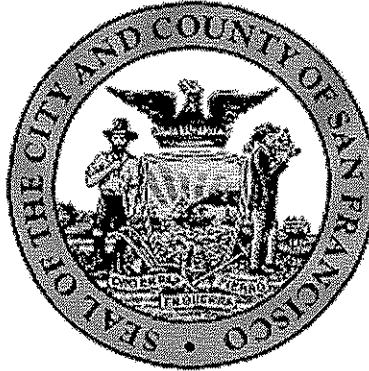


Board of Supervisors
City and County of San Francisco

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



MINUTES

**Tuesday, June 28, 2005
2 :00 PM**

Regular Meeting

and

**Friday, July 01, 2005
9:00 AM**

Recessed Meeting

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

Gloria L. Young, Clerk of the Board

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, June 28, 2005 2:00 PM

Legislative Chamber - Second Floor
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Regular Meeting

AARON PESKIN, PRESIDENT

*MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

Budget and Finance Subcommittee

Supervisors Ammiano, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Peskin, Elsbernd, Daly

Land Use Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Alioto-Pier, Mirkarimi, Peskin

Meeting Days

Thursday

1:00 PM

Thursday

11:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

1st and 3rd Monday

1:00 PM

2nd and 4th Monday

1:00 PM

Wednesday

1:00 PM

Wednesday

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, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

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

*Supervisor Sandoval noted present at 2:06 p.m.
Quorum present.*

*Recessed Meeting July 1, 2005
The meeting was called to order at 9:18 a.m. On the call of the roll all Supervisor McGoldrick was noted absent.*

Quorum present.

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

**050868 [To appropriate funding for San Francisco General and Laguna Honda Hospital operations]
Mayor**

Ordinance appropriating \$16,363,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and capital projects at San Francisco General Hospital and \$1,110,000 in surplus revenues for salaries and materials and supplies for Laguna Honda Hospital for a total of \$17,473,000 for the Public Health Department for fiscal year 2004-05.

(Fiscal impact.)

Ordinance No. 138-05

FINALLY PASSED

**050969 [Appropriate funding from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for the S.F. Superior Court of California, for FY 2004-05]
Supervisor Daly**

Ordinance appropriating \$260,000 from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for Superior Court of California, San Francisco for fiscal year 2004-05. (Superior Courts)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

**Ordinance No. 141-05
FINALLY PASSED**

**050980 [Interim Government Funding, Fiscal Year 2005-2006 (Excluding Municipal Transportation Agency)]
Mayor**

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)

**Ordinance No. 129-05
FINALLY PASSED**

**050982 [Public Employment, Fiscal Year 2005-2006]
Mayor**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

**Ordinance No. 130-05
FINALLY PASSED**

Recommendations of the Government Audit and Oversight Committee

**051007 [MOU - Automotive Machinists, Local 1414]
Mayor**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists, Local 1414, to be effective July 1, 2005 through June 30, 2006.

**Ordinance No. 142-05
FINALLY PASSED**

051008 [MOU - Deputy Probation Officers' Association]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association, to be effective July 1, 2005 through June 30, 2006.

Ordinance No. 143-05
FINALLY PASSED

051009 [MOU - Institutional Police Officers' Association]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Institutional Police Officers' Association, to be effective July 1, 2005 through June 30, 2006.

Ordinance No. 144-05
FINALLY PASSED

051012 [MOU - Committee of Interns and Residents/SEIU]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents/SEIU, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Ordinance No. 145-05
FINALLY PASSED

051013 [MOU - Staff and Per Diem Nurses, SEIU Local 790]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Ordinance No. 146-05
FINALLY PASSED

051014 [MOU - Teamsters, Local 856 (Supervising Nurses)]

Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Ordinance No. 147-05**FINALLY PASSED****051015 [Unrepresented Employees]**

Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2005.

Ordinance No. 148-05**FINALLY PASSED****051017 [MOU - Municipal Executives' Association (Fire)]**

Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Fire) by implementing physical examination/drug and alcohol screening, and compensation provisions, to be effective July 1, 2005.

Ordinance No. 150-05**FINALLY PASSED****051018 [MOU - Municipal Executives' Association (Police)]**

Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Police), by extending the term of Agreement to June 30, 2007.

Ordinance No. 151-05**FINALLY PASSED****051019 [MOU - American Physicians and Dentists (Unit 8-CC)]**

Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing an increased Child Psychiatric premium, to be effective July 1, 2005.

Ordinance No. 152-05**FINALLY PASSED**

051020 [MOU - Union of American Physicians and Dentists (Unit 11-AA)]
Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing increased Psychiatric and Child Psychiatric premiums, to be effective July 1, 2005.

Ordinance No. 153-05
FINALLY PASSED

051021 [MOU - Service Employees International Union, Locals 250, 535 and 790]
Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790, by implementing additional compensation and premium pay, to be effective July 1, 2005.

(Fiscal impact.)

Ordinance No. 154-05
FINALLY PASSED

051022 [MOU - International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO]
Mayor

Ordinance adopting and implementing Amendment No. 4 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO, by implementing additional compensation and amending premium pay language, to be effective July 1, 2005.

Ordinance No. 155-05
FINALLY PASSED

051023 [MOU - Transport Workers Union, Local 200 (SEAM)]
Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2005 through June 30, 2006.

Ordinance No. 156-05
FINALLY PASSED

051024 [MOU - Laborers International Union, Local 261]
Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, by implementing provisions related to the Department of Public Works - Laborers Apprenticeship Project, to be effective July 1, 2005.

Ordinance No. 157-05
FINALLY PASSED

Recommendations of the Land Use Committee**050727 [Amending the Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3.]
Supervisor Mirkarimi**

Ordinance amending Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3 of the Building Code to allow land surveyors to prepare submittal documents; to prohibit use or occupancy of structures until a certificate of final completion and occupancy or other approval by the Department of Building Inspection has been issued; to remove the definition of building height; to regulate the depth of structural projections; to delete requirements for exterior backings constructed of solid wood and plywood; to allow for approved alternate locations for storm or casual water drains; to remove requirement that solid wood or plywood wall sheathing used as backing for plaster be pressure-treated, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Ordinance No. 135-05

FINALLY PASSED

050728 [Amending the Housing Code regarding mechanical ventilation of bathrooms]

Ordinance amending Section 504 of the Housing Code to modify requirements for mechanical ventilation of bathrooms and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Ordinance No. 136-05

FINALLY PASSED

050729 [Amending the Plumbing Code regarding storm water drain locations and grease traps]

Ordinance amending Section 306.2 and Section 1014.1 of the Plumbing Code to allow for alternate locations for rain water drains; to modify the requirements for grease traps; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Ordinance No. 137-05

FINALLY PASSED

Recommendations of the Rules Committee**050497 [Renaming the Department of the Medical Examiner as the "Office of the Chief Medical Examiner."]
Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 2A.250 to change the name of the Department of the Medical Examiner to "Office of the Chief Medical Examiner."

Ordinance No. 131-05

FINALLY PASSED

050902 [Settlement of Lawsuit - Torey Dylan Lovett]

Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for \$1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment. (City Attorney)

Ordinance No. 139-05

FINALLY PASSED

050697 [Requiring the Disaster Council to meet on a Quarterly Basis]

Mayor

Ordinance amending the San Francisco Administrative Code by amending Section 7.4, to require the Disaster Council to meet on a quarterly basis.

Ordinance No. 133-05

FINALLY PASSED

050951 [Settlement of Lawsuit - Anita Bohbot]

Ordinance authorizing settlement of the lawsuit filed by Anita Bohbot against the City and County of San Francisco for \$35,000; the lawsuit was filed on June 12, 2004 in the San Francisco Superior Court, Case No. 432-409; entitled Anita Bohbot v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 140-05

FINALLY PASSED

050698 [Requiring the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.]

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 7.19, to require the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.

Ordinance No. 134-05

FINALLY PASSED

051099 [Authorizing Payment of Attorney's Fees and Costs After Appeal]

Ordinance authorizing the payment of \$37,240.25 in attorney's fees and costs after the appeal in the lawsuit filed by John Baba, Philip Brady, Sergio Iantorno, John Zanghi, and Arnold W. Evje, II, against the Board of Supervisors of the City and County of San Francisco, the Residential Rent Stabilization and Arbitration Board of the City of the City and County of San Francisco, and the City and County of San Francisco. The lawsuit was filed on August 30, 2002, and the motion for attorney's fees and costs on appeal was filed on May 9, 2005, in San Francisco Superior Court (Case No. CPF-02-501589). (City Attorney)

PASSED, ON FIRST READING

- 051101 [Settlement of Lawsuit - San Francisco Unified School District]**
Ordinance authorizing settlement of the lawsuit filed by the San Francisco Unified School District against the City and County of San Francisco by provision of credits and rate reductions not to exceed \$225,000 on past sewer service and future sewer and water service, for FY 2004-06; the lawsuit was filed on November 12, 2004 in San Francisco Superior Court, Case No. 436-240; entitled San Francisco Unified School District, et al., v. City and County of San Francisco, et al. (City Attorney)
PASSED, ON FIRST READING
- 051102 [Settlement of Lawsuit - Linda Alband]**
Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for \$35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al. (City Attorney)
PASSED, ON FIRST READING
- 051103 [Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for \$121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al. (City Attorney)
PASSED, ON FIRST READING
- 051181 [Appointment - Asthma Task Force]**
Resolution appointing Benjamin Heckman, term ending June 30, 2007, to the Asthma Task Force.

Benjamin Heckman, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2007.
Resolution No. 504-05
ADOPTED
- 051095 [Settlement of Claim - Boston Properties]**
Resolution approving the settlement of the unlitigated claim filed by Boston Properties Limited Partnership against the City and County of San Francisco for \$211,097; claim was filed on June 2, 2004. (City Attorney)
Resolution No. 503-05
ADOPTED

Recommendation of the City Operations and Neighborhood Services Committee

- 050578 [Passenger-Carrying Commercial Motor Vehicle Restrictions]**
Ordinance repealing San Francisco Police Code section 1183.2 to delete restrictions on the operation of passenger-carrying commercial motor vehicles on certain streets.
Ordinance No. 132-05
FINALLY PASSED

051094 [Settlement of Lawsuit- Larry Saxxon]

Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for \$500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051100 [Settlement of Lawsuit - Francine Davis]

Ordinance authorizing settlement of the lawsuit filed by Francine Davis against the City and County of San Francisco for \$170,000; the lawsuit was filed on May 28, 2004 in San Francisco Superior Court, Case No. 431-854; entitled Francine Davis, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

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

Severed From the Consent Agenda

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

Supervisor McGoldrick Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

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

050817 [Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.]

Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, 29.4, and 29.7, to: exempt voter-approved projects from the Fiscal Feasibility Ordinance; include rent credits and City-granted Mills Act tax credits as "public monies" for purposes of the Ordinance; require additional information from applicants for environmental review; set a deadline for Board action; and, suspend application to certain projects undergoing environmental review.

Amended on page 1, line 5, by deleting "and City granted Mills Act tax credits" and further amended on page 2, line 9 by deleting "City granted Mills Act tax credits".

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:

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

Recessed meeting of June 28, 2005

July 1, 2005

Supervisor Dufty, seconded by Supervisor Maxwell, moved to rescind the previous vote:

Motion to rescind the previous vote carried without objection.

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed.

July 1, 2005 Amendment of the whole bearing new title.

This matter will be considered at the July 12, 2005 meeting with the Board Sitting as a Committee of the Whole.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

050970 [Appropriate funding from the General Fund Reserve to fund over expenditures in salaries in the Office of the Public Defender for FY 2004-05]

Supervisors Sandoval, Daly

Ordinance appropriating \$270,000 from the General Fund Reserve to fund over expenditures in salaries caused by the inability to meet attrition targets in the Office of the Public Defender for fiscal year 2004-05. (Public Defender)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

Ordinance No. 160-05

FINALLY PASSED by the following vote:

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

Noes: 2 - Alioto-Pier, Elsbernd

From the Government Audit and Oversight Committee With Recommendation "Do Not Pass"

051016 [MOU - Municipal Attorneys' Association]

Mayor

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Ordinance No. 149-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 2 - Daly, Peskin

Recommendations of the Land Use Committee**041154 [Zoning Map Amendments]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, to change the use district designation of Assessor's Block 0185, Lots 5, 29, 30, 31, 38, 39, 40, and 41 from NC-2 (Small-Scale Neighborhood Commercial District) to RM-1 (Residential, Mixed: Low Density); adopting findings pursuant to Planning Code Sections 302 and 101.1.

Ordinance No. 158-05

FINALLY PASSED by the following vote:

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

**050297 [Zoning Map Amendment and Repeal of Planning Code Section 263.1]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by repealing Section 263.1, which allows the Planning Commission to approve height up to 200 feet in the 65D-2 Height and Bulk District, and by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0195, Lots 4, 5, 12, 14, 15 and 16 from 65D-2 to 40-X and to change the height and bulk designation of the remaining assessor's blocks and lots within the 65D-2 Height and Bulk District from 65D-2 to 65-A; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Ordinance No. 159-05

FINALLY PASSED by the following vote:

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

**050299 [Zoning Map Amendment]
Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0139 from 84-E to 40-X and to change the height and bulk designation of Assessor's Blocks 0140 and 0141 from 84-E to 65-X; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Ordinance No. 161-05

FINALLY PASSED by the following vote:

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

NEW BUSINESS

Recommendation of the Budget and Finance Committee**050602 [Recreation and Park - S.F. Small Craft Harbor Fees]
Supervisor Alioto-Pier**

Ordinance making environmental findings and amending the San Francisco Park Code by repealing Section 12.11 and adopting a new Section 12.11 to increase current fees and add additional rental and services fees at the San Francisco Small Craft Harbor.

PASSED ON FIRST READING by the following vote:

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

From the Budget and Finance Committee Without Recommendation**050763 [Lease of Real Property - One South Van Ness Avenue]**

Resolution authorizing the exercise of an option to lease 66,317 square feet of space and extending the term of an existing lease at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

(Fiscal impact.)

Resolution No. 498-05

NOT ADOPTED by the following vote:

Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Maxwell, McGoldrick
Noes: 6 - Ammiano, Daly, Dufty, Mirkarimi, Peskin, Sandoval

Recessed meeting of June 28, 2005

July 1, 2005

Supervisor Dufty, seconded by Supervisor Maxwell, moved to rescind the previous vote:

Motion to rescind the previous vote carried by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Mirkarimi

Absent: 1 - McGoldrick

Resolution No. 498-05

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Absent: 1 - McGoldrick

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

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

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

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Physicians of the SF General Hospital Trauma Recovery Center.

SPECIAL ORDER 4:00 P.M.**041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

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

Alan Low, representing project sponsor informed the Board they will be filing an amended application.

Paul Maltzer, Planning Department, informed the Board that the Planning Department had not yet received an amended application.

Continued to September 20, 2005.

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

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

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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

- 041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005.

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

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

- 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005.

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

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

- 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005.

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

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

Recess

*The Board recessed at the hour of 4:24 p.m.
Reconvening of the Board*

The Board at the hour of 4:30 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,
Maxwell, Mirkarimi, Peskin - 9*

*Quorum present.
Supervisor McGoldrick noted present at 4:31 p.m.
Supervisor Sandoval noted present at 4:32 p.m.*

SPECIAL ORDER 4:30 P.M.

050956 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1740 20th Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005 (Case No. 2003.0960E), exempting from environmental review under State CEQA Guidelines, Sections 15301(a), 15301(e)(2), and 4(b), Class Numbers 1(a), 1(e)(2), and 4(b). The proposed project includes a vertical L-shaped addition, and a horizontal addition to a single-family residence. The new addition would add 1,346-gross-square-feet to an existing 2,202-gsf, approximately 12-foot tall single-family residence. There is currently one off-street parking space on the project site. The proposed project would add one additional off-street parking space. The addition would be 23-feet tall at its highest point. The 5,000-square-foot project site is located at 1740 20th Street, northeast corner of 20th and Wisconsin Streets on Assessor's Block 4069, Lot 018. The project site is within an RH-2 (Residential, House, Two-Family) zoning district and a 40-X height and bulk district. (Appellant: Vincent Marsh on behalf of Bob Siska, property owner.)

(Filed May 20, 2005; companion measure to Files 050957, 050958, 050959; District 10.)

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

David Cincotta, Attorney representing project sponsor.

Continued to July 12, 2005 as a Special Order at 4:00 p.m.

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

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

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

(Only one of the following two motions should be adopted.)**050957 [Affirming the categorical exemption issued for 1740 20th Street]**

Motion affirming the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:00 p.m.

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

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

050958 [Disapproving the categorical exemption issued for 1740 20th Street]

Motion disapproving the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:00 p.m.

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

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

050959 [Preparation of findings related to the categorical exemption issued for 1740 20th Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1740 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:00 p.m.

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

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

Recess

*The Board recessed at the hour of 4:37 p.m.
Reconvening of the Board*

The Board at the hour of 5:02 p.m. reconvened.

Calling the Roll

*On call of the roll, the following Supervisors were noted present:
Supervisors Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma,
Maxwell, McGoldrick, Mirkarimi, Peskin - 9*

*Quorum present.
Supervisor Daly noted present at 5:04 p.m.
Supervisor Sandoval noted present at 5:05 p.m*

SPECIAL ORDER 5:00 P.M.

050952 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for Bay Division Pipeline Nos. 3 and 4 Seismic Upgrade at Hayward Fault Project owned and operated by the San Francisco Public Utilities Commission]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 16, 2005, exempting from environmental review under State CEQA Classes 1 (Existing Facilities) and 3 (New Construction). The proposed project would involve the seismic upgrade of the existing Bay Division Pipelines (BDPL) Nos. 3 and 4, owned and operated by the San Francisco Public Utilities Commission (SFPUC), located in the City of Fremont, California. BDPL No. 3 was originally constructed in the 1950's before the construction of Interstate 680, and consists of a 78-inch reinforced concrete pipe. BDPL No. 4 built in the 1960's, also before the construction of Interstate 680, consists of a 96-inch prestressed concrete cylinder pipe.

The work to be performed would consist of seismic upgrade of BDPL Nos. 3 and 4 at the Hayward Fault crossing by constructing two new vaults, the installation of shutoff valves in each vault, and the construction of a control building on top of each of the vaults to contain electrical and standby generator back-up power and a condition assessment of the existing pipelines to determine potential maintenance needs. BDPL Nos. 3 and 4 provides potable drinking water to the East and South Bay areas. (Appellant: Lijia Chen on behalf of Cayuga Network consisting of 40 appellants.)

(Filed 5/23/05; companion measure to Files 050953, 050954, 050955.)

The President informed the Board that the Categorical Exemption has been withdrawn.

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

Resident of Fremont, support of appellant

Mark Wolf, Attorney for the appellant, (Cayuga Network) requesting clarification of this matter.

Female speaker; appellant

Female speaker; Sue Ann Hong; request PUC to withdraw their request to withdraw the Categorical Exemption

The President declared the public hearing closed.

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

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

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

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

050953 [Affirming the categorical exemption issued for SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project]

Motion affirming the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

050954 [Disapproving the categorical exemption issued for SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project.]

Motion disapproving the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

050955 [Preparation of findings related to Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

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

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

Recess

The Board recessed at the hour of 5:12 p.m.

Reconvening of the Board

The Board at the hour of 5:30 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Peskin - 8

Quorum present.

Supervisor McGoldrick noted present at 5:31 p.m.

Supervisor Sandoval noted present at 5:31p.m.

Supervisor Mirkarimi noted present at 5:35 pm

SPECIAL ORDER 5:30 P.M.

051053 [Public Hearing - Appeal of Minor Sidewalk Encroachment Permit for 149 Fair Oaks Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works by its decision dated May 25, 2005, denying a Minor Sidewalk Encroachment Permit No. O5MSE-261 for the construction of 15'-0" long x 3'-0" wide planter box and enclosure, leaving an 8'-8" clear pathway along the public sidewalk right-of-way fronting the property at 149 Fair Oaks Street. (Sherri Maurin.)

(Filed June 7, 2005; companion measure to Files 051063, 051063, District 8.)

John Kwong, Department of Public Works

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

Continued to July 12, 2005 as a Special Order at 4:30 p.m.

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

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

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

(Only one of the following two motions should be adopted.)**051055 [Affirming Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**

Motion affirming the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and denying an Encroachment Permit. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:30 p.m.

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

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

051054 [Disapproving Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]

Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and granting an Encroachment Permit. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:30 p.m.

CONTINUED.

COMMITTEE REPORTS

050949 [Grant of an Access Easement - Lake Merced Golf Club]

Resolution approving an Easement Agreement between Lake Merced Golf Club, a California not-for-profit corporation, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC"), for the grant of an access easement over SFPUC's Water Pipeline Right of Way in Daly City, San Mateo County. (Real Estate Department)

Resolution No. 500-05

ADOPTED by the following vote:

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

051096 [Extension of as-needed architectural services agreements for various public work projects]

Ordinance approving extension of As-Needed Architectural Services agreements with (1) Joe Chow & Associates for completion of the San Francisco General Hospital SwissRay Digital Chest Installation Project (Specification No. 6299A), the San Francisco General Hospital Orthopedic Room Renovation 3M (Specification No. 6288A), the San Francisco General Hospital 1x65 Radiology Department Remodel (Specification No. 6377A), the San Francisco General Hospital TBI Bathroom Remodel 4B (Specification No. 6246A), (2) Carey & Co., for completion of the Tom Waddell Health Center Elevator Replacement (Specification No. 6126A), and (3) Levy Design for the completion of the Coffman Pool Reconstruction Project (Specification No. 6214A), under Administrative Code Chapter 6, section 6.64. (Public Works Department)

PASSED ON FIRST READING by the following vote:

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

050819 [Extending Early Retirement Program]

Supervisor Ma

Resolution extending Early Retirement Program for and through fiscal year 2005-06.

(Fiscal impact.)

Resolution No. 499-05

ADOPTED by the following vote:

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

051039 [Accept-Expend State Grant - District Attorney]

Supervisors Ma, Dufty

Resolution authorizing the Office of the District Attorney to contract for, accept and expend up to \$172,758 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2005 through June 30, 2007.

Resolution No. 502-05

ADOPTED by the following vote:

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

**051037 [Renew Joint Power and Revolving Fund Contract with State]
Supervisors Ma, Dufty**

Resolution authorizing the Office of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (i) contract for, accept and expend up to \$1,292,074 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, 2005 through June 30, 2007; 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, 2005 through June 30, 2007.

Resolution No. 501-05

ADOPTED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege the floor to the following guest:

Former California Senator Tom Hayden addressed the Board relating to a proposed Ordinance relating to sweat shop free manufacturing.

PUBLIC COMMENT

James Chaffee; expressed concern over corporate issues
Male speaker; expressed concern over general issues
John DiDonna; expressed concern over violent actions
Eugene Gordon; expressed concern over general issues
Sarah; support of endangered species act legislation
Female speaker, Sierra Club; support of endangered species act legislation
Diana Brandt; expressed support of sweat shop free manufacturing legislation
Male speaker; expressed support of sweat shop free manufacturing legislation
Michael McEvoy, New College; expressed support of sweat shop free manufacturing legislation
Lorraine Geran, NLG; expressed support of sweat shop free manufacturing legislation
Tim Paulson, SF Labor Council; expressed support of sweat shop free manufacturing legislation
Male speaker; showed interest regarding the regulating of medical cannabis
Reverend Webster; showed interest regarding the regulating of medical cannabis
Zachary Richard; showed interest regarding the regulating of medical cannabis
Ryan Zen, Organic Consumers; to include organic certified foods in the sweat shop free manufacturing legislation
Eric Albrecht; expressed support of sweat shop free manufacturing legislation
Stacey; expressed support of sweat shop free manufacturing legislation and organic and free trade legislation
Female, Global Exchange; expressed support of sweat shop free manufacturing legislation
Rubin David Goodman; expressed concern over hate crimes
Judd, La Raza; expressed support of sweat shop free manufacturing legislation
Justin Agustine; support of endangered species legislation
Mike Aldrich; showed concern regarding medical marijuana cannabis regulations
Jean Walsh; Trade Fare, support of sweat shop free manufacturing legislation
Global Exchange; support of sweat shop free manufacturing legislation
Male speaker; expressed concern over elected officials
Martin; showed concern regarding medical marijuana cannabis regulations
Robin Few; showed concern regarding medical marijuana cannabis regulations
Female speaker; showed concern regarding drug testing in SF Police Department and Police violence
Shawna; showed concern regarding medical marijuana cannabis regulations
Male speaker; showed concern regarding medical marijuana cannabis regulations
Tony; showed concern regarding medical marijuana cannabis regulations

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.

**051203 [Legislative Analyst Request - Housing Above Retail]
Supervisor Dufty**

Motion requesting the Legislative Analyst to research, analyze, and gather data on Housing above retail. (1) How have other municipalities dealt with this issue?; (2) Have other cities (Seattle, Portland) offered incentives to encourage housing above retail?; and (3) Have the incentives been successful?.

APPROVED by the following vote:

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

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 68 through 85

**051183 [Commending California Trout and Pacific Gas and Electric on the Success of "Trout Day 2005"]
Supervisors Elsbernd, Maxwell, Ma**

Resolution commending California Trout and Pacific Gas and Electric on the success of "Trout Day 2005".

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

Resolution No. 505-05

ADOPTED

**051193 [Issuance and Sale of Revenue Bonds – San Francisco University High School]
Supervisor Alioto-Pier**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$20,000,000 for San Francisco University High School.

Resolution No. 497-05

ADOPTED

**051197 [New Gas Tax Revenue]
Supervisors Ammiano, Dufty, Sandoval, Mirkarimi**

Resolution urging the Governor of California, the California Senate and Assembly to retain transit "spillover" funds for public transportation purposes as prescribed in current law and which would provide San Francisco MUNI with an additional \$17.7 million in funds that could be used for transit operations and capital needs.

Resolution No. 516-05

ADOPTED

**051205 [Supporting Federal Legislation regarding Endangered Species Act]
Supervisors Peskin, Mirkarimi**

Resolution affirming San Francisco's support for upholding the Endangered Species Act so it may continue to protect our plants and animals and the special places they live, from the finality of extinction, and urging federal and state elected representatives to do the same.

Resolution No. 506-05

ADOPTED

**051206 [Trinity Plaza Development Agreement]
Supervisor Daly**

Resolution of the Board of Supervisors declaring its intent to enter into a binding Development Agreement concerning the proposed Trinity Plaza development project at 1177 Market Street.

Resolution No. 507-05

ADOPTED

**051207 [Commending Derrick Lam]
Supervisors Sandoval, Ma**

Resolution commending Derrick Lam on the occasion of his retirement from the City and County of San Francisco.

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

Resolution No. 508-05

ADOPTED

**051209 [Resolution commending Charles Camilleri]
Supervisor Dufty**

Resolution commending Charles Camilleri on the occasion of his retirement

Resolution No. 510-05

ADOPTED

**051210 [Exclusive Negotiating Agreement for Development of the Old Mint]
Supervisors Peskin, Mirkarimi**

Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.

Resolution No. 515-05

ADOPTED

**051211 [Old Mint; Transferable Development Rights]
Supervisors Peskin, Mirkarimi**

Resolution No. 511-05

ADOPTED

**051212 [Zoning - Extension of Planning Commission Review Period]
Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code with respect to controls in the North Beach Neighborhood Commercial District

Resolution No. 512-05

ADOPTED

051213 [Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero-emission RAV4 EVs]

Supervisors Daly, Mirkarimi

Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero emission RAV4 EVs.

Resolution No. 513-05

ADOPTED

**051214 [Zoning - Extension of Planning Commission Review Period]
Supervisor McGoldrick**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

Resolution No. 514-05

ADOPTED

**051216 [Supporting ACA17, primary voting rights for seventeen year olds.]
Supervisor Mirkarimi**

Resolution supporting ACA 17 which would allow for seventeen year olds who would turn eighteen prior to a general election to vote in the primary election for that general election.

Resolution No. 518-05

ADOPTED

051127 [Final Map, Planned Development - Mission Bay]

Motion approving Final Map, Planned Development, Mission Bay (Block N5), a single-lot subdivision, being a Planned Development of Assessor's Block 8703, Lot 6; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents. (Public Works Department)

(DPW Order No. 175,471; District 6.)

Motion No. M05-93

APPROVED

**051182 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M05-82

APPROVED

The foregoing items were acted upon by the following vote:

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

Severed from the Without Committee Reference Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to suspend Board of Supervisors Rules of Order Nos. 2.11 and 2.13.

Motion carried without objection.

**051163 [Urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, to call on the President to withdraw U.S. troops from Iraq]
Supervisors Daly, Mirkarimi, Sandoval, Ammiano, Peskin, McGoldrick**

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, introduced by Representative Lynn Woolsey.

Supervisors Ammiano, Peskin and McGoldrick requested to be added as co-sponsors.

Resolution No. 517-05

ADOPTED by the following vote:

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

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

**051208 [Contract Approval - Department of the Environment]
Supervisor Mirkarimi**

Resolution pursuant to Charter section 9.118(a) authorizing the Department of the Environment to amend a contract with Pacific, Gas and Electric to add \$685,500 to the contract amount and to extend the contract period for an additional year until June 30, 2006 in order to continue implementation of the Demand Reduction Through Energy Efficiency Pilot Program.

Department of Environment representative reviewed the legislation with the Board.

Resolution No. 509-05

ADOPTED by the following vote:

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

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

**051215 [Urging State Legislators to Permit Person 16 Years of Age or Older to Vote in City or County Elections]
Supervisors Mirkarimi, McGoldrick, Ammiano, Daly**

Resolution urging the California Legislature to pass a bill that will allow local choice legislation, for which any city or county could permit persons 16 years or older to vote in city or county elections.

Continued to July 12, 2005

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

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

Supervisor Ammiano, seconded by Supervisor Daly, moved to recess the meeting to Friday July 1, 2005 at 9:00 a.m.

Motion to recess the meeting to Friday, July 1, 2005 at 9:00 a.m. carried without objection.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051248 [Sacramento Street Neighborhood Commercial District – Allowing residential conversion on second and third stories with a conditional use permit]

Supervisor Alioto-Pier

Ordinance amending Section 724.1 of the Planning Code to allow, as a conditional use, for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial District as a conditional use, where: the new use will be an Other Institution, Large, Educational Services use, only one dwelling unit in building will be converted and that unit is the only non-residential use in the building, and no legally residing tenant will be displaced; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

6/28/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

**051250 [Medical cannabis guidelines and medical cannabis dispensary zoning and permitting]
Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers and institutions for the treatment of addictive diseases; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require dispensaries operating before April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or cease operation; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;

Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical marijuana possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;

Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at \$100; and,

Amending the San Francisco Business and Tax Regulations Code by amending Section 1, and by adding Sections 1.177 and 249.17, to authorize the Department of Health to issue medical cannabis dispensary permits and to set out the license fees for medical cannabis dispensaries.

6/28/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

**051257 [Sweatfree Ordinance]
Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma**

Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions for employees performing work under the contract and subcontracts, including: not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.

(Fiscal impact.)

6/29/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsors request this item be scheduled for consideration at the August 4, 2005 meeting.

**051258 [Golf Fees - Cost of Living, McLaren Park]
Supervisor McGoldrick**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and adding Sec. 12.37 to establish fees for Gleneagles Course at McLaren Park.

6/28/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**051260 [Medical Cannabis Dispensaries - Zoning]
Supervisor Sandoval**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 303, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; permit dispensaries as conditional uses elsewhere subject to the restriction that no dispensary may be located within 1000 feet of another dispensary; provide additional conditional use criteria for evaluating proposed dispensaries relating to the proposed dispensary's proximity to schools, playgrounds, neighborhood centers, drug treatment centers, child care centers, and other medical cannabis dispensaries; allow medical cannabis dispensaries in operation prior to April 1, 2005 twelve months from the effective date of this legislation to obtain a conditional use permit or otherwise discontinue operation; prohibit dispensaries from applying for conditional use permits while they are under a notice of violation from the Planning Department or the subject of legal action by the City; require a notice on all dispensary permits that the permits are not intended to and do not authorize the violation of State or Federal law; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

6/28/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

Resolutions

**051247 [Golden Gate Park Music Concourse - Surface Circulation Plan]
Supervisors Mirkarimi, McGoldrick, Peskin**

Resolution approving the Golden Gate Park Music Concourse Surface Circulation Plan known as Option 2A, which prohibits the use of the Music Concourse for cut-through automobile traffic and provides for vehicular drop-off for visitors to the Concourse from the north and south; making environmental and other findings; and authorizing official acts in connection with this approval.

6/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 07/15/05 - Parking and Traffic notified to post notices and ad place in the SF Chronicle 7/22/05 edition.

**051249 [Request Full Reimbursement by the State for Statewide Special Election]
Supervisors Elsbernd, Ammiano, Dufty, Peskin**

Resolution urging the State of California to fully reimburse all California counties for the associated costs of the special election in November 2005.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051252 [Recognizing July 2005 as Recreation and Parks Month]
Supervisor Ma**

Resolution recognizing July 2005 as "Recreation and Parks Month" in the City and County of San Francisco.
6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051253 [Recognizing the 8th Anniversary of the San Francisco Immigrant Rights Commission]
Supervisors Ma, Dufty**

Resolution recognizing the 8th anniversary of the San Francisco Immigrant Rights Commission.
6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051261 [Zoning - Extension of Planning Commission Review Period]
Supervisor Alioto-Pier**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code section 260 to increase the height exemption for elevator penthouses from 10 to 16 feet.
6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051262 [Arts Task Force Recommendations]
Supervisor Ammiano**

Resolution adopting a policy that no action shall be taken to change the City's Hotel Tax allocation language regarding the process by which hotel tax revenues are distributed to City agencies that support and serve arts organizations and artists in San Francisco until the Arts Advisory Task Force has undertaken and completed the purposes and duties as set forth in Board of Supervisors resolution No. 781-04 and has submitted its final written recommendations to the Mayor and Board of Supervisors.
6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051263 [Planning grant for the use of Prop 63, Mental Health Services Act, funding]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a new grant in the amount of \$207,487 from the California Department of Mental Health (CDMH) for community program planning as part of the Prop 63, Mental Health Services Act funding, and to enter into an agreement for the use of these funds; for the period of January 1, 2005, through September 30, 2005.
6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051264 [Senate Bill 861 - Dangerous and vicious dogs]
Supervisor Dufty**

Resolution endorsing Senate Bill 861, introduced by Senator Jackie Speier, and urging the California State Legislature and the Governor of California to support this bill.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051265 [Urging the CPUC and the State Legislature to take steps to prevent the PG&E Company from engaging in competitive practices as the CCSF moves to implement Community Choice Aggregation]
Supervisor Sandoval**

Resolution urging the California Public Utilities Commission and the State Legislature to take steps to prevent the Pacific Gas & Electric Company from engaging in competitive practices as the City and County of San Francisco moves to implement Community Choice Aggregation.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051266 [Training grant to promote and advance cultural competency in Departmental programs]
Supervisors Ma, Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of \$121,047 from The California Endowment for training to advance cultural competency, and to enter into an agreement for the use of these funds; for the period of April 1, 2005, to March 31, 2006.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051267 [Organic Certified Goods]
Mayor, Supervisors Ammiano, Mirkarimi**

Resolution establishing City policy of maximizing purchase of Organic Certified materials when procuring necessary goods for the city.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051268 [Fair Trade Certified Goods]
Mayor, Supervisors Ammiano, Mirkarimi**

Resolution establishing City policy of maximizing purchase of Fair Trade Certified materials when procuring necessary goods for the City.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051275 [Legal Action - Protecting Tenants]
Supervisor Peskin**

Resolution urging the San Francisco City Attorney to file a 'friend of the court/amicus curiae' brief to set forth our city's interest in protecting tenants against wrongful evictions.
6/28/05, RECEIVED AND ASSIGNED to Land Use Committee.

Requests For Hearing

051241 [Hearing - "Fisherman's Wharf Community Benefit District (CBD)"]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings. (Clerk of the Board)
6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051184, to Board as a Special Order on July 26, 2005, at 3:00 p.m.

051242 [Hearing - "Noe Valley Community Benefit District (CBD)"]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)
6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051185, to Board as a Special Order on August 2, 2003, at 3:00 p.m.

051243 [Hearing - "2500 Block of Mission Street Business Improvement District (BID)"]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," ordering the levy and collection of assessments against property located in that district for five years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)
6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051189, to Board as a Special Order on July 26, 2005, at 3:00 p.m.

051244 [Hearing - "Castro/Upper Market Community Benefit District (CBD)"]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)
6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051187, to Board as a Special Order on August 2, 2005, at 3:00 p.m.

051245 [Hearing - "North of Market/Tenderloin Community Benefit District (CBD)"]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings (Clerk of the Board)
6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051192, to Board as a Special Order on August 2, 2005, at 3:00 p.m.

**051246 [San Francisco's Drinking Water]
Supervisor Peskin**

Hearing to examine the San Francisco Public Utilities Commission's conversion to chloramine as a means of disinfecting San Francisco's drinking water.
6/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**051274 [Lead Hazards in City Government]
Supervisor Peskin**

Hearing to discuss departmental responses to recommendations included in the most recent Health Code Section 1609 Report regarding efforts to limit lead hazards in City government.

**051276 [Continuum of LGBTQ Youth Services]
Supervisor Dufty**

Hearing to consider the continuum of LGBTQ Youth Services, focusing on the reopening of the Eureka Valley Recreation Center and the opportunity to better address needs of this underserved population. This hearing will consider the potential for new services to address behavioral health and substance abuse issues in the LGBTQ Youth Community.
6/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this matter be scheduled at the July 18, 2005 meeting.

**051277 [Hearing - Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance]
Supervisor Peskin**

Hearing of persons interested in or objecting to proposed ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed. (Clerk of the Board)
6/28/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on July 12, 2005, at 3:00 p.m.

Motions

**051251 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**051259 [Legislative Analyst Request - Rent Boards]
Supervisor Sandoval**

Motion requesting the Legislative Analyst to survey other major cities such as Berkeley to find out details about their Rent Boards or equivalent agencies. Among other issues, the report should detail who has appointing authority for board members and what the ratios between tenant and landlord representatives are on the boards.

6/28/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration July 12, 2005.

051254 [Appointment - Board of Appeals, Katharine Albright]

Motion approving the Mayor's appointment of Katharine Albright to the Board of Appeals for the term ending July 1, 2008. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 051255.)

Transmittal date - June 28, 2005.

6/28/05, RECEIVED AND ASSIGNED to Rules Committee.

051255 [Appointment - Board of Appeals, Katharine Albright]

Motion rejecting the Mayor's appointment of Katharine Albright to the Board of Appeals. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)

Transmittal date - June 28, 2005.

6/28/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

051129 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park - Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

6/20/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

051128 [Designate 1110 Taylor Street, the Glaser-Keating as as a Landmark]

Ordinance Designating 1110 Taylor Street, the Glaser-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

6/17/05, RECEIVED AND ASSIGNED to Land Use Committee.

051231 [Department of Building Inspection Cash Revolving Fund]

Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from \$200 to \$600.

6/15/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

051125 [Airport Contract Modification - Professional Services Agreement for contract No. 3399]

Resolution approving Modification No. 5, of the Professional Services Agreement for contract No. 3399 – Professional insurance brokerage services for specification, placement and administration of an OCIP for the Airport's Master Plan with J&H Marsh McLennan/Merriwether & Williams Insurance Services, to extend the term of the contract for three years for a new ending date of June 30, 2007. (Airport Commission)

6/17/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

Requests Granted

From: Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: To draft legislation setting out specific fines for violations under the jurisdiction of the Ethics Commission.

From: Supervisor Dufty

To: Controller's City Services Auditor Team

Requesting/Inquiring: Requesting that the Controller's City Services Auditor Team evaluate the performance of Muni's J-Church Line in comparison with other streetcar lines.

District 8 Muni Riders consistently petition that the J-Church has greater bunching that leads to longer wait times.

They also assess that overcrowding, bunching, and delays discourage ridership and that possible riders instead opt to drive to work or walk to BART on 24th Street.

There are also issues with the regular cleaning and maintenance adherence for the J-Church tracks at 30th Street. Unless the tracks are regularly cleaned, the screeching is loud and audible within homes as Breda and F-Line Streetcars make that tight turn from 30th to Church and vice versa:

I was also advised that there was an incident with an incoming train at 7:45 a.m., Sunday, June 26th approaching the Duboce/Church tunnel. Apparently the driver stopped the streetcar at Safeway at 7:50 a.m. and announced that he could not enter the tunnel until 8:00 a.m. and that riders had to disembark in order to catch an M-Line bus. Then once the passengers left the train, it entered the tunnel, causing great irritation and inconvenience.

Generally, I would like to understand how the J-Church is operating, what steps can be taken to improve service quality and consistency and what investments could be made to improve this line's efficiency.

From: Supervisor Dufty

To: Controller

Requesting/Inquiring: Requesting the Controller to look at the implementation plan in Fiscal Year 2005-2006 for Ordinance 273-04/File 041249 requiring that graffiti damage parking and traffic signs be replaced with signs containing graffiti-resistant-sheeting.

Text as follows:

Requesting the Controller to look at the implementation plan in Fiscal Year 2005-2006 for Ordinance 273-04/File 041249 requiring that graffiti damage parking and traffic signs be replaced by the Department of Parking & Traffic with signs containing graffiti-resistant-sheeting.

Also requesting that the Controller make recommendations, if needed, to ensure the success of this measure and milestones for implementation and eradication of graffiti damaged parking and traffic signs.

Enacted Ordinance Number: 273-04

File Number: 041249

In Memoriams

*Chet Helms - Entire Board
Marie Maxey - Supervisor Mirkarimi
Maryanne Harrison - Entire Board
Eugene L. Friend - Supervisor Peskin
Samuel Frank Haar - Supervisor Alioto- Pier
Orville Luster - Supervisors Maxwell and Dufty*

ADJOURNMENT

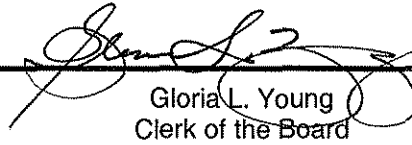
*There being no further business, the Board adjourned at the hour of 5:38 p.m.
The recessed meeting of July 1, 2005 adjourned at the hour of 9:32 a.m.*

Gloria L. Young, Clerk of the Board

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

Approved by the Board of Supervisors on July 26, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.



Gloria L. Young
Clerk of the Board