMA Community Stabilization Fund Strategic Plan]**
Resolution approving the SOMA Community Stabilization Fund 2008 Strategic Plan. (Mayor)

Resolution No. 216-08

ADOPTED by the following vote:

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

Recommendations of the Land Use and Economic Development Committee

- 080232 [Planning Code - Deadline Extension for Medical Cannabis Dispensary Permitting]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to extend the time period for certain Medical Cannabis Dispensaries to obtain a permit from March 1, 2008 to January 21, 2009; and making findings, including General Plan, Planning Code Section 101.1(b) and environmental findings.

PASSED ON FIRST READING by the following vote:

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

- 071669 [Planning - Haight Street Neighborhood Commercial District - Full-Service Restaurants]**
Supervisor Mirkarimi

Ordinance amending Planning Code Sections 719.1 and 781.9 concerning the Haight Street Neighborhood Commercial District to provide for up to four new full-service restaurant 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.

PASSED ON FIRST READING by the following vote:

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

- 080223 [Street Encroachments on Ocean Avenue at Granada Avenue]**
Supervisor Sandoval

Resolution granting revocable permission to San Francisco Arts Commission to occupy a portion of the public right-of-way to install and maintain two mosaic sun spheres, one three feet, and one four feet in diameter near the northeasterly and southwesterly corners of Ocean Avenue and Granada Avenue, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

Resolution No. 218-08

ADOPTED by the following vote:

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

COMMITTEE REPORTS

**080477 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale]
Supervisor Dufty**

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

PASSED ON FIRST READING by the following vote:

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

PUBLIC COMMENT

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

Walter; expressed concern with various issues

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

Peter Warfield; expressed concern with issues relating to the SF Public Library

Richard McGee; expressed concern with issues relating to US patent infringements

Frank; expressed concern with issues relating to the police

Robin Crop; expressed concern with issues relating to lime disease

Cathy Dill; expressed concern with issues relating to lime disease

CLOSED SESSION

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to convene in Closed Session. The motion carried by the following vote:

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

080595 [Closed Session - Telephone Users Tax and the 911 Wireless Fee]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following matters:

(a) a ruling filed on April 29, 2008 by the California Court of Appeal in Bay Area Cellular Telephone Company et al., v. City of Union City, (Case No. A114956) that may result in litigation involving the City related to the Emergency Response Fee in San Francisco - Business and Tax Regulations Code Section 750, et seq.; and

(b) pending litigation in the Los Angeles, CA Superior Court: Tracfone Wireless Inc. v. City of Los Angeles, (Case No. BC 363735) and Tracfone Wireless Inc. v. County of Los Angeles, (Case No. BC 357628) that may result in litigation involving the City related to the Telephone Users Tax in San Francisco - Business and Tax Regulations Code Section 701, et seq.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation. (City Attorney)

The Board recessed at the hour of 3:05 p.m. to convene in closed session pursuant to the above motion.

Calling the Roll

The following Supervisors were noted present:

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

Persons in attendance:

Cheryl Adams, Deputy City Attorney

Julie Van Nostern, Deputy City Attorney

Tom Long, Deputy City Attorney

Phil Ginsburg, Mayor's Chief of Staff

Ben Rosenfield, Controller

Angela Calvillo, Clerk of the Board

Victor Young, Assistant Clerk

Reconvening of the Board

The Board at the hour of 3:55 p.m. reconvened.

Matter was heard in Closed Session and Filed.

HEARD IN CLOSED SESSION by the following vote:

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

[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 existing litigation listed above.

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

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

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

- 080597** [Supporting Assembly Bill 3034, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century]
Supervisors Peskin, Dufty, Mirkarimi, Elsbernd, Daly, Ammiano, Maxwell, McGoldrick, Sandoval, Chu, Alioto-Pier

Resolution supporting Assembly Bill 3034, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Resolution No. 215-08

ADOPTED

- 080551** [Final Map - 301-315 Mission Street and 101-129 Fremont Street]
Motion approving Final Map 4146, a 420 Residential Unit and 8 Commercial Unit Mixed-Use Condominium Project, located at 301 – 315 Mission Street and 101 – 129 Fremont Street being a subdivision of Lots 001 and 017 in Assessor's Block No. 3719 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,503; District 6.)

Motion No. M08-79

APPROVED

- 080552** [Final Map - 2405-2407 Folsom Street]
Motion approving Final Map 4751, a 6 Unit Residential and 4 Unit Commercial Mixed-Use Condominium Project, located at 2405 – 2407 Folsom Street being a subdivision of Lot 042 in Assessor's Block No. 3612 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,505; District 9.)

Motion No. M08-80

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from adoption without committee reference

**080598 [Urging the California State Assembly to support the passage of Assembly Bill 2153]
Supervisor Ammiano**

Resolution urging the California State Assembly to support the passage of Assembly Bill 2153 and directing the City's lobbyist to work towards this end.

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

Continued to May 13, 2008.

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

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

**080599 [Gift to City of travel from San Francisco Chamber of Commerce for 2008 CityTrip]
Supervisor Peskin**

Resolution accepting a gift of airfare, accommodations, and conference fees valued in an amount of \$6,500 from the San Francisco Chamber of Commerce for two City officials or employees to join the Chamber of Commerce on its 2008 CityTrip to Los Angeles.

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

REFERRED to the Government Audit and Oversight Committee.

**080600 [Declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District]
Mayor, Supervisors Ammiano, Dufty**

Resolution declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District, to help the District cope with the loss of State funding for the 2008-2009 school year.

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

Resolution No. 217-08

ADOPTED by the following vote:

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

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

- 080603 [Annual Appropriation Ordinance for Selected Departments, as of May 1, 2008, Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Year ending June 30, 2010]**
Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2008 for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency for the Fiscal Year ending June 30, 2010. (Mayor)
- (Fiscal Impact.)
5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080604 [Proposed Annual Salary Ordinance for Selected Departments, Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Year ending June 30, 2010]**
Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency for the Fiscal Year ending June 30, 2010. (Mayor)
- (Fiscal Impact.)
5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080605 [Motor Vehicles for Hire; Permit Application and License Renewal Fees]**
Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1 to increase certain motor vehicle for hire permit application and license renewal fees. (Mayor)
5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 05/08/08 - Fee ad placed in the SF Chronicle to be published on 5/10/08 and 5/17/08. 05/17/09 - Response received from Planning, exempt from CEQA.
- 080606 [Revising Board of Appeals Surcharges]**
Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the Taxi Commission, the Police Department, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings. (Mayor)
5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee. 05/08/08 - Fee ad placed in the SF Chronicle to be published on 5/10/08 and 5/17/08. 05/17/09 - Response received from Planning, exempt from CEQA.
- 080613 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance shall terminate 120 days after the injunction in Coral v. Construction, Inc. (S.F. Sup. Ct. No. 421249) is lifted or stayed]**
Mayor, Supervisor Alioto-Pier
- Ordinance amending the Administrative Code 14B.18 to suspend enforcement of 14.B and reinstate Chapter 12D.A. 120 days after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.
5/6/08, RECEIVED AND ASSIGNED to Rules Committee.
- 080614 [Extending the Expiration date of the MBE/WBE/LBE Ordinance]**
Mayor, Supervisor Alioto-Pier
- Ordinance extending the expiration date of Chapter 12D.A, the City's Minority/Women/Local Business Utilization program until one year after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.
5/6/08, RECEIVED AND ASSIGNED to Rules Committee.

**080616 [Appointment of Independent Hearing Officer for Local Enforcement Agency]
Supervisor Dufty**

Ordinance amending the San Francisco Health Code by adding Sections 315, 318, 321, 323, 324, 327, 330, 333, 335, 337, 339, and 341 to authorize the appointment of an Independent Hearing Officer from the San Francisco Rent Board to conduct Local Enforcement Agency Hearings brought pursuant to the State Public Resources Code; establish procedures and qualifications for the appointment, and establish hearing procedures, cost recovery, and bases for hearing officer disqualification.

5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008.

**080621 [Amending Health Code Article 8 - Food Preparation and Service Establishment]
Mayor**

Ordinance amending San Francisco Health Code Sections 451, 452, 456.4, 456.5, deleting Health Code Section 455, and amending San Francisco Business and Tax Regulations Code Section 249.1 to include definition for licensed health care facilities, clarify the definition for hospital kitchen, update definitions to be consistent with the California Retail Food Code; add a fee for licensed health care facilities; and add lien procedures for enforcing monetary penalties.

5/6/08, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/5/2008. (Referred to Planning Department for environmental review.)

Resolutions

080607 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]

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: employee and public parking management services, information booth services, security services, and shuttle bus services (Airport); paratransit services, security services, citation information, janitorial and landscaping, meter collection and coin counting, towing services, and transit shelter maintenance and advertising (MTA); janitorial and security services. (Port) (Mayor)

(Fiscal Impact.)

5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080615 [Accept and expend Environmental Protection Agency (EPA) grant funds - \$8,119,150]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a United States Environmental Protection Agency (US EPA) grant in the amount of \$8,119,150 for a Contamination Warning System Demonstration Pilot Project.

5/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080617 [Accept-expend federal grant funds, Fire Department - \$1,173,212]
Supervisor Elsbernd**

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$1,173,212 from the Federal Emergency Management Agency (FEMA) to develop and implement a Wellness and Fitness Program.

(Fiscal Impact.)

5/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080622 [Multifamily Housing Revenue Bonds - 149 Mason Street Apartments - not to exceed \$15,275,000]
Mayor**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$15,275,000 for the purpose of providing financing for a multifamily rental housing project to be known as 149 Mason Street Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080623 [Grant funds to support the Aboveground Petroleum Storage Act program - \$63,567.48]
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health's Environmental Health Section (DPH-EHS) to enter into an agreement with the California Environmental Protection Agency (Cal/EPA) and to designate a representative to sign the agreement and any amendments thereto for implementation of the Aboveground Petroleum Storage Act (APSA) and to accept and expend retroactively a new grant in the amount of \$63,567.48 from CEPA to support the "Aboveground Petroleum Storage Act Program" for the period of January 1, 2008 through March 1, 2010.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080624 [Proclaiming June, July and August of 2008 as "Soda Free Summer"]
Supervisor Dufty**

Resolution proclaiming June, July and August of 2008 as "Soda Free Summer" in the City and County of San Francisco, and urging all San Franciscans to join Shape Up SF to "Rethink Your Drink" and go Soda Free this summer.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080625 [Commending Mimi Silbert and declaring May 15, 2008 to be Mimi Silbert Day]
Supervisor Sandoval**

Resolution commending Mimi Silbert for more than 36 years of leadership as the President and CEO of Delancey Street and her steadfast commitment to the rehabilitation and reintegration of more than 14,000 people nationwide, and declaring May 15, 2008 to be Mimi Silbert Day, on the occasion of her recognition by the Women Defenders at their 2008 Spring Event.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080626 [Public Works Week - May 18 - 24, 2008]
Supervisor McGoldrick**

Resolution declaring May 18 through May 24, 2008 as Public Works Week.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080627 [Commending AcroSports]
Supervisor McGoldrick**

Resolution commending AcroSports on their 15 years of service to the community.

5/6/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

**080602 [Mayor's Proposed May Budget 2008-2009]
Hearing to review the Mayor's Proposed May Budget 2008-2009. (Mayor)
5/1/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.**

**080608 [Outside Lands Festival in Golden Gate Park]
Supervisor Chu**

Hearing to examine plans from the San Francisco Police Department, Recreation and Park Department, Department of Parking and Traffic, and Department of Public Works in preparation for the Outside Lands Music & Arts Festival in Golden Gate Park (August 22-24, 2008).

5/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080609 [City tree safety]
Supervisor Chu**

Hearing to examine whether trees in Stern Grove and other areas of the City are properly maintained and meet appropriate safety standards. Also to examine expenditure plan for Parks Bond funds dedicated to tree restoration.

5/6/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080610 [Arts Task Force Recommendations]
Supervisor Ammiano**

Hearing on the implementation on the 2006 Arts Task Force recommendations for all affected departments to report their progress on implementation.

5/6/08, RECEIVED AND ASSIGNED to Rules Committee.

**080612 [Police district boundaries]
Supervisor Mirkarimi**

Joint hearing of the Public Safety Committee of the Board of Supervisors and the Police Commission to discuss the Public Safety Strategies Group findings and recommendations of the district boundaries analysis completed pursuant to Board Ordinance number 243-06.

5/6/08, RECEIVED AND ASSIGNED to Public Safety Committee.

Charter Amendments**080618 [Board of Supervisors Aides]
Supervisor McGoldrick**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.117, to authorize a third aide for members of the Board of Supervisors.

5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008. 5/9/08, Referred to departments for review and comments (see file for dept. list).

**080619 [Providing for appointment rather than election of the City Treasurer]
Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008.

5/9/08, Referred to departments for review and comments (see file for dept. list).

**080620 [Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]
Supervisor McGoldrick**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

5/6/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/5/2008.

5/9/08, Referred to departments for review and comments (see file for dept. list).

PROPOSED RESOLUTIONS**080581 [Approval of Sixth Amendment to Agreement with Serco Inc. for parking meter collection and management services, to extend the term by two years and increase the contract amount by \$10,000,000]
Resolution approving the Fifth Amendment to the Agreement between Serco Management Systems, Inc. and the City and County of San Francisco, through the San Francisco Municipal Transportation Agency. (Municipal Transportation Agency)**

(Fiscal Impact.)

4/28/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080582 [Approval of Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project, for a contract term of two years and an amount not-to-exceed \$22,080,000]

Resolution approving the Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project. (Municipal Transportation Agency)

(Fiscal Impact.)

5/6/08, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

080583 [Official Advertising for FY 2008-2009]

Resolution designating the Examiner the official newspaper of the City and County of San Francisco for all official advertising for Fiscal Year 08-09. (Office of Contract Administration)

4/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080584 [Outreach Advertising for FY 2008-2009]

Resolution designating San Francisco Bay View to be the outreach newspaper of the City and County for the African American community, and Asian Week to be the outreach newspaper of the City and County for the Chinese community, to provide outreach advertising services for Fiscal Year 08-09. (Office of Contract Administration)

4/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080585 [Approval of the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan]

Resolution approving the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan (WET Plan) and authorizing the amendment of the MHSA Agreement to include this Plan in the agreement. (Public Health Department)

4/28/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Sandoval

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic respond to the feasibility of zebra striping the pedestrian crosswalks at the intersection of Persia Avenue and Vienna Street.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Please investigate the possibility of relocating the traffic signal box located at the corner of Laguna Honda and Portola due to pedestrian safety concerns.

From: Supervisor Elsbernd

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Please explore the possibility of installing speed humps on the one block of Wawona, between Ulloa and Taraval Streets.

From: Supervisor Ammiano

To: Chief, Police Department

To: Director, Mayor's Office of Criminal Justice

Requesting/Inquiring: Currently, the Police Department's GIS crime map only tracks crimes which occurred in the last 90 days, and while most classifications of crimes such as robberies and assaults are searchable, homicides are not. What is the reason for these limitations? When can we expect the GIS map to reflect the past year's crimes, rather than the last 3 months, and when will the map accurately show where homicides have occurred?

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Geary and Post, pothole on southwest side of street

South side at Divisadero and Golden Gate

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Phone Switch Boxes:

Northeast corner of Oak and Webster

Northeast corner of Scott and Waller

Southeast corner of Fell and Fillmore

Southeast corner of Fillmore and Post

Southeast corner of Scott and Haight/Fell and Divisadero

Southwest corner of Buchanan and Hayes

Buchanan and Haight Streets

546 Haight Street

Northwest corner of Ashbury and Waller

Mailboxes:

Post and Geary

Hayes and Laguna

Southwest corner of Fell and Buchanan

Northeast corner of McAllister and Scott

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

503 Scott

360 Haight

472 Haight

539 Octavia

401 Fillmore

557 Fillmore

1015 Fillmore

1000 Steiner

333 Haight

406-408 Buchanan

536 Fell

401 Haight

546 Haight

799 Haight

498 Haight

425-431 Buchanan

485 Haight

385 Grove

432 Grove

200 Octavia

626 Fell

Geary and Steiner (the wall on the southwest corner of the walking bride)

451 Hayes

525 Gough

355 Laguna

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

Wood:

In front of 424 Oak

Northwest corner of Oak and Buchanan

432 Buchanan

Northwest corner of Page and Webster

Metal:

Southwest corner of McAllister and Webster

Northwest corner of Fell and Fillmore

406 Buchanan

Southwest corner of Buchanan and Lausant

1468 Waller

Southeast corner of Fell and Buchanan

Bus Shelters:

Southeast corner of Fillmore and Post

Northeast corner of Fillmore and Hayes

Stanyan and Oak

Northwest and Southeast corner of Haight and Fillmore

Southwest corner of Haight and Buchanan

Crosswalks and Stop Signs:

Fillmore and Waller (crosswalk and stop signs)

Fillmore and Haight (southeast and southwest corner stop signs)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

San Francisco Bay Guardian:

Southeast corner of Fillmore and Post

Southeast corner of Laguna and Page

9th Avenue and Judah (near bus stops)

7th Avenue and Irving (near bus stops)

Northwest corner of Fillmore and Geary

Southeast corner of Fillmore and Haight

In front of 497 Oak Street

San Francisco Chronicle:

Southeast corner of Fillmore and Post

Southeast corner of Oak and Buchanan

Southeast corner of Laguna and Page

Northwest corner of Fillmore and Hayes

Southeast corner of Haight and Fillmore

Irving and 9th Avenue

Irving and 7th Avenue

Examiner:

Southeast corner of Fillmore and Post

Northwest corner of Hayes and Gough

Southeast corner of Haight and Fillmore

SF Daily:

Northwest corner of Hayes and Gough

City Star:

Northwest corner of Hayes and Gough

Onion:

Northeast corner of Fillmore and Waller

Northwest corner of Hayes and Gough

Southeast corner of Divisadero and Page

Southeast corner of Fillmore and Haight

SF Weekly:

Southwest corner of Hayes and Webster

Southeast corner of Masonic and Haight

Southeast corner of Haight and Fillmore

In Memoriams

George C. Fleharty - Supervisor Peskin

Charles "Chad" Lowell Elliott - Supervisor Dufty

Robert Lawrence "Bob" Reising - Supervisor Dufty

Dick Dineen - Supervisor Dufty

ADJOURNMENT

There being no further business the Board adjourned at the hour of 3:56 p.m.

Angela Calvillo, Clerk of the Board

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

Approved by the Board of Supervisors on June 10, 2008.



Angela Calvillo
Clerk of the Board