### **Board of Supervisors**

City and County of San Francisco

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

?

AGENDA Tuesday, May 1, 2007 2:00 PM

**Regular Meeting** 

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

Kay Gulbengay, Interim Clerk of the Board

### ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

### **COMMUNICATIONS**

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment

### CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

### Items 1 through 15

### **Recommendations of the Budget and Finance Committee**

Present: Supervisors Daly, Dufty, Mirkarimi

### 1. 070317

[Appropriating \$10,549,123 of current project funding and fund balance to revise the Five-Year Capital Plan in the San Francisco International Airport for Fiscal Year 2006-2007]

Mayor

Ordinance appropriating \$10,549,123, including the de-appropriation of \$8,547,251 in current project funding and appropriating \$2,001,872 of Airport's contingency fund balance, for various San Francisco International Airport (SFIA) capital projects to reflect the updated SFIA Five-Year Capital Plan for Fiscal Year 2004-2005 through Fiscal Year 2008-2009.

(Fiscal Impact.)

4/24/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

#### 2. 070408

[Public Employment - Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD)]

Mayor

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD) staffing by decreasing total staffing by 7.00 FTEs.

4/24/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

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

Present: Supervisors Alioto-Pier, Jew

# 3. 070230 [Reducing the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour and increasing the speed limit on Third Street between Jamestown Avenue and

Ordinance amending Section 175.29 of the Traffic Code to lower the speed limit on Third Street between Kirkwood and Shafter Streets from 30 to 25 miles per hour, and establishing a 30 mile per hour speed limit on Third Street between Jamestown Avenue and Bayshore Boulevard.

4/24/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

### 4. 070382 [Landmark tree designation of California buckeye at 730 28th Avenue]

Supervisor McGoldrick

Ordinance designating the California buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

4/24/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

# 5. 070384 [Waiving fees for banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events to commemorate Memorial Day 2007 in San Francisco]

**Supervisor Peskin** 

Ordinance waiving banner fees under San Francisco Public Works Code Section 184.78 for up to 100 banners to be placed by the Mayor's Memorial Day Citizens Committee to publicize an event or events commemorating Memorial Day 2007 in San Francisco.

4/24/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

### Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, McGoldrick

### 6. 070327 [Consent Calendar Procedures - Planning Commission]

**Supervisor McGoldrick** 

Ordinance amending Planning Code Sections 316.2, 316.3, 316.4, 316.5, 316.6, 316.7 and 316.8 to conform the procedures for consideration of Planning Commission consent calendar items in the Neighborhood-Commercial and South of Market districts and for live-work units in RH and RM districts. (Planning Department)

4/24/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

### **Recommendation of the Public Safety Committee**

Present: Supervisors Mirkarimi, Maxwell, Dufty

## 7. 070453 [Grant to support the Hospital Preparedness Program through the San Francisco Department of Public Health]

**Supervisor Alioto-Pier** 

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of \$448,967 from the California Department of Health Services, Emergency Preparedness Office, for year 5 of the Hospital Preparedness Program, for the period of September 1, 2006, through August 31, 2007.

**Question: Shall this Resolution be ADOPTED?** 

### **Recommendations of the Rules Committee**

Present: Supervisors Ammiano, Elsbernd, Peskin

### 8. 070418 [Settlement of Lawsuit - Andrew Marconi]

Ordinance authorizing settlement of the lawsuit filed by Andrew Marconi against the City and County of San Francisco for \$82,500; the lawsuit was filed on April 18, 2005 in United States District Court, Case No. C05-1978 CW; entitled Andrew Marconi, et al., v. City and County of San Francisco, et al. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 9. 070420 [Settlement of Lawsuit - Javed Malik]

Ordinance authorizing settlement of the lawsuit filed by Javed Malik against the City and County of San Francisco for \$30,000; the lawsuit was filed on February 10, 2005 in San Francisco Superior Court, Case No. 438-564; entitled Javed Malik, et al., v. City and County of San Francisco, et al. (City Attorney)

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 10. 070434 [Appointment - Urban Forestry Council]

Resolution appointing Bonnie Ora Sherk, Carolyn Blair, Kelly Quirke, Milton Marks, Jocelyn Cohen, and Lena Miller, terms ending April 5, 2009, to the Urban Forestry Council.

Bonnie Ora Sherk, succeeding herself, term expired, seat 2, must be a representative of the tree management profession (International Society of Arboriculture, American Society of Landscape Architects, etc.), for a two year-term ending April 5, 2009.

Carolyn Blair, succeeding herself, term expired, seat 3, must be from non-profit organization involved in urban forestry or other environmentally-related issues, for a two year-term ending April 5, 2009.

Kelly Quirke, succeeding himself, term expired, seat 4, must be from non-profit organization involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2009.

Milton Marks, succeeding himself, term expired, seat 6, must be an at-large member, for a two year-term ending April 5, 2009.

Jocelyn Cohen, succeeding herself, term expired, seat 7, must be an at-large member, for a two-year term ending April 5, 2009.

Lena Miller, succeeding herself, term expired, seat 8, must be an at-large member, for a two-year term ending April 5, 2009.

#### **Question: Shall this Resolution be ADOPTED?**

### 11. 070438 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Mary Higgins and Anna Maria Pierini, terms ending March 31, 2008, to the Commission on the Aging Advisory Council; residency requirement waived.

Mary Higgins, succeeding Marylouise Lovett, term expired, seat 3, must be a nominee of District 10 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008. Anna Maria Pierini, succeeding Jessica Bay, term expired, seat 4, must be a nominee of District 3 Supervisor, for the unexpired portion of a two-year term ending March 31, 2008.

### **Question: Shall this Resolution be ADOPTED?**

### 12. 070478 [Appointment - Community Oversight Committee Regarding Enforcement of Marijuana Offenses]

Resolution appointing Mira Ingram, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Mira Ingram, new appointment, seat 1, must be a medical cannabis patient, for the unexpired portion of a two-year term ending January 1, 2009.

### **Question: Shall this Resolution be ADOPTED?**

### 13. 070480 [Appointment - Mental Health Board]

Resolution appointing Tom Purvis and Rebecca Turner, terms ending January 31, 2010, to the Mental Health Board.

Tom Purvis, succeeding himself, term expired, seat 14, must be a family member, for the unexpired portion of a three-year term ending January 31, 2010.

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

#### **Question: Shall this Resolution be ADOPTED?**

### 14. 070484 [Appointment - Surplus Property Citizens' Advisory Committee]

Resolution appointing Jed Lane, term ending January 18, 2009, to the Surplus Property Citizens' Advisory Committee.

Jed Lane, succeeding Richard Lee, term expired, Seat 3, must hold a Real Estate and/or Broker's license, for the unexpired portion of a two-year term ending January 18, 2009.

#### **Question: Shall this Resolution be ADOPTED?**

Present: Supervisors Elsbernd, Peskin

### 15. 070479 [Appointment - Graffiti Advisory Board]

Resolution appointing Michael Cashion, term ending April 10, 2009, to the Graffiti Advisory

Board.

Michael Cashion, new appointment, seat 14, must represent business that operates in San Francisco and be a property owner, for a two-year term ending April 10, 2009.

**Question: Shall this Resolution be ADOPTED?** 

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

### **REGULAR AGENDA**

#### **UNFINISHED BUSINESS**

### From the Budget and Finance Committee with Recommendation "Do Not Pass"

Present: Supervisors Daly, Ammiano, Dufty, Mirkarimi, Sandoval

### 16. 070267 [Second Amendment to Master Tournament Agreement between City and PGA Tour, Inc.]

**Supervisor Elsbernd** 

Resolution approving and authorizing a Second Amendment to the Master Tournament Agreement with PGA Tour, Inc., for the use of Harding Park Golf Course for certain professional golf tournaments.

4/17/2007, CONTINUED. Continued to May 1, 2007.

**Question: Shall this Resolution be ADOPTED?** 

### **Recommendations of the Budget and Finance Committee**

Present: Supervisors Daly, Dufty, Mirkarimi

#### 17. 070407

[Appropriating \$28,050,000 of FY 2006-2007 General Fund Balance for Affordable Housing projects, Real Ownership Opportunities for Tenants, and housing services for Fiscal Year 2007-2008]

Supervisors Daly, Ammiano, Mirkarimi, Dufty, McGoldrick

Ordinance appropriating \$28,050,000 of General Fund Balance from Fiscal Year 2006-2007, including \$20,000,000 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of affordable family housing, housing for seniors and persons with disabilities, and housing for persons, including but not limited to 18-24 year old youths exiting systems of care, who are currently homeless or who at risk of being homeless; \$5,000,000 to the Mayor's Office of Housing for repairs and services at public housing developments; \$2,500,000 for the Real Ownership Opportunities for Tenants project (ROOTS); \$550,000 for the Mayor's Office of Community Development for the acquisition of a site for a Housing Services Collaborative in the Mission District/Dolores Park Area for Fiscal Year 2007-2008 and reserving the funds pending review of expenditure plans by the Finance Committee.

(Fiscal Impact.)

4/10/2007, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

4/24/2007, PASSED ON FIRST READING.

### **Question: Shall this Ordinance be FINALLY PASSED?**

### 18. 070371 [Appropriating \$27,376,664 million Tobacco

**Supervisor Elsbernd** 

Settlement and Bond Revenue for the Laguna Honda Hospital Replacement Program to the Department of Public Health for Fiscal Year 2006-2007

Ordinance appropriating \$27,376,664 million, including \$16,123,659 in Tobacco Settlement Revenue, \$2,364,847 in Tobacco Settlement Revenue Interest Earnings, and \$8,888,158 in Bond Proceeds to support Laguna Honda Hospital Replacement Program costs to the Department of Public Health for Fiscal Year 2006-2007.

(Fiscal Impact.)

4/24/2007, PASSED ON FIRST READING.

**Question: Shall this Ordinance be FINALLY PASSED?** 

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

Present: Supervisors Alioto-Pier, Jew

### 19. 070306 [Landmark tree designation of Coast Live Oak at 20-26 Rosemont Place]

**Supervisor Dufty** 

Ordinance designating the Coast Live Oak at 20-26 Rosemont Place (Assessor's Block 3534, Lot 22) as a landmark tree, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

4/24/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/24/2007, PASSED ON FIRST READING AS AMENDED.

**Question: Shall this Ordinance be FINALLY PASSED?** 

#### **NEW BUSINESS**

#### **Recommendations of the Budget and Finance Committee**

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

### 20. 070335 [Approving an Amendment to the Rincon Point-South

**Supervisor Daly** 

**Beach Redevelopment Plan to Extend the** 

**Redevelopment Agency's Time for Repaying Debt**]

Ordinance approving an amendment to the Rincon Point-South Beach Redevelopment Plan to extend the time for the San Francisco Redevelopment Agency's receipt of tax increment and to suspend both the limit on the total indebtedness outstanding at any one time and the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan in order to continue financing Low and Moderate Income Housing Fund activities under the Plan.

(Fiscal Impact.)

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 21. 070450 [Appropriating \$31,750,000 of Airport Operating

Mayor

### Fund Balance for a potential interest rate swap termination payment for the San Francisco International Airport Fiscal Year 2006-2007

Ordinance appropriating \$31,750,000 of San Francisco International Airport Operating Fund Balance to provide appropriations for a potential interest rate swap termination payment as part of the Airport's ongoing debt management program for Fiscal Year 2006-2007.

(Fiscal Impact.)

### **Question: Shall this Ordinance be PASSED ON FIRST READING?**

### 22. 070313 [Grant of Federal Funds - Municipal Transportation Agency]

**Supervisor Maxwell** 

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,887,113 of federal Section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility.

(Fiscal Impact.)

### **Question: Shall this Resolution be ADOPTED?**

### 23. 070360 [Board of Supervisors Resolution re Refunding Bond and Swaps Authorization]

Resolution approving the issuance of up to \$1,400,000,000 aggregate principal amount of San Francisco International Airport second series revenue refunding bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; Approving the maximum interest rate, notional amount and term of certain interest rate swap transactions in connection with such refunding bonds; Approving Assured Guaranty Corp. and CIFG Assurance North America, Inc. as providers of reserve fund surety bonds and the forms of reimbursement agreement relating thereto; and approving certain related matters. (Airport Commission)

**Question: Shall this Resolution be ADOPTED?** 

### 24. 070396 [Lease of Real Property at 1145 Market Street]

Resolution authorizing extension and amendment of a lease of real property at 1145 Market Street for the Health Service System. (Real Estate Department)

**Question: Shall this Resolution be ADOPTED?** 

### 25. 070417 [Issuance and sale of tax-exempt bonds - Drew School.] Supervisor Alioto-Pier

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$11,000,000 to finance and/or refinance various capital facilities owned by Drew School or an affiliate.

4/10/2007, REFERRED to Budget and Finance Committee. Supervisor Daly requested that this item be referred to committee.

**Question: Shall this Resolution be ADOPTED?** 

**26.** 070465

### [Contract with nonprofit Owners' Association for administration of Fillmore Jazz Community Benefit District]

**Supervisor Mirkarimi** 

Resolution approving an agreement with the nonprofit Owners' Association "Fillmore Jazz District Community Association of San Francisco" for administration of the property-based business improvement district known as the "Fillmore Jazz Community Benefit District," pursuant to Section 36651 of the California Streets and Highways Code.

**Question: Shall this Resolution be ADOPTED?** 

### **Recommendations of the Rules Committee**

Present: Supervisors Ammiano, Elsbernd, Peskin

### 27. 070079 [Approving Nonprofit Performing Arts Loan Program Rules and Regulations]

**Supervisor Ammiano** 

Resolution approving Rules and Regulations for the Nonprofit Performing Arts Loan Program.

**Question: Shall this Resolution be ADOPTED?** 

### 28. 070138 [Public Information Officer Conduct Standards]

**Supervisor Peskin** 

Resolution establishing standards for the conduct of the City's Public Information Officers.

**Question: Shall this Resolution be ADOPTED?** 

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

29. 070556 [Hearing - Appropriating \$5,000,000 of FY 2006-2007

General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for

Fiscal Year 2007-2008]

Hearing to consider the ordinance appropriating \$5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

<b>Action:</b>	

### Committee of the Whole Adjourn and Report Without Recommendation

30. 070555 [Appropriating \$5,000,000 of FY 2006-2007 General Fund Balance for a Down Payment Assistance Loan Program in the Mayor's Office of Housing for Fiscal

Year 2007-2008.]

Supervisors Daly, Ammiano, Mirkarimi, Dufty, McGoldrick, Sandoval

Ordinance appropriating \$5,000,000 of General Fund Balance from Fiscal Year 2006-2007 for a Down Payment Assistance Loan Program to the Mayor's Office of Housing for Fiscal Year 2007-2008 and reserving the funds pending review of an expenditure plan by the Finance Committee.

4/24/2007, RECEIVED AND ASSIGNED to Board of Supervisors. To be heard by a committee of the whole on May 1, 2007.

### **Question: Shall this Ordinance be PASSED ON FIRST READING?**

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

#### **COMMITTEE REPORTS**

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Thursday, April 26, 2007 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 1, 2007.

### 31. 070462 [Waiver of temporary street space occupancy fee on May 5, 2007 for Small Business Week Sidewalk Sale]

**Supervisor Elsbernd** 

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 5, 2007 as part of Small Business Week.

**Question: Shall this Ordinance be PASSED ON FIRST READING?** 

### 32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

### 33. 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.

### APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

### 34. 070537 [Legislative Analyst Request - Police programs]

**Supervisor Dufty** 

Motion requesting the Legislative Analyst to identify the practices, outcomes, and

requirements of successful police programs that trace firearms in order to identify patterns of illegal gun trafficking and discover persons associated with the crime under investigation.

**Question: Shall this Motion be APPROVED?** 

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

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

### **Items 35 through 41**

### 35. 070548 [Commending Horizons Unlimited for over forty years of outstanding work] Supervisor Ammiano

Resolution commending Horizons Unlimited for over forty years of outstanding community work.

4/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 36. 070549 [Urging the California State Legislature to Oppose AB Supervisor Ammiano 815]

Resolution urging the California State Legislature to oppose AB 815, which proposes to take crucial animal control and welfare issues out of the jurisdiction of municipalities.

4/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 37. 070550 [Supporting AB 1358, the California Complete Streets Supervisor Ammiano Act of 2007]

Resolution supporting AB 1358, the California Complete Streets Act of 2007.

4/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 38. 070551 [Gift to City of Travel from Chamber of Commerce for 2007 CityTrip] Supervisor Peskin

Resolution accepting a gift of airfare, accommodations and conference fees valued in an amount of \$16,800 from the San Francisco Chamber of Commerce for four City officials or employees to join the Chamber on its 2007 CityTrip to Boston.

4/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 39. 070552 [Accept-Expend State Grant - Mayor's Office of Supervisor Dufty

### **Criminal Justice**]

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$99,833 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

4/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

## 40. 070553 [Urging the San Francisco Unified School District not to eliminate the computer lab at Guadalupe Elementary School]

**Supervisor Sandoval** 

Resolution urging the San Francisco Unified School District not to eliminate the computer lab at Guadalupe Elementary School.

4/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Resolution be ADOPTED?** 

### 41. 070547 [Board of Supervisors to sit as a Committee of the Whole on May 8, 2007, at 3:30 PM]

**Supervisor Ammiano** 

Motion requesting the Board of Supervisors to sit as a Committee of the Whole on May 8, 2007 at 3:30 PM for the purpose of hearing a status report on the Health Access Plan (HAP) from the Department of Public Health (DPH) and the Office of Labor Standards Enforcement (OLSE).

4/24/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**Question: Shall this Motion be APPROVED?** 

Questions on the For Adoption Without Committee Reference Agenda:

#### 42. IMPERATIVE AGENDA

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

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

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

### [Brown Act Finding]

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

#### OFF-AGENDA LEGISLATION

#### PROPOSED ORDINANCES

Proposed ordinances received from April 17, 2007 through April 23, 2007, for reference by President to appropriate committee on May 1, 2007.

### 070509 [Settlement of Government Claim - San Francisco Forty Niners, Ltd.]

Ordinance authorizing settlement of the government claim filed by the San Francisco Forty Niners, Ltd., against the City and County of San Francisco, on January 29, 2007, including the execution and delivery of a related rent credit agreement. (City Attorney)

4/23/2007, RECEIVED AND ASSIGNED to Rules Committee.

#### PROPOSED RESOLUTIONS

Proposed resolutions received from April 17, 2007 through April 23, 2007, for reference by President to appropriate committee on May 1, 2007.

### **070529** [Gift of Equipment to Fire Department]

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

4/20/2007, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

#### PROPOSED MOTIONS

None.

### 070566 [Petition and Communications]

Petitions and Communications received from April 17, 2007 through April 23, 2007 for reference by the President to May 1, 2007.

From concerned citizens, submitting support for the Plastic Bag Reduction Ordinance. File 070085, Over 100 letters(1)

From Office of the Treasurer & Tax Collector, submitting Bureau of Delinquent Revenue Quarterly Report for the period January 1, 2007 through March 31, 2007.(2)

From concerned citizens, submitting petition in opposition to DPW Order No. 176,807 permitting the building and maintenance of a stairwell from Mountain Spring Avenue to 1310 Stanyan Street.(3)

From Office of the Controller/City Services Auditor, submitting report concerning the review of the consulting firm of Nancy Giunta and its compliance with the City and County of San Francisco.(4)

From Office of the Controller/City Services Auditor, submitting report concerning the review of the cable car fare collection practices of the Municipal Transportation Agency (MTA).(5)

From Office of the Controller/City Services Auditor, submitting report concerning the review of Triage Consulting Group and its compliance with the City and County of San Francisco ordinance prohibiting the use of city funds for political activity.(6)

From US Army Corps of Engineers, submitting San Francisco District Public Notice, Numbers 24305S, 23573S, 24441N, 24997N, 25041N, 24996N and 25563N, dated April 3, 2007.(7)

From Public Utilities Commission, submitting status regarding removing graffiti on metal poles and wooden poles at various locations in District 5. (Reference 20070320-006) Copy: Supervisor Mirkarimi(8)

From Police Commission, submitting Resolution No. 35-07, approving installation of safety cameras on Haight and Webster Streets. Copy: Each Supervisor(9)

From Police Commission, submitting Resolution No. 36-07, urging the Mayor and the Board of Supervisors to support and formally endorse Assembly Bill 1648. Copy: Each Supervisor(10)

From concerned citizens, urging the Board to find a humane method of dealing with the African clawed frogs residing in Golden Gate Park's lily pond. 5 letters(11)

From Francisco Da Costa, commenting on the San Francisco Redevelopment Agency and Bayview Hunters Point.(12)

From concerned citizen, submitting suggestions to improve Muni service. (13)

From Linda B. Lawrence, commenting on traffic and pedestrian safety issues at the corner of 18th and Dolores Street. Copy: Supervisor Dufty(14)

From Department of Public Works, submitting the quarterly report of the Department of Public Works Defective Sidewalk Repair Revolving Account for the period January 1, 2007 through March 31, 2007.(15)

From Green Guerrillas Against Greenwash, submitting support for the implementation of Community Choice Aggregation. 3 letters(16)

From Philip A. Ferrucci, commenting on the fatal car crash that occurred at Church and Jersey Street on April 16, 2007.(17)

From Ed Shuck, responding to an email received from Supervisor Dufty regarding a press conference on Community Choice Aggregation. Copy: Each Supervisor(18)

From Fletcher C. Benton, commenting on bicyclists using city streets, sidewalks and crosswalks.(19)

From Office of the Legislative Analyst, submitting Legislative Analyst Report regarding Neighborhood Watch (OLA No. 016-07). File No. 070252(20)

From Amy Shifflett, urging the Board to honor those lost in the Virginia Tech campus tragedy by lighting City Hall in the school's colors on the eve of Friday, April 20, 2007. Copy: Each Supervisor(21)

From Brenda McKown, commenting on the Fillmore allowing patrons to smoke during concerts held there. Copy: Each Supervisor(22)

From Nancy Brudigam, commenting on the proposed ban on feeding wild parrots and other birds. Copy: Each Supervisor.(23)

From Kimo Crossman, regarding a request for a statement from the District Attorney on email and calendar deletion policy by the Mayor. 2 letters(24)

From Kimo Crossman, regarding a conflict of interest response request.(25)

From Kimo Crossman, regarding an immediate disclosure request from the Office of the Clerk of the Board.(26)

From Amelia Royko Maurer, regarding the environmental decisions made by the Board. Copy: Each Supervisor(27)

From Troy Nickol, commenting on his commute on the T-Third light rail during morning commute hours. Copy: Municipal Transportation Agency, 2 letters(28)

From D. Chan, submitting email to Supervisor Jew regarding the ongoing L-Taraval light rail service delays between Castro and Embarcadero stations.(29)

From Stradling, Yocca, Carlson & Rauth, regarding California Community College Financing Authority; Community College League of California; Tax and Revenue Anticipation Note Program, Series 2007A; and San Francisco Community College District.(30)

From Municipal Transportation Agency, responding to constituent regarding the Municipal Transportation Agency's position on the use of colored pavement for bicycle facilities.(31)

From David Tornheim and SNAFU, regarding microcell antenna legislation eliminating Accessory Use classification. File 070213, Copy: Land Use Committee Members(32)

From Office of the City Attorney, submitting updated version of the City financial disclosure in connection with the upcoming sale of office building Certificates of Participation. (33)

From Real Estate Division, regarding the Resolution authorizing the justification transfer of portions of Assessor's Parcel Nos. 4352/001 and 4382/005 located near Cesar Chavez and Indiana Street. File 061377(34)

From Office of the City Attorney, submitting report, completed by the Office of the City Attorney, on legal issues involving City payments made to former Mayor staff member Ruby Rippey-Tourk.(35)

From Abdalla Megahed, submitting letter to Mayor Newsom regarding his concerns. (36)

From Office of the Mayor, submitting status on inquiry regarding City contracts.(Reference 20070306-003) Copy: Supervisor Mirkarimi(37)

From concerned citizens, commenting on the Blue Angels jet crash in South Carolina. Copy: Each Supervisor, 2 letters(38)

From Louise Baranowski, commenting on the new Sick Leave Ordinance.(39)

From concerned citizen, commenting on the current Public Assistance system.(40)

From Meghann Kabala, submitting opposition to the proposed Wi-Fi agreement with Google and Earthlink. File 070077(41)

From Meghann Kabala, submitting support for the implementation of Community Choice energy in San Francisco.(42)

From concerned citizens, submitting support for the proposed PGA tournaments to be held at Harding Park. File 070267, Copy: Each Supervisor, 2 letters(43)

From Office of the City Attorney, submitting response to an immediate disclosure request. 2 letters(44)

From Carol E. Volk, commenting on why she intends to stop voting for any San Francisco Office. Copy: Supervisors Daly and McGoldrick(45)

From San Francisco Arts Commission, submitting San Francisco Arts Commission Quarterly Report for quarter ending March 31, 2007.(46)

From Asthma Task Force, submitting the General Fund Fiscal Year 2006-2007 Expenditures for the San Francisco Asthma Task Force.(47)

From Civil Service Commission, submitting copy of Salary Survey of Registered Nurse Classifications, Fiscal Year 2007-2008 prepared by the Department of Human Resources. Copy: Each Supervisor(48)

From Recreation and Park Department, submitting response to request for information regarding gardener and custodial staffing estimates.(49)

From San Joaquin County Board of Supervisors, submitting letter from San Francisco International Airport regarding the construction of the new customs station at Stockton Airport.(50)

#### **ADJOURNMENT**

### **Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing

electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs\_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



### **Disability access**

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to

register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics		