

# 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, January 8, 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 Peskin, Ammiano, Dufty

##### **City and School District Select Committee**

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

##### **City Operations and Neighborhood Services Committee**

Supervisors McGoldrick, Alioto-Pier, Chu

##### **Government Audit and Oversight Committee**

Supervisors Elsbernd, Alioto-Pier, Daly

##### **Land Use and Economic Development Committee**

Supervisors Maxwell, Sandoval, McGoldrick

##### **Public Safety Committee**

Supervisors Mirkarimi, Maxwell, Chu

##### **Rules Committee**

Supervisors Ammiano, Elsbernd, Peskin

#### Meeting Days

Wednesday  
1:00 PM

1st and 3rd Thursday  
3:30 PM

2nd and 4th Thursdays  
1:00 PM

1st and 3rd Mondays  
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 Dufty, 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 2:07 p.m. On the call of the roll all Supervisors were noted present.*

*There was a quorum present.*

**APPROVAL OF MEETING MINUTES**

Supervisor Sandoval, seconded by Supervisor Chu, moved to approve Board Meeting Minutes for November 20, 2007, December 4, 2007 and December 11, 2007. The motion carried by the following vote:

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

**CONSENT AGENDA**

**Recommendations of the Budget and Finance Committee**

071436 [Appropriating \$33,521,354 of land sales revenue for construction at 525 Golden Gate to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008]  
Mayor

Ordinance appropriating \$33,521,354 of San Francisco Water and Wastewater Enterprises estimated land sales revenues from properties including BART land, Petrocchi Brothers property, 425 Mason Street, Muni Transfer at Cesar Chavez, Peter Naughton Easement Transfer, Sea Cliff Lot, Chestnut and El Camino property in South San Francisco, Manzano Way lots in Fremont, PG&E Jefferson Martin Line, and Martin Gaehwhiler property, for costs related to architectural, excavation design services, construction and construction management at 525 Golden Gate Avenue to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008.

(Fiscal Impact.)

Ordinance No. 6-08  
FINALLY PASSED

**071469 [Accept-Expend Federal Grant - Sheriff's Department]  
Supervisor Alioto-Pier**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of a .50 FTE 8420 Program Rehabilitation Services Coordinator in the Sheriff's Department, and a .50 FTE 2586 Health Worker II and .50 FTE 2803 Epidemiologist in the Department of Public Health, and authorizing the Sheriff's Department to accept and expend a 12-month grant in the amount of \$391,556 from the U.S. Department of Health and Human Services for the Women's Integrated Skills (WISH) Project and waiving indirect costs.

**Ordinance No. 5-08  
FINALLY PASSED**

**071568 [Appropriating \$250,000 Unappropriated Port Operating Fund Balance for Fuel Spill Clean-up  
Activities in the Port of San Francisco for Fiscal Year 2007-2008]  
Mayor**

Ordinance appropriating \$250,000 of Unappropriated Fund Balance from the Port Operating Fund to fund fuel spill clean-up by commercial vessels under contract with the Port of San Francisco and under direction of the Cosco Busan Incident Command retroactive to November 10, 2007 in the Port of San Francisco Fiscal Year 2007-2008.

(Fiscal Impact.)

**Ordinance No. 3-08  
FINALLY PASSED**

**Recommendations of the City Operations and Neighborhood Services Committee**

**070134 [Golden Gate Park-Authorization to Construct Skate Park]  
Supervisors Mirkarimi, Alioto-Pier**

Ordinance making environmental findings and authorizing the creation of a skate park in the block of Waller Street in Golden Gate Park, between Stanyan Street and Kezar Drive, pursuant to Charter Section 4.113.

**Ordinance No. 1-08  
FINALLY PASSED**

**070508 [Banning alcohol in children's play areas]  
Supervisors Alioto-Pier, Chu**

Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in children's play areas.

**Ordinance No. 2-08  
FINALLY PASSED**

**Recommendations of the Rules Committee**

**071609 [Appointment - Sunshine Ordinance Task Force 2000]**

Resolution appointing Marjorie Ann Williams, term ending April 27, 2009 to the Sunshine Ordinance Task Force.

Marjorie Ann Williams, succeeding herself, term expired, seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2009.

**Resolution No.** 6-08

**ADOPTED**

**071610 [Appointment - Mental Health Board]**

Resolution appointing Richard Rodriguez, term ending January 31, 2010, to the Mental Health Board.

Richard Rodriguez, succeeding Rebecca Turner, resigned, seat 15, must be a health professional, for the unexpired portion of a three-year term ending January 31, 2010.

**Resolution No.** 7-08

**ADOPTED**

**071611 [Appointment - Developmental Disabilities Area Board V]**

Resolution appointing Levi Nnaemeka and Donna Adkins, terms ending December 31, 2010, to Developmental Disabilities Area Board V.

Levi Nnaemeka, succeeding himself, term expired, seat 1, must represent the general public, for a new three-year term ending December 31, 2010.

Donna Adkins, succeeding herself, term expired, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2010.

**Resolution No.** 8-08

**ADOPTED**

**071617 [Appointment - Sweatfree Procurement Advisory Group]**

Resolution appointing Jason Oringer, Alicia Culver, Sarah Leiber Church and Virginia Villegas, terms ending December 17, 2009, to the Sweatfree Procurement Advisory Group, residency requirement waived.

Jason Oringer, succeeding himself, term expired, seat 1, must have significant experience representing employees in labor matters, for a two-year term ending December 17, 2009.

Alicia Culver (residency requirement waived), succeeding herself, term expired, seat 2, must have significant experience acquiring goods or services for a public entity, for a two-year term ending December 17, 2009.

Sarah Leiber Church (residency requirement waived), succeeding herself, term expired, seat 3, must have significant experience as an advocate for human rights or the poor, for a two-year term ending December 17, 2009.

Virginia Villegas, succeeding herself, term expired, seat 5, must be a member of the public, for a two-year term ending December 17, 2009.

**Resolution No.** 9-08

**ADOPTED**

**071619 [Appointment - San Francisco Health Authority]**

Resolution appointing Linda Bien, term ending January 15, 2010, to the San Francisco Health Authority, residency requirement waived.

Linda Bien, succeeding herself, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2010.

**Resolution No.** 10-08

**ADOPTED**

**071654 [Appointment - Local Homeless Coordinating Board]**

Resolution appointing Wendy Phillips, term ending October 21, 2010, to the Local Homeless Coordinating Board.

Wendy Phillips, succeeding L. S. Wilson, Jr., resigned, seat 2, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a five-year term ending October 21, 2010.

**Resolution No.** 11-08

**ADOPTED**

**071550 [Appointment - Asthma Task Force]**

Resolution appointing Denysius Cruz and Michelle Reyes, terms ending July 1, 2008, to the Asthma Task Force.

Denysius Cruz, succeeding Mariaelena Alioto, term expired, seat 5, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the unexpired portion of a new two-year term ending July 1, 2008.

Michelle Reyes, succeeding Veronica Lightfoot, term expired, seat 6, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the unexpired portion of a new two-year term ending July 1, 2008.

**Resolution No.** 12-08

**ADOPTED**

**071618 [Appointment - Children and Families First Commission]**

Resolution appointing Maria X. Martinez and September Jarrett, for indefinite terms, to the Children and Families First Commission.

Maria X. Martinez, succeeding Virginia Smyly, resigned, seat 1, must be the Director of Public Health or his/her designee, for an indefinite term.

September Jarrett, succeeding Margaret Brodtkin, resigned, seat 4, must be the Director of the Office of Children, Youth and Their Families or his or her designee, for an indefinite term.

**Resolution No.** 14-08

**ADOPTED**

**071612 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]**

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612. (City Attorney)

**PASSED, ON FIRST READING**

**071575 [Settlement of Lawsuit - Trustees of The J. David Gladstone Institutes, et al., v. CCSF]**

Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of \$420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40. (City Attorney)

**PASSED, ON FIRST READING**

**The foregoing items were acted upon by the following vote:**

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

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the City Operations and Neighborhood Services Committee

**071089 [Warning on cough and cold medicine for infants and young children ordinance]  
Supervisors Alioto-Pier, Dufty, Ammiano**

Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 6 years, and (2) provide penalties for violations.

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

**Ordinance No.** 4-08

**FINALLY PASSED by the following vote:**

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

### Recommendation of the Rules Committee

**071538 [Imposing a suppression order upon the Board of Supervisors]  
Supervisor Sandoval**

Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.

*Supervisor Chu was previously excused from voting on this matter.*

*Continued to January 29, 2008*

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

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

### Recommendation of the Government Audit and Oversight Committee

**071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]  
Supervisor Elsbernd**

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed \$17,100,000.

(Supervisor Daly dissented in Committee.)  
(Fiscal Impact.)

*Continued to February 5, 2008*

**Supervisor Daly, seconded by Supervisor Ammiano, 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

## Board of Supervisors Sitting as a Committee of the Whole

**071218 [Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]  
Supervisors Daly, Ammiano, Mirkarimi, Peskin, Maxwell, Sandoval, Dufty, McGoldrick**

Charter amendment (Fourth Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

*The President inquired as to whether any member of the public wished to address the Board members.*

*Jamie Whitaker; opposed the housing affordable Charter amendment*

*Calvin Welsh; supported the housing affordable Charter amendment*

*Laura Carrol; opposed the housing affordable Charter amendment*

*Labor Council Representative; supported the housing affordable Charter amendment with certain stipulations*

*Female speaker; supported the housing affordable Charter amendment*

*Male speaker; supported the housing affordable Charter amendment*

*Victoria; supported the housing affordable Charter amendment*

*Edmond; supported the housing affordable Charter amendment*

*The President declared the public hearing closed.*

**ORDERED SUBMITTED by the following vote:**

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

Noes: 3 - Alioto-Pier, Chu, Elsbernd



## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

**071521 [Public Works Code - cafe tables and chairs permit fee]  
Supervisors Chu, Dufty, Mirkarimi**

Ordinance amending Public Works Code Sections 2.1.1 to update the cafe tables and chairs permit fee and making environmental findings.

**PASSED ON FIRST READING by the following vote:**

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

**071594 [Grant to support substance abuse and HIV/AIDS related services]  
Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration and the Center for Substance Abuse Treatment (SAMHSA/CSAT) in the amount of \$397,919 for the period of September 30, 2007 through September 29, 2008, and a subcontract with Asian and Pacific Islander Wellness Center for \$318,619 for the same time period.

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

**Resolution No.** 13-08

**ADOPTED by the following vote:**

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

### Recommendation of the Government Audit and Oversight Committee

**071136 [Recreation and Park Department - Camping, Sleeping]  
Mayor**

Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m.

(Supervisor Daly dissented in Committee.)

**Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 7 - Ammiano, Chu, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval  
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Maxwell

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin  
Noes: 3 - Ammiano, Daly, Sandoval

**Recommendations of the Land Use and Economic Development Committee**

**071441 [Urging banks to work with the City to address the affects of subprime lending and calling on the Federal Reserve to take action at the national level to end predatory loan practices]  
Supervisor Ammiano**

Resolution urging banks to work with the City to address foreclosures and subprime loan practices; calling on the Federal Reserve to prohibit loans at unaffordable rates, end the misuses of stated loans, eliminate prepayment penalties, and designate failure to escrow taxes and insurance in subprime loans as a deceptive practice.

**Resolution No. 4-08**

**ADOPTED by the following vote:**

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

**071634 [San Francisco Fair Lending Working Group]  
Supervisors Maxwell, Ammiano**

Resolution establishing a San Francisco Fair Lending Working Group, comprised of industry, community, and City representatives, to study and recommend responses to the current mortgage foreclosure crisis and to provide an initial progress report to the Board of Supervisors within 45 days of its first meeting.

**Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:**

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

**Resolution No. 1-08**

**ADOPTED AS AMENDED by the following vote:**

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

**Recommendation of the Public Safety Committee**

**071536 [Access to and retention of community safety camera recordings]  
Supervisors Sandoval, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

*Continued to January 15, 2008*

**Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED. The motion carried by the following vote:**

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

**Recommendations of the Rules Committee**

**071553 [Authorizing Tax Collector Attorney to file suit against a responsible relative of recipient of services at City hospitals to recover value of services]**

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

**Resolution No.** 15-08

**ADOPTED by the following vote:**

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

**071565 [Extending the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008]**

**Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending Section 5.265, to retroactively extend the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008.

**PASSED ON FIRST READING by the following vote:**

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

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

**SPECIAL ORDER 4:00 P.M.**

*Supervisors Duffy, Maxwell and Sandoval were noted absent at 4:05 p.m.*

**070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district. (Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

*Continued to January 29, 2008*

**Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:**

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin  
Absent: 3 - Duffy, Maxwell, Sandoval

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

**070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to January 29, 2008*

**Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:**

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin  
Absent: 3 - Duffy, Maxwell, Sandoval

**070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to January 29, 2008*

**Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:**

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin  
Absent: 3 - Duffy, Maxwell, Sandoval

**070913 [Preparation of findings related to the 3424 Jackson Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

*Continued to January 29, 2008*

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

Ayes: 8 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin

Absent: 3 - Duffy, Maxwell, Sandoval

**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.*

*Abdullah Megaheed; expressed concern with issues relating to the homeless  
Female speaker showed interest in a Chinese New Year Spectacular presentation  
Kathy Dang; showed interest in the Chinese New Year Spectacular presentation  
Male speaker; expressed concern with issues relating to the Zoo incident  
James Chaffee; expressed concern with issues relating to the SF Public Library  
Eugene Gordon Jr.; expressed concern with issues relating the violation of human rights conditions  
Denise Bobla; expressed concern with issues relating to the Zoo incident  
Dr. Katz; expressed concern with issues relating to the Zoo incident  
Denise Dury; expressed concern with issues relating to health care and Prop. 15  
SF Patient's Advocate; expressed concern with issues relating to health care and Prop. 15  
Female speaker; expressed concern with issues relating to health care and sleeping bans and critical SF issues  
John di Donna; expressed concern with issues relating to housing and mortgage issues  
Male speaker; showed support for medical marijuana  
Owen Duffy; expressed concern with issues relating to the Zoo incident  
Julie Ruffers; expressed concern with issues relating to the Zoo incident  
Edmond; support of medical marijuana*

**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.*

**071680 [Urging the California State Assembly to pass Assembly Bill 23]  
Supervisors Dufty, Ammiano, Peskin, Mirkarimi, Sandoval**

Resolution urging the California State Assembly to pass Assembly Bill 23.

**Resolution No.** 5-08

**ADOPTED**

**071682 [Approval of an additional 120-day extension for Planning Commission review in order to allow the Planning Department to meet the goals of this legislation through the Eastern Neighborhoods Rezoning]  
Supervisor Daly**

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

**Resolution No.** 3-08

**ADOPTED**

**071683 [Approval of a 90 day extension for Planning Commission review for Planning Code Amendment of C-3 Development Impact Fees]  
Supervisor Daly**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would require the City Controller to study the impacts of new development in the C-3 zoning districts, requiring the Board of Supervisors to amend City codes to establish new development impact fees and/or to change the amounts of existing fees for development in the C-3 zoning districts, depending on the results of the study, and making environmental findings, General Plan findings, and other required findings.

**Resolution No.** 2-08

**ADOPTED**

**080007 [Final Map - 3520 20th Street]**

Motion approving Final Map 4263, a 14 Unit Residential and 3 Unit Commercial Mixed-Use Condominium Project, located at 3520 20th Street being a subdivision of Lot 120 in Assessors Block No. 3596 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,279; District 9.)

**Motion No.** M08-1

**APPROVED**

**080008 [Final Map - 3350 20th Street]**

Motion approving Final Map 4398, a 6 Residential Unit and 2 Commercial Unit Mixed – Use Condominium Project, located at 3350 20th Street being a subdivision of Lot 015 in Assessors Block No. 3594 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,297; District 9.)

**Motion No.** M08-2

**APPROVED**

**080009 [Final Map - 300 Laguna Honda Boulevard]**

Motion approving Final Map 2712, a 22 Unit Residential Condominium Project, located at 300 Laguna Honda Boulevard being a subdivision of Lot 001 in Assessors Block No. 2864 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,301; District 7.)

**Motion No.** M08-3

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 8 - Alloto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin

Absent: 3 - Duffy, Maxwell, Sandoval

## **OFF-AGENDA LEGISLATION**

### **Introduced by Supervisors or Mayor**

#### **Ordinances**

**080035 [Disclosure of Votes Cast in Ranked-Choice Elections]  
Supervisor Ammiano**

Ordinance amending the San Francisco Municipal Elections Code by adding Section 415, to make publicly available a report of all votes cast in ranked-choice elections.

1/8/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/7/2008.

**080039 [Landmark Tree Designation of Blue Elderberry located in the Bernal Heights Natural Area at Folsom Street and Bernal Heights Boulevard]  
Supervisor Ammiano**

Ordinance designating the Blue Elderberry (*Sambucus mexicana*) in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) at Folsom Street and Bernal Heights Boulevard as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080040 [Landmark Tree Designation of Moreton Bay Fig at 3555 Cesar Chavez Street, facing Valencia Street]  
Supervisor Ammiano**

Ordinance designating the Moreton Bay Fig (*Ficus macrophylla*) at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002), facing Valencia Street as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080041 [Landmark Tree Designation of Flowering Ash tree no. 1 at 500 Cortland Avenue]  
Supervisor Ammiano**

Ordinance designating the Flowering Ash (*Fraxinus ornus*) tree no. 1 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the eastern side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080042 [Landmark Tree Designation of Flowering Ash tree no. 2 at 500 Cortland Avenue]  
Supervisor Ammiano**

Ordinance designating the Flowering Ash (*Fraxinus ornus*) tree no. 2 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the western side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080063 [Green Building Requirements]  
Mayor**

Ordinance amending the San Francisco Building Code by adding Chapter 13C to impose green building requirements on newly constructed residential buildings, newly constructed commercial buildings that are 5,000 gross square feet or more, alterations to new or existing commercial interiors that are 25,000 gross square feet or more in area, and major alterations to existing buildings that are 25,000 gross square feet or more in area, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed; exempting City projects, which are covered by Chapter 7 of the San Francisco Environment Code; providing that the requirements become effective 90 days after enactment of the ordinance and increase over the following five-year period; adopting findings, including environmental findings and findings required by California Health and Safety Code Section 17958.5.

Economic Impact

1/8/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/7/2008.



**061438 [Public Works Code - Sidewalk flower-vending stands]  
Supervisor McGoldrick**

Ordinance amending Public Works Code Sections 156, 157, 159, 160, 161, 162, and 163 to impose a two year-limit on sidewalk flower-vending stand permits and establish a lottery process for subsequent permit issuance for such stands, to clarify application requirements, to add operating conditions for such stands and establish an abandonment period, to delete provisions regarding permit assignment to family members of the permittee, to change the criminal penalty for violations from a misdemeanor to an infraction, and to establish administrative penalties for violations.

10/17/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 11/16/2006.

10/26/06, REFERRED TO DEPARTMENT. Referred to Small Business Commission for review and recommendation.

11/17/06, TRANSFERRED to Land Use and Economic Development Committee.

5/4/07, FILED PURSUANT TO RULE 5.37.

1/8/08, REACTIVATED PURSUANT TO RULE 5.23. Supervisor McGoldrick requested this matter be reactivated, to be heard at the January 28, 2008 Land Use Committee meeting.

1/8/08, ASSIGNED to Land Use and Economic Development Committee.

**071661 [Menu Labeling At Chain Restaurants]  
Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick, Maxwell**

Ordinance amending Sections 468 through 468.8 of the San Francisco Health Code to (1) require chain restaurants to provide, per standard menu item, the total number of calories on menu boards and food tags, and the total amount of calories, saturated fat, carbohydrates and sodium on menus; and (2) revise existing requirements for providing nutritional information on alternative disclosure media.

12/11/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/10/2008.

1/8/08, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing the same title.

1/8/08, ASSIGNED to City Operations and Neighborhood Services Committee.

## **Resolutions**

**080037 [Grant to support vocational services to mentally ill individuals]  
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services to accept and expend retroactively a grant from the California Department of Rehabilitation in the total amount of \$3,310,497, with a cooperative CBHS match of \$895,980, for a budget total of \$4,206,477, to provide vocational rehabilitation services to clients through a cooperative contract agreement for the period of July 1, 2007 through June 30, 2010, waiving indirect costs.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080038 [Funding modification to support HIV vaccine and prevention research]  
Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a subcontract modification from the Public Health Foundation Enterprises, Inc. (PHFE) to support the research of the San Francisco Vaccine and Prevention Unit (SFVPU) in the amount of \$325,239; for the period of January 1, 2007 through December 31, 2007.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080043 [Approving and officially adopting the recommendations of the Healthcare Action Team regarding the discharge of homeless patients in San Francisco]  
Supervisors Ammiano, Daly, Mirkarimi**

Resolution endorsing the Healthcare Action Team's recommendations for procedures on homeless patients hospital discharge, including more respite beds, a streamlined discharge process, distribution of information sheets, utilization of transitional care programs, expansion of the Ombudsman office and no discharges on Fridays.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080044 [Grant funding for a drug court in the San Francisco Dependency Court]  
Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant increase in the amount of \$287,177, with a local general fund match of \$28,718, for a budget total of \$315,895, from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) to provide funding for a drug court in the San Francisco Dependency Court; for the period of July 1, 2007 through June 30, 2008.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080045 [Grant funds to improve and expand substance abuse treatment services]  
Supervisor Chu**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) in the total amount of \$713,132, with a local general fund match of \$142,627, for a budget total of \$855,759 to improve and expand substance abuse treatment services for adult felon drug court clients; for the period of January 1, 2007 through December 31, 2008.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080046 [Accept and Expend CALFED Water Use Efficiency Grant Funds]  
Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a CALFED Water Use Efficiency Grant in the amount of \$200,000 through the United States Bureau of Reclamation.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080047 [Continuum of Care: Five-Year Strategic Plan of the San Francisco Local Homeless Coordinating Board 2007-2012]**  
**Supervisor Daly**

Resolution declaring the policy that the Five-Year Strategic Plan of the San Francisco Local Homeless Board titled "Toward Ending Homelessness in San Francisco: A Five Year Strategic Plan of the San Francisco Local Homeless Coordinating Board" is the City and County of San Francisco's official homeless policy document and governs the development of an integrated, effective and coordinated system of housing, health care, employment and support services to end homelessness.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080048 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Division of Emergency Services]**  
**Supervisor Elsbernd**

Resolution authorizing the Department of Emergency Management, Division of Emergency Services, to accept and expend a Federal pass through grant in the amount of \$950,000 from the Governor's Office of Homeland Security for the Buffer Zone Protection Program, and to enter into an MOU with Bay Area Rapid Transit (BART) to fund critical infrastructure needs.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080049 [Accept and Expend FY 07 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2007-2008]**  
**Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$27,304,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the extension of eight grant-funded positions at the following Departments: Emergency Management; Police; Fire; Health; and Sheriff; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of six grant-funded positions at the Department of Emergency Management.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080050 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]**  
**Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$139,366 from the California Governor's Office of Emergency Services (OES) Anti-Drug Abuse Enforcement Program (ADA) for the purpose of reducing drug related crime through a coordinated approach.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080058 [Renew Joint Power and Revolving Fund Contract with the State]  
Supervisor Elsbernd**

Resolution authorizing the Department of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (1) contract for, accept and expend up to \$1,356,678 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2007 through June 30, 2009; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2007 through June 30, 2009.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080059 [Accept-Expend Federal Grant - Airport Commission]  
Supervisor Elsbernd**

Resolution authorizing the Airport Commission to enter into an Other Transaction Agreement (OTA) with the Department of Homeland Security/Transportation Security Administration (TSA) to accept and expend federal funds for the installation of in-line explosive detection baggage system improvements in Terminal One of the San Francisco International Airport for an approximate amount of 75% of the project cost, not to exceed \$2,300,000.

1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080060 [Requesting that the SFPUC Study Maritime Alternatives to land-based siting of City-owned  
Combustion Turbines]  
Supervisor Mirkarimi**

Resolution requesting that the San Francisco Public Utilities Commission Study Maritime Alternatives to land-based siting of City-Owned Combustion Turbines.

1/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**080061 [San Francisco Zoological Gardens-City Oversight]  
Supervisor Mirkarimi**

Resolution urging the Recreation and Park Department to review the current lease management agreement with the San Francisco Zoological Society to determine whether, and how, the City and the Zoo Society could amend the lease management agreement to clarify Recreation and Park Commission's ultimate authority over the Zoo.

1/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080064 [Confirming the appointment of Malcolm Heinicke to the Municipal Transportation Agency Board of  
Directors, term ending March 1, 2008]  
Mayor**

Motion confirming the appointment of Malcolm Heinicke to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

1/8/08, RECEIVED AND ASSIGNED to Rules Committee.

- 080065 [Confirming the appointment of Jerry Lee to the Municipal Transportation Agency Board of Directors, term ending March 1, 2011]  
Mayor**

Motion confirming the appointment of Jerry Lee to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2011.  
1/8/08, RECEIVED AND ASSIGNED to Rules Committee.

- 080066 [Confirming the appointment of Bruce Oka to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008]  
Mayor**

Motion confirming the appointment of Bruce Oka to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.  
1/8/08, RECEIVED AND ASSIGNED to Rules Committee.

- 080067 [Commending Margaret Cooch upon her retirement]  
Supervisors Mirkarimi, Ammiano, Daly**

Resolution commending Margaret Cooch upon her retirement as Executive Director of Planning for Elders and honoring her life-long service to the broader communities of senior and people with disabilities.  
1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 080068 [Urging San Franciscans not to purchase eggs produced by caged hens]  
Supervisor Peskin**

Resolution urging San Franciscans not to purchase eggs produced by caged hens and opposing the factory farming practice of confining egg-laying hens in battery cages.  
1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 080070 [San Francisco joins with others to form the creation of California Green Cities]  
Mayor**

Resolution committing San Francisco to join other California cities in an effort to promote local, regional, and national sustainability measures, called California Green Cities.  
1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

- 080071 [Funds to support risk reduction project]  
Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH), HIV Research Section to enter retroactively into an agreement in the amount of \$48,444 with Public Health Foundation Enterprises (PHFE), the primary contractor, to participate in a project regarding risk reduction counseling; for the period of August 1, 2007 through July 31, 2008.  
1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080072 [Approval of a 30 day extension of Planning Commission review - Union Street Neighborhood Commercial District]  
Supervisor Alioto-Pier**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full service restaurants that satisfy specific requirements and obtain conditional use authorization; and making environmental findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080073 [Urging the California State University system to develop uniform hiring policies to ensure workforce diversity]  
Supervisor Sandoval**

Resolution urging the California State University system to develop uniform hiring policies to ensure workforce diversity.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**080074 [Approval of a second 90 day extension for Planning Commission review - adoption or expenditure of neighborhood impact fees]  
Supervisor Alioto-Pier**

Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## **Hearings**

**080026 [Hearing - Mayor's budget instructions for the FY2008-09 budget]  
Supervisor Peskin**

Hearing on the Mayor's budget instructions for the Fiscal Year 2008-09 budget.

1/8/08, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**080029 [Problems faced by those living with HIV/AIDS]  
Supervisor Ammiano**

Hearing request on the problems faced by those living with HIV/AIDS as they get older.

1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**080030 [San Francisco's homicide rate]  
Supervisor Ammiano**

Hearing on why San Francisco's homicide rate is higher than that of Los Angeles.  
1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080031 [Zoo Incident]  
Supervisors Elsbernd, Alioto-Pier, Ammiano**

Hearing to consider the Zoo incident on Christmas Day.  
1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080032 [Pedestrian Safety]  
Supervisors Chu, Dufty, Elsbernd**

Hearing with the Municipal Transportation Agency, Department of Public Health, and Police Department before the Public Safety Committee regarding pedestrian safety issues. The hearing will include data on pedestrian safety incidents in the last several years, locations with an especially high incident rate, and current as well as potential future efforts to address pedestrian safety issues.  
1/8/08, RECEIVED AND ASSIGNED to Public Safety Committee.

**080033 [Bayview Waterfront Development Project]  
Supervisor Maxwell**

Hearing on the status of the Bayview Waterfront Development Project. Informational hearing, which will include presentations by the Mayor's Office staff and project sponsors, as to the status of the joint development program for the Candlestick Point and Hunters Point Shipyard areas.  
1/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. Sponsor requests that the item be scheduled at the Land Use Committee meeting of January 14, 2008.

**080034 [Worker's Comp Clinic at SF General Hospital]  
Supervisor Mirkarimi**

Hearing regarding the closure of the Worker's Comp Clinic at San Francisco General Hospital.  
1/8/08, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

## **Motions**

**080036 [Adopting the Planning Department's report on File 071534 - Interim Moratorium on Institutional Uses in the Western SoMa]  
Supervisors Peskin, Sandoval, Maxwell, Ammiano**

Motion adopting the Planning Department's report on File No. 071534 – an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 Days.  
1/8/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**080062 [Regulating the permitted locations of new liquor stores and their conditions of operation]  
Supervisors Sandoval, Alioto-Pier**

Motion ordering submitted to the voters an Ordinance authorizing amendment of the Planning Code by adding Section 226.5 to impose a distance requirement of 1,000 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries and recreation centers and establishing conditions for operation of liquor stores at an election to be held on June 3, 2008.

Economic Impact

1/8/08, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/7/2008.

**080069 [Concurring in January 4, 2008 Proclamation of Local Emergency]  
Mayor, Supervisor Peskin**

Motion concurring in the Mayor's January 4, 2008 Proclamation of Local Emergency, and in the actions taken to meet the emergency.

1/8/08, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## PROPOSED ORDINANCES

**080002 [Settlement of Lawsuit - Daniel Worrell]**

Ordinance authorizing settlement of the lawsuit filed by Daniel Worrell against the City and County of San Francisco for \$585,000; the lawsuit was filed on August 25, 2006 in San Francisco Superior, Case No. 455-569; entitled Daniel Worrell v. City and County of San Francisco, et al. (City Attorney)

12/7/07, RECEIVED AND ASSIGNED to Rules Committee.

**080015 [Settlement of Lawsuit - Francis Kelly et al.]**

Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al. (City Attorney)

12/20/07, RECEIVED AND ASSIGNED to Rules Committee.

**080019 [Implementing the Controller's Whistleblower Program]  
Supervisor Mirkarimi**

Ordinance amending the Campaign and Governmental Conduct Code by amending Sections 4.100 and 4.115 and adding Sections 4.107 and 4.123 to implement the provisions of Charter Appendix F1.107 for the operation of the Controller's Whistleblower Program, to protect the confidentiality of whistleblowers and the investigation of complaints, and to provide protection from retaliation, and repealing Section 4.125 and adding a new Section 4.125 to prohibit the furnishing of false information in, and require cooperation with, whistleblower investigations conducted by the Controller or any other officer or department. (Controller)

12/26/07, RECEIVED AND ASSIGNED to Rules Committee. (Referred to the Ethics Commission for comment and recommendation.)



## **PROPOSED RESOLUTION**

**080018 [Public Auction - Sell certain parcels of tax-defaulted real property]**

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.  
(Treasurer-Tax Collector)

12/26/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Requests Granted

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*Requesting/Inquiring: Inquiring into any plans, either current or contemplated, for the development of that portion of Fulton Street between Larkin St. and Hyde St.*

*From: Supervisor McGoldrick*

*To: Budget Analyst (Harvey Rose)*

*To: Mayor's Budget Director (Nani Coloretti)*

*Requesting/Inquiring: Requesting the Budget Analyst to give a thorough analysis of the TOTAL budgetary impact of all of the Mayor's staff changes announced on Friday, January 4 (including the eight previous changes), including salary increases/decreases, severance packages etc. Also, please include the approximate 1600 jobs the Mayor has included in the hiring freeze, to see how many of those jobs are actually active and effective, as well as the public safety and health positions affected by the directive.*

*From: Supervisor Elsbernd*

*To: Controller*

*To: Retirement System*

*Requesting/Inquiring: Requesting the Controller and the Retirement System to analyze the recommendations in the recently issued Public Employee Post-Employment Benefits Commission report and determine which of the relevant recommendations the City has implemented, and which could be implemented.*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Mailboxes*

- Northwest corner of Kirkham and 6th Avenue*
- Southwest corner of 10th Avenue and Judah*
- Northeast corner of 12th Avenue and Judah*
- Southwest corner of 17th Avenue and Irving*
- Southwest corner of 16th Avenue and Irving*
- Northeast corner of 11th Avenue and Irving*
- Southeast corner of 19th Avenue and Lincoln*
- Southeast corner of 15th Avenue and Lincoln*
- Southwest corner of Funston and Lincoln*
- Southeast corner of 10th Avenue and Lincoln*
- Southwest corner of Hayes and Laguna*

*Garbage Cans*

- Northwest corner 18th Avenue and Irving*
- Southeast corner of 19th Avenue and Lincoln*
- Northeast corner of Scott and Turk*

*From: Supervisor Mirkarimi*

*To: District Attorney*

*Requesting/Inquiring: Requesting the District Attorney to respond to the following questions:*

*1. Under what conditions does your office prosecute infractions against homeless persons? Does the decision to prosecute depend on whether or not a homeless person has counsel or, if represented, by whom the representation is provided?*

*2. If the rationale of and justification for specifically prosecuting infractions against homeless is to provide social services, how the District Attorney's office help defendants provide such services or otherwise get housing so that they do not become recidivists?*

3. How much does it cost the District Attorney's office to prosecute quality-of-life infraction cases and are these prosecutions acting as a deterrent resulting in a declining number of citations?
4. How do these prosecutions improve public safety?
5. What meetings have you had with the Mayor's Office, or other City departments about this prosecution? Please list the date of each meeting and who was present. Please provide any notes made in these meetings.
6. It has come to my attention that there have been wholesale dismissals of quality of life citations. Please define "wholesale dismissal" During what period was there "wholesale dismissal" of citations given to homeless people? How many tickets were given? When were they dismissed? Why were they dismissed? What is the process by which tickets are dismissed? Has that process or policy of dismissal changed now that Assistant District Attorneys have been assigned to prosecute these cases?
7. How many of the quality of life citations issued since July 2007 were dismissed? How many people were offered and accepted services? What services? Were any of these new services or programs residents would otherwise not have been able to access? Were others denied access as a result of offering services exclusively to Golden Gate Park residents? How many refused services? How many accepted? How many tickets?
8. Was anyone, for any reason, incarcerated as a result of the Golden Gate Park sweeps? What is the current status of those cases? How many were charged? How many have been released?

From: Supervisor Mirkarimi

To: Chief of Police

Requesting/Inquiring: Requesting the Chief of Police to respond to the following questions:

1. How citations for camping have been issued on a monthly basis since July, How many people were offered and accepted services in lieu of receiving a citation? What services were they offered? How many refused services and were cited?
2. Were officers assigned to Golden Gate Park homeless outreach diverted from regular patrols elsewhere? How many? From which assignments were they diverted?
3. Are social workers present when citations are issued? How many people got both a social service referral and a ticket?
4. Are officers other than those trained to do homeless used to interact with homeless people in Golden Gate Park? If so, Why are untrained officers assigned this duty?
5. What is the total cost in police time for the Golden Gate Park sweeps, including overtime?

From: Supervisor Mirkarimi

To: Sheriff

Requesting/Inquiring: Requesting the Sheriff to respond to the following questions:

1. How many people in jail have been identified as mentally ill? How many were homeless when they were brought to the jail?
2. Of the people processed through behavioral health court, how long has each individual been waiting for treatment?
3. What is the ratio of psychiatric staff to mentally ill clients in the jail?
4. What is the screening process for jail psychiatric services staff?
5. What is the current capacity of San Francisco jails? How often are they full or over capacity?

6. Are inmates under the care of psychiatric services released early to alleviate overcrowding?

From: Supervisor Mirkarimi

To: Superior Court

Requesting/Inquiring: Requesting the Superior Court to respond to the following questions:

1. What meetings have court staff had with other city departments regarding infraction citations given to homeless people? Please provide a list of people attending any such meeting, the dates of such meetings, and any handwritten or typed notes, e-mail from such meetings.

2. How many Quality of Life Citations were adjudicated in 2007? How many have been dismissed? Has a practice of 'wholesale dismissal' been used for any of these citations?

From: Supervisor Mirkarimi

To: Director, Department of Public Health

Requesting/Inquiring: Requesting the Department of Public Health to respond to the following questions:

1. From which neighborhoods have HO Team been drawn to conduct the "sweeps" in Golden Gate Park?

2. How many referrals were given? How many of the people who received referrals had additional contact from a HO Team member. Where were people referred?

3. How many supportive housing beds were available?

4. How many treatment beds were available?

5. How long is the wait list for supportive housing beds for the homeless people that want them?

6. How does the HO Team decide which people receive stabilization beds? Where were stabilization beds drawn from? Did this decrease access for non-Golden Gate park HO Team clients?

From: Supervisor Mirkarimi

To: Director, Human Services Agency

Requesting/Inquiring: Requesting the Human Services Agency to respond to the following questions.

1. During the most recent Golden Gate Park sweeps, how many people were offered supportive housing? How many were turned down?

2. How does your agency decide who gets the beds that are available? Is there an income requirement for stabilization beds? If so, what is it?

3. How many people were referred to shelter during the recent Golden Gate Park sweeps? If people from were referred to shelter, were they provided with transportation? If so, what transportation?

4. How are shelter beds accessed? Are there any shelter beds that are not made available to resource centers to give to clients?

5. What is the justification for such stringent access to shelter beds through the resource centers when there are 237 vacancies per day?

6. What was the emergency that required the reopening of 150 Otis the day after it was closed?

7. From how many sites in Golden Gate Park was unattended property was confiscated? How many bags of property were put into storage? Where were they put into storage?

8. From how many sites in Golden Gate Park was attended property confiscated?
9. What notice was given to people whose property was confiscated? Please provide a copy of each notice.
10. How many people are turned away from resource centers without receiving a shelter bed? If this information isn't tracked, why not?

From: Supervisor Mirkarimi

To: Public Defender's Office

Requesting/Inquiring: Requesting the Public Defender's Office to respond to the following questions:

1. Did you represent anyone who was arrested in Golden Gate Park between August 1, 2007 and the present? How many? What is the current status of those cases? How many people are still incarcerated?

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to respond to the following questions:

1. From which neighborhoods have Department of Public Works personnel and equipment been drawn to assist the SFPD in conducting the sweeps and confiscation of property of homeless persons in Golden Gate Park?

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following DPT/MTA property:

Signs

- "No Pedestrian Crossing" sign at the southwest corner of Fell and Gough
- "No Pedestrian Crossing" sign at the southwest corner of 2nd Avenue and Lincoln
- "Stay to the Right" sign on the eastbound median at Arguello and Lincoln

Parking Meters

- Gough between Grove and Fell
- Fillmore between Post and Geary
- Irving between 17th Avenue and 19th Avenue

Pedestrian Crossing Signal

- All corner of 4th Avenue and Lincoln

Stop Signs

- Northeast corner of Scott and McAllister

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from parking signs and poles at the following locations:

- Belvedere between 17th Street and Parnassus
- Stanyan between Alma and Parnassus
- Woodland between Parnassus and Willard
- Parnassus between Stanyan and Hillpoint
- 9th Avenue between Kirkham and Lincoln
- 8th Avenue between Kirkham and Judah
- 5th Avenue between Irving and Hugo
- Arguello between Frederick and Parnassus
- Fell between Webster and Divisadero
- Scott between Fell and Golden Gate
- Pierce between O'Farrell and Turk

- Hayes between Pierce and Scott
- Hayes between Webster and Gough
- Speed limit sign at the westbound intersection of 14th Avenue and Lincoln

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations:

Light Switch Boxes

- Judah between 12th Avenue and 13th Avenue
- Northwest corner of Judah and Funston
- Southeast corner of Funston and Lincoln
- Northeast corner of Fillmore and Geary

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of repair or replacing damaged residential parking signs:

- 1311 - 14th Avenue (Bent Pole)
- 1261 - 5th Avenue (Replace Parking Signs)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- Northeast corner of Judah and 9th Avenue (Chronicle)
- Southwest corner of Scott and Hayes (Chronicle)
- Southeast corner of 9th Avenue and Lincoln (Advertiser)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- Grove Street between Laguna and Gough (Multiple pot holes)
- Intersection of Parnassus and Stanyan
- 850 Judah
- Intersection of California and Steiner

From: Supervisor Mirkarimi

To: Director, Department of Public Works

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

- 485 Scott
- 500 Kirkham
- 1400 9th Avenue
- 1407 9th Avenue
- 1414 9th Avenue
- 1211 Arguello
- 921-923 Oak
- 929 Oak
- 349-357 Pierce
- 512-522 Laguna

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of trimming the tree covering the "STOP" sign at the northwest corner of 8th Avenue and Kirkham

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Metal*

- Northeast corner of Irving and 15th Avenue*
- All poles on Webster between Grove and Fulton*
- All poles on Fulton between Fillmore and Webster*

*Wooden*

- 1217 18th Avenue*
- Southeast corner of 19th and Lincoln (Box on pole)*
- Southwest corner of 14th Avenue and Lincoln and Utility Box next to pole*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

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

*Emergency Boxes*

- Northeast corner of Grove and Laguna*
- Southeast corner of Funston and Lincoln*
- Southeast corner of Frederick and Cole*

*Fire Hydrant*

- Southeast corner of Irving and 18th Avenue*

*From: Supervisor Mirkarimi*

*To: Director, Department of Public Works*

*To: Superintendent, SF Unified School District*

*Requesting/Inquiring: Requesting the SF Unified School District and the Department of Public Works to report on the following:*

- Of removing graffiti from the wall of Ida B. Wells on Fell between Pierce and Steiner.*
- Of removing graffiti from the back gate of Jefferson Elementary on 19th Avenue between Judah and Irving.*

## **In Memoriams**

*Nora Clifford - Supervisor Elsbernd*

*Allan Lemar Morrison - Supervisor Elsbernd*

*William M. Duffy - Supervisors Elsbernd and Dufty*

*Carlos Sousa, Jr. - Entire Board*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 4:22 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 February 5, 2008.*



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Angela Calvillo  
Clerk of the Board