

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, February 14, 2006 2:00 PM

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

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Daly, Dufty, Peskin

City and School District Select Committee

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

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Dufty, Ma

Government Audit and Oversight Committee

Supervisors Ammiano, Alioto-Pier, Peskin

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Rules Committee

Supervisors Mirkarimi, Elsbernd, Ammiano

Select Committee on Ending Gun and Gang Violence

Supervisors Maxwell, Mirkarimi, Ammiano, Alioto-Pier, Dufty

Meeting Days

Wednesday

1:00 PM

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

Thursday

10:00 AM

1st and 3rd Monday

10:00 AM

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

Volume 101 Number 6

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 Supervisors were noted present.

There was a quorum.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

060030 [Weights and Measures--Registration and Inspection Fees]
Mayor

Ordinance amending Section 1.13-5 of the San Francisco Administrative Code, to set new fees for the registration and inspection of weighing and measuring devices, based on each device and business location.

Ordinance No. 30-06
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

051795 [Supporting plug-in hybrid vehicle technology]
Supervisors Daly, Ma, Ammiano

Resolution urging the Director of Administrative Services and the Director of Contract Administration to purchase plug-in hybrid vehicles for the city fleet, and committing the City and County of San Francisco to support local, state and federal programs that support these vehicles and promote plug-in electric hybrid vehicles.

Resolution No. 107-06
ADOPTED

**060014 [Regional Isolation Facility for TB Patients]
Supervisor Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of \$50,000 from the State Department of Health Services TB Control Branch (SDHSTBCB), to enter into an agreement for the use of these funds, and to add one position at .33 FTE funded through this grant agreement; for the period of July 1, 2005, to June 30, 2006.

**Resolution No. 106-06
ADOPTED**

**060021 [Authorize grant funding for the YouthPOWER project from the Substance Abuse Mental Health Services Administration (SAMHSA)]
Supervisors Maxwell, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a continuation grant from the Substance Abuse Mental Health Services Administration (SAMHSA) in the amount of \$200,000 for the YouthPOWER Project; for the period of October 1, 2005, to September 30, 2007.

**Resolution No. 105-06
ADOPTED**

**060022 [To provide five state funded food and agriculture and pesticide regulation programs in San Francisco]
Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend five grants in the total amount of \$11,320 from the California Department of Food and Agriculture (CDFA) for the seed, nursery, and sudden oak death programs (\$2,608) and the petroleum products program (\$6,900); and from the California Department of Pesticide Regulation (CDPR) for the pesticide use reporting (\$1,812) program, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.

**Resolution No. 104-06
ADOPTED**

**060023 [Grant for supportive housing for chronically homeless exiting criminal justice institutions]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$739,982 from the Department of Justice (DOJ) for supportive housing for chronically homeless offenders, to enter into an agreement for the use of these funds, and to add 1.5 new positions funded under this agreement; for the period of July 1, 2005 to June 30, 2006.

**Resolution No. 103-06
ADOPTED**

**060024 [Grant to enhance capacity of local minority HIV/AIDS organizations]
Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the amount of \$271,665 from the Office of Minority Health (OMH) to enhance the capacity of local minority-based HIV/AIDS organizations, and to enter into an agreement for the use of these funds; for the period of September 1, 2005, to August 31, 2006.

**Resolution No. 102-06
ADOPTED**

**060025 [Accept-Expend Federal Grant – Spousal Abuser Prosecution Program]
Supervisor Ma**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$95,033 through the California Department of Justice for a program entitled “Spousal Abuser Prosecution Program” for fiscal year 2005/2006.

**Resolution No. 101-06
ADOPTED**

**060049 [Contract funds to receive reimbursement for children enrolled in the Healthy Kids insurance program]
Supervisors Dufty, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a two year agreement with the California Managed Risk Medical Insurance Board (MRMIB) to receive reimbursement for children enrolled in the Healthy Kids insurance program, and expend funds in the amount of up to \$4,378,351; for the period of July 1, 2005, through June 30, 2007. (Public Health Department)

**Resolution No. 100-06
ADOPTED**

**060056 [Contract funds to provide evaluations for the SAGE Health Education and Prevention Services Project]
Supervisors Dufty, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with the SAGE Project, Inc., the primary contractor, and expend funds in the amount of \$205,000 to provide local process and outcome evaluations for the SAGE Health Education and Prevention Services Project for the period of September 30, 2005, to September 29, 2010. (Public Health Department)

**Resolution No. 99-06
ADOPTED**

**060094 [Contract funds to develop an electronic reporting system for results of hepatitis testing]
Supervisors Dufty, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to renew retroactively a contract agreement with Public Health Foundation Enterprises, Inc. (PHFE) the primary contractor, and expend funds in the amount of \$141,413 to develop a secure electronic reporting system of hepatitis testing results; for the period of December 30, 2005 to December 29, 2006. (Public Health Department)

**Resolution No. 97-06
ADOPTED**

**060095 [Contract funds to conduct interviews and obtain data regarding pre-exposure prophylaxis use by MSM]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into a subcontract agreement with Public Health Foundation Enterprises, Inc. (PHFE), the primary contractor, and expend funds in the amount of \$16,073 to conduct interviews and obtain data on pre-exposure prophylaxis use by MSM for the period of January 1, 2006, to April 30, 2006. (Public Health Department)

Resolution No. 96-06
ADOPTED

Recommendation of the Land Use Committee**051443 [Amending the Electrical Code regarding headroom requirements for panelboards, entrances for 1200 amp rated equipment, use of non-metallic sheathed cable in multifamily dwellings, and making clerical changes]**

Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to each end of the working space, to allow for non-metallic sheathed cable to be installed in multifamily dwellings with Type III, IV and V construction up to 4 stories in height, 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. 32-06
FINALLY PASSED

The foregoing items were acted upon by the following vote:

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

REGULAR AGENDA**UNFINISHED BUSINESS****Vetoed by the Mayor**

**051637 [Subdivision Code – Planning Commission hearings on condominium conversions]
Supervisor Daly**

Ordinance amending Subdivision Code Sections 1332 and 1359 to require Planning Commission hearings to address General Plan consistency for all condominium conversion applications subject to Subdivision Code Sections 1396 et seq., the condominium conversion lottery; and making environmental findings.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 3, 2006. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before March 3, 2006.

Consideration of the Mayor's Veto.

Motion to override the Mayor's veto failed by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Excused: 1- Mirkarimi

From the Clerk

060139 [Adopting findings related to the appeal of the mitigated negative declaration adopted by the Planning Commission on November 3, 2005 for 2660 Harrison Street]

Motion adopting findings related to the appeal of the mitigated negative declaration adopted by the Planning Commission on November 3, 2005 for 2660 Harrison Street. (Clerk of the Board)

(Companion measure to Files 051936, 051937, 051938, 051939.)

Continued to February 28, 2006

Supervisor Ammiano, seconded by Supervisor McGoldrick, 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

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved to rescind the previous vote.

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

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

Motion No. M06-20

APPROVED AS AMENDED by the following vote:

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

Recommendation of the Budget and Finance Committee

**051773 [Public Financing for Mayoral Candidates]
Supervisors Mirkarimi, Maxwell, Ammiano, Daly, McGoldrick, Ma**

Ordinance amending the Campaign and Governmental Conduct Code by amending sections 1.104, 1.108, 1.130, 1.134, 1.136, 1.138, 1.140, 1.142, 1.144, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and adding sections 1.134.5, 1.138.5, 1.140.5, 1.144.5 and 1.146 to create a public financing program for mayoral candidates, appropriate funding for the program and make other changes to the Campaign Finance Reform Ordinance.

(Fiscal impact.)

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

Ordinance No. 31-06

FINALLY PASSED by the following vote:

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

Noes: 2 - Alioto-Pier, Elsbernd

Recommendation of the Land Use Committee

**051453 [Off-Street Parking In C-3 Zoning Districts]
Supervisors Peskin, Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 161, 166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs, to exempt from the legislation projects that received final Planning Department or Planning Commission approval and submitted complete site permit applications prior to the effective date of the legislation, to require the Planning Department to undertake a study of downtown parking issues, and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Amended by changing the effective date of the legislation to June 1, 2006.

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

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

Noes: 3 - Alioto-Pier, Ma, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

From the Land Use Committee Without Recommendation

**050601 [Better Neighborhoods Plus Planning and Implementation Process]
Supervisors McGoldrick, Maxwell**

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Plus Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plus Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plus Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plus Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Continued to February 28, 2006

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

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

Recommendation of the Rules Committee

**052009 [Charter Amendment - Homicide Prevention Plan; Survivor Assistance; Funding for Violence Prevention Programs]
Supervisors Daly, Ammiano, Maxwell, Mirkarimi**

Charter amendment (Third Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional \$20 million per year for the next four years to fund violence prevention programs identified in the Plan; and, set an expiration date.

(Fiscal impact.)

(Supervisor Elsbernd Dissented in Committee)

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

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

Charter amendment (Fourth Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional \$10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date.

Continued to February 28, 2006

Board to Sit as a Committee of the Whole

CONTINUED AS AMENDED by the following vote:

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

From the Rules Committee Without Recommendation

**052010 [Charter Amendment - Providing for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District]
Supervisor Daly**

Charter Amendment (Second Draft) by amending Sections 8.100 and 8.101 to provide for an annual cost-of-living adjustment to the monthly stipend for members of the Board of Education and the Governing Board of the Community College District, using 1983 as the base year.

Supervisor Daly, seconded by Supervisor Ma, moved that this Charter Amendment be **RE-REFERRED** to the Rules Committee. The motion carried by the following vote:

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

**052011 [Charter Amendment - Port Commission: qualifications and term limits for Port Commission members; increasing the number of Commission members from 5 to 7; criteria for use of Port property; capital and financial plans]
Supervisor Peskin**

Charter Amendment (Second Draft) to amend Section 4.114 to establish minimum qualifications for members of the Port Commission, impose term limits, increase the number of Commission members from five to seven, and limit hold-over appointments, amending Section 3.581 to set criteria for use of property under the Port Commission's jurisdiction and provide that the Port Director may, in his or her sole discretion, appoint and remove heads of Commission divisions and bureaus, and amending Section B3.584, to require long-range capital and financial plans for the Port.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Charter Amendment be **RE-REFERRED** to the Rules Committee. The motion carried by the following vote:

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

NEW BUSINESS

Recommendations of the Budget and Finance Committee

**051792 [Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee]
Supervisors Maxwell, Dufty, Peskin, Ma, Mirkarimi**

Ordinance amending the Administrative Code to add Chapter 26, ("Deemed Approved Off-Sale Alcohol Use Nuisance Regulations"), deeming all existing non-conforming and permitted off-sale alcohol uses "approved;" establishing an administrative hearing process to abate nuisance activities by deemed approved off-sale alcohol uses; creating a list of performance standards that reflect existing local nuisance and related state and federal laws; providing for an education and outreach program; authorizing penalties for violation of performance standards including administrative penalties from \$500 to \$1000 or revocation of deemed approved status; providing for appeals of conditions or administrative penalties to the Board of Appeals; providing for appeals of the revocation of deemed approved status to the Board of Supervisors or the Board of Appeals; setting an annual fee of \$264 for deemed approved off-sale alcohol uses; establishing a deemed approved off-sale alcohol use nuisance regulation continuing project accounts within the City's General Fund; and making environmental findings.

(Fiscal impact.)

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

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

Continued as amended to February 28, 2006.

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

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

060205 [Requiring Notice to Potential Buyers of Certain Deemed Approved Off-Sale Alcohol Uses Where the Use Has Violated the Performance Standards.]**Supervisors Daly, Ammiano**

Ordinance amending the ordinance Regulating Deemed Approved Off-Sale Alcohol Uses and Establishing An Annual Fee (Board File No. 051792) by amending Section 26.20 to require that the seller of a Deemed Approved Off-Sale Alcohol Use ("Use") provide certain notice to potential buyers of the Use if the Use has, within the past three years, been the subject of an administrative hearing at which a finding of violation of the Performance Standards was made, at which conditions were imposed on the Use's continued operations, and/or at which administrative penalties were imposed on the Use for violation of the Performance Standards; and making environmental findings.

Continued to February 28, 2006

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

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

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

060087 [Administrative Code Revision: Health Service System]**Supervisors Elsbernd, Ammiano**

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal impact.)

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

PASSED ON FIRST READING by the following vote:

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

051981 [2006 Water Revenue Refunding Bonds Issuance]

Resolution approving the issuance of not to exceed \$125,000,000 aggregate principal amount of San Francisco water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue refunding bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 80-06

ADOPTED by the following vote:

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

051982 [2006 Water Revenue Bonds Issuance]

Resolution approving the issuance of not to exceed \$525,000,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 81-06

ADOPTED by the following vote:

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

060058 [Contract approval - Municipal Transportation Quality Review]

Resolution approving the award and execution of San Francisco Municipal Railway Contract Number CCO 05-914, Municipal Quality Review, to Nelson\Nygaard Consulting Associates, to conduct the Quality Review required under Charter Section 8A.107, for a total contract amount not to exceed \$50,000 and for a term of two years, with an option to extend up to an additional two years to cover the next review period. (Municipal Transportation Agency)

Resolution No. 91-06

ADOPTED by the following vote:

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

060062 [Establishing Monthly Contribution Amount]

Supervisor Elsbernd

Resolution establishing monthly contribution amount to Health Service Trust Fund.

(Fiscal impact.)

Resolution No. 98-06

ADOPTED by the following vote:

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

Recommendations of the City Operations and Neighborhood Services Committee**051715 [Better Streets Policy]**

Mayor, Supervisors McGoldrick, Dufty

Ordinance amending the Administrative Code to add Chapter 98, the Better Streets Policy; making environmental findings; authorizing and urging official acts in furtherance of this Ordinance; and requesting General Plan amendments to incorporate the Better Streets Policy and its supporting principles.

PASSED ON FIRST READING by the following vote:

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

**051920 [Granting parking privileges on Baker Street for official vehicles of the Russian Consulate]
Supervisor Alioto-Pier**

Ordinance amending Section 32.6.30 of the San Francisco Traffic Code to grant parking privileges for official vehicles of the Russian Consulate along fifty three feet of the east side of Baker Street near the corner of Green Street.

PASSED ON FIRST READING by the following vote:

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

051809 [Liquor License, 222 Powell Street]

Resolution determining that the issuance of a Type 42 On-Sale Beer and Wine Public Premises license and a Type 21 Off-Sale General license to Sirhed Enterprises LLC, for Gallery Market located at 222 Powell Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Resolution No. 86-06

ADOPTED by the following vote:

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

**060005 [Contract funds to support research on HIV/AIDS in under-researched populations]
Supervisors Dufty, Ammiano, Maxwell, Mirkarimi**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to enter retroactively into an agreement with the San Mateo Medical Center (SMMC), the primary contractor, and expend funds in the amount of up to \$74,920 in order to support research on HIV/AIDS in under-researched populations in California, and to add one 0.5 position funded under this agreement; for the period of July 1, 2005, to June 30, 2006. (Public Health Department)

Supervisors Ammiano, Maxwell and Mirkarimi requested to be added as co-sponsors.

Resolution No. 108-06

ADOPTED by the following vote:

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

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

Privilege of the Floor

It was decided 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.

Supervisor Maxwell, welcomed and introduced Al Williams, President of the African American Historical Society. Mr. Williams made a presentation in recognition of celebrating February as Black History Month.

SPECIAL ORDER 4:00 P.M.**051852 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

The President inquired as to whether or not any member of the public wished to address the Board members. There were none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

(Only one of the following two motions should be adopted.)**051853 [Affirming the categorical exemption issued for 730 Great Highway]**

Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Dufty, 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

051854 [Disapproving the categorical exemption issued for 730 Great Highway]

Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Dufty, 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

- 051855 [Preparation of findings related to the categorical exemption issued for 730 Great Highway]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Dufty, 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

SPECIAL ORDER 4:00 P.M

- 060007 [Public Hearing - Appeal of Categorical Exemption for No. 1 La Avanzada Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 10, 2005, granting a Categorical Exemption from the California Environmental Quality Act as Class 1 (Building Permit Application No. 2005 0606 4223), the installation of a fire suppression system to an existing equipment building for Comcast, located at No. 1 La Avanzada Street. (Appellant: Walter Caplan, on behalf of Forest Knolls Neighborhood Organization, Liaison to Sutro Tower).

(Filed 1/9/06; companion measure to Files 060008, 060009, 0600010; District 7.)

*The President inquired as to whether or not any member of the public wished to address the Board members. Walter Caplan, Appellant, Forest Knolls Neighborhood Organization, Liaison to Sutro Tower
Doris Linnenbach, Midtown Homeowner's Association and Twin Peaks Council; support of appellant*

Paul Maltzer, Planning Department, reviewed with the Board the Planning Department's recommendation.

*Debra Stein, Attorney for the project sponsor
Robert McCarthy, Attorney for the project sponsor*

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

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

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

- 060008 [Affirming the categorical exemption issued for the 1 La Avanzada Street project]**
Motion affirming the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Motion No. M06-22

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

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

- 060009 [Disapproving the categorical exemption issued for the 1 La Avanzada Street project]**
Motion disapproving the determination by the Planning Department that the 1 La Avanzada Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be **TABLED**. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
- 060010 [Preparation of findings related to the 1 La Avanzada Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 1 La Avanzada Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Motion No. M06-21
Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be **APPROVED**. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

COMMITTEE REPORTS

- 060175 [Appointment - Sweatfree Procurement Advisory Board]**
Resolution appointing Jason Oringer, Alicia Culver, Abigail Levine, Laura Juran, Dale Jiajun Wen, terms ending December 17, 2007, to the Sweatfree Procurement Advisory Board, residency requirement waived.
Jason Oringer, new appointment, seat 1, must have significant experience representing employees in labor matters, for the unexpired portion of a two-year term ending December 17, 2007.
Alicia Culver (residency requirement waived), new appointment, seat 2, must have significant experience acquiring goods or services for a public entity, for the unexpired portion of a two-year term ending December 17, 2007.
Abigail Levine, new appointment, seat 3, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a two-year term ending December 17, 2007.
Laura Juran, new appointment, seat 4, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.
Dale Jiajun Wen, new appointment, seat 5, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.
Resolution No. 92-06
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

**052004 [City and School District Off-Site Meetings]
Supervisor Ammiano**

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, March 13; Monday, May 8; Monday July 10; Monday, September 11 and Monday, November 13, 2006, at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M06-19

APPROVED by the following vote:

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

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Kimo Crossman; expressed concern with issues relating the Tech Connect selection process

Walter; showed interest in Valentines Day

Children of San Francisco; expressed Valentine Day wishes to the Board of Supervisors

John di Donna; showed interest in human rights issues

Eugene Gordon, Jr.; showed interest in human rights issues

W.D. Flint, LVN,; expressed concern with issues relating to working conditions at the County Jails #1 and #2 and requesting an investigation into his complaints

Male speaker; expressed concerns with issues relating to certain hospital policies

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

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.

**060150 [Issuance and Sale of Revenue Bonds – Salvation Army Tenderloin Housing and Community Center]
Supervisor Daly**

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in one or more series issued from time to time and at no time to exceed \$16,000,000 in outstanding aggregate principal amount, for the financing of the acquisition, construction and development of a multifamily rental housing project generally known as Salvation Army Tenderloin Housing and Community Center.

Resolution No. 83-06

ADOPTED

**060191 [Commemorative Plaque Designation - José Sarria Court]
Supervisor Dufty**

Resolution designating the public sidewalk fronting 3555 16th Street as eligible for the installation and maintenance of a commemorative plaque, pursuant to Public Works Code section 789.2(a), in order to honor José Sarria, who is one of the most heroic, courageous and colorful and creative figures in San Francisco's history, and urging official actions in connection with this designation.

Resolution No. 88-06

ADOPTED

**060189 [Expend Federal Funding - Community Development Block Grant]
Supervisors Alioto-Pier, Maxwell**

Resolution approving the expenditure of one million, six-hundred and twenty-four thousand, nine-hundred and eighty-five dollars and nine cents (\$1,624,985.09) of Community Development Block Grant funding and Forty Six Thousand Two hundred and Sixty Dollars and Eighty One Cents (\$46,260.81) of Emergency Shelter Grant funds.

Resolution No. 95-06

ADOPTED

**060190 [Funding for San Francisco-Oakland Bay Bridge Bicycle Pathway]
Supervisor Daly**

Resolution urging the California State Legislature and the Governor to include funding for the San Francisco-Oakland Bay Bridge West Span Bicycle/Pedestrian/Maintenance Pathway Project in any state infrastructure bond placed before the voters in an upcoming election.

Resolution No. 89-06

ADOPTED

**060193 [Biodiesel Filling Station Permitting, Policies and Creation of Biodiesel Access Taskforce]
Supervisor McGoldrick**

Resolution establishing a Biodiesel Access Taskforce to develop and recommend to the appropriate City departments, including the Board of Supervisors and Mayor, a permitting process for biodiesel filling stations and incentives for such stations to be located in the City; urging the San Francisco Unified School District to pursue the use of biodiesel blends in school buses; and establishing a City policy to request biodiesel usage in City contracts involving diesel fleets.

Resolution No. 82-06

ADOPTED

**060194 [Extended Producer Responsibility]
Supervisor Mirkarimi**

Resolution urging San Francisco's State delegation to support statewide efforts to hold producers responsible for product waste, starting with toxic products defined as universal waste; requesting the Department of the Environment recommend local extended producer responsibility policies as well as work with necessary agencies to develop producer responsibility language for inclusion in City contracts.

Resolution No. 94-06

ADOPTED

**060195 [Commending Deputy City Attorney Claire M. Sylvia]
Supervisors Peskin, Duffy**

Resolution commending Claire M. Sylvia for ten years of exemplary public service to San Francisco as a Deputy City Attorney and Head of the Ethics and Elections Team of the City Attorney's Office, and wishing her well in her future endeavors.

Resolution No. 93-06

ADOPTED

**060196 [Supporting Filipino Veterans Equity Act]
Supervisors Peskin, Daly, Ma**

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 4574.

Supervisors Daly and Ma requested to be added as co-sponsors.

Resolution No. 90-06

ADOPTED

**060197 [Support of the International Union of the Bricklayers and Allied Craftworkers]
Supervisors Peskin, Daly**

Resolution commending and supporting the International Union of Bricklayers and Allied Craftworkers and welcoming them for the 2006 Western States Brick and Tile Apprenticeship Contest to take place in Fisherman's Wharf, June 2-4 2006.

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

Resolution No. 87-06

ADOPTED

060135 [Final Map, Planned Development, Mission Bay]

Motion approving Final Map Tract No. 3936 for residential and commercial condominium purposes, Mission Bay Blocks 2-7 and 13, a twenty (20) lot subdivision, being Phase I of a Planned Development Subdivision of Assessor's Blocks 8710, Lot 4; 8711 Lot 12; 8712, Lot 1; 8713, Lot 1 and a portion of recently vacated Fourth Street; 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 South Redevelopment Plan and Plan Documents. (Public Works Department)

Motion No. M06-23

APPROVED

PASS THE CONSENT AGENDA by the following vote:

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

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

Severed From the Without Reference to Committee Agenda

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

**060192 [Impound Account Analysis]
Supervisor Ma**

Motion directing the Budget Analyst to conduct a financial analysis of the Impound Account in the Department of the Environment on a priority basis, and to complete the analysis by March 28, 2006.

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

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

OFF-AGENDA LEGISLATION**Introduced by Supervisors or Mayor****Ordinances****060212 [Zoning – Three Month Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]
Supervisors Ammiano, Dufty, Daly, Mirkarimi**

Urgency Ordinance approving a 22 month and 15 day extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings.

2/14/06, ASSIGNED to Board of Supervisors.

**060215 [To appropriate \$4,910,000 of funding from the General Fund Reserve and de-appropriate savings to fund cost overruns in the Police Department for Fiscal Year 2005-2006.]
Supervisor Daly**

Ordinance appropriating \$7,000,000, including \$5,660,000 of funding from the General Fund Reserve and de-appropriating \$1,300,000 in workers' compensation savings and \$40,000 in permanent miscellaneous salary cost savings, to fund the cost overruns of overtime in the Police Department for Fiscal Year 2005-06.

(Fiscal impact.)

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060216 [To appropriate funding for San Francisco General Hospital operations and capital projects, Laguna Honda Hospital operations and Department of Public Health operations]
Supervisors Daly, Mirkarimi**

Ordinance appropriating \$15,205,000 to the Department of Public Health, including \$10,555,000 in surplus health revenues from San Francisco General Hospital (SFGH), de-appropriating \$740,000 in General Fund dollars from the SFGH Chiller and Generator capital project, and \$3,910,000 in Laguna Honda Hospital Medical In-Patient Revenue; and appropriating the \$10,555,000 in surplus health revenues for SFGH salaries, fringe benefits, non-personnel services, and capital improvements to the SFGH Service Building, and re-appropriating \$740,000 to the Service Building Seismic Retrofit capital project, and appropriating \$3,910,000 for salaries, fringe benefits, non-personnel, and security at Laguna Honda Hospital.

(Fiscal impact.)

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060217 [Reporting Sources of Gifts of Travel]
Supervisors Sandoval, Ammiano**

Ordinance amending Article III, Chapter 2 of the San Francisco Campaign and Governmental Conduct Code, by amending section 3.216 to impose reporting requirements for gifts of travel to public officials from persons and entities other than the City.

2/14/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/16/2006.

**060223 [MOU - Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]
Mayor**

Ordinance adopting and implementing Amendment No. 2, the negotiated agreement that amends the 2003-2007 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by amending the parties' agreement to reflect wages, hours and working conditions for classification H-3 EMT/Paramedic/Firefighter.

2/14/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**060224 [Requirement to provide minimum information for environmental evaluation application and initial study]
Supervisor Peskin**

Draft Ordinance amending the San Francisco Administrative Code by amending Section 31.10 to require certain minimum information to be provided in an environmental evaluation application and an initial study under the California Environmental Quality Act.

2/14/06, RECEIVED AND ASSIGNED to Rules Committee.

**060225 [To appropriate \$3,330,980 to fund cost overruns at the Police Department and violence prevention investments for Children, Youth and Their Families for Fiscal Year 2005-2006]
Supervisor Ma**

To appropriate \$16,515,158 to fund salary and fringe overruns and expanded services at the Police Department and violence prevention programming and investments in the Department of Children, Youth and Their Families, Recreation and Park, Juvenile Probation, Mayor's Office of Criminal Justice, Public Library, Department of Public Works, Telecommunications and Information Services, and the District Attorney for Fiscal Year 2005-2006. Sources of funds include \$10,383,410 from the Unappropriated General Fund Balance, \$2,310,000 from the Fiscal Year 2005-2006 Children's Baseline Growth, \$1,180,000 from the Fiscal Year 2004-2005 Children's Baseline Reserve, \$666,748 from the Fiscal Year 2004-2005 Public Library Baseline Reserve, \$175,000 from the Open Space Fund Projected Fiscal Year 2005-2006 Growth, and \$1,800,000 from the Open Space Fund Unappropriated Fund Balance. Uses of funds includes \$8,500,410 for the Police Department, \$2,300,000 for the Children, Youth and Their Families, \$1,975,000 for Recreation and Park, \$1,840,000 for Juvenile Probation, \$666,748 for Public Library, \$483,000 for Mayor the Mayor' Office of Criminal Justice, \$300,000 for the Department of Public Works, \$250,000 for Telecommunications and Information Services, and \$200,000 for the District Attorney.

(Fiscal impact.)

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060226 [To appropriate \$6,565,452 to fund the Juvenile Hall Youth Guidance Center Project construction, and to appropriate \$1,900,000 for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006]
Mayor**

Ordinance appropriating \$6,565,452, including the de-appropriation of \$1,900,000 from the Earthquake Safety Improvement Bonds Phase 1 proceeds, \$2,591,458 from the Juvenile Hall Replacement Project COP Reserve/Surety Bond Funds, \$1,503,000 from General Fund Capital Program Projects, \$453,000 from workers' compensation savings, and \$117,994 from Juvenile Hall California Youth Authority General Fund operational savings, to fund the City and County of San Francisco Juvenile Hall Youth Guidance Center Project construction. Additionally, appropriating \$1,900,000 of Fire Bond proceeds to fund construction expenses for Fire Station No. 24 for the Department of Public Works for Fiscal Year 2005-2006.

(Fiscal impact.)

(Supervisors Daly and Peskin dissenting in committee.)

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060227 [Electronic Reports of Campaign Contributions]
Mayor**

Ordinance adding section 1.112.5 to Article I, Chapter 1 of the Campaign and Governmental Conduct Code to require electronic disclosure of campaign contributions received by candidates for City Elective Office during the final forty-five days before an election at which the candidate's name will appear on the ballot.

2/14/06, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/16/2006.

**060083 [Public Works Code – enclosure of garbage receptacles]
Supervisor McGoldrick**

Ordinance amending Public Works Code Section 170 to require that garbage receptacles, after collection, be replaced into an enclosed area or other area that blocks views of the receptacle from the public right-of-way; and making environmental findings.

1/24/06, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/23/2006.

2/6/06, REFERRED TO DEPARTMENT. Referred to Department of Public Works for informational purposes.

2/14/06, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing same title.

2/14/06, ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

**060214 [Parking Regulations, Various Locations]
Supervisor Elsbernd**

Resolution enacting and rescinding parking regulations at various locations.

TALL VEHICLE RESTRICTION, 100 FEET FROM INTERSECTIONS - ESTABLISH
Sloat Boulevard, south side, from the Lakeshore Plaza traffic signal to 20 feet west of the Everglade Drive intersection.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH
Sloat Boulevard, south side, from Everglade Drive to 20 feet westerly.

(2/14/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

2/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060218 [Mission Bay - Pier 64 Cost Reimbursement Agreement]
Mayor, Supervisor Daly**

Resolution approving the Cost Reimbursement Agreement between the City and County of San Francisco, and Atlantic Richfield Company, Texaco Inc., Chevron U.S.A. Inc. and Union Oil Company of California for the management of residual petroleum hydrocarbons on City Property in certain areas of Mission Bay.

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060228 [Grant to develop clinical guidelines for HIV positive transgender persons]
Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept retroactively and expend a new federal grant in the amount of \$110,343 from the Health Resources and Services Administration (HRSA) to develop clinical guidelines for HIV positive transgender persons, and to enter into an agreement for the use of these funds; for the period of September 30, 2005, to September 29, 2006.

2/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendared at the March 6, 2006 meeting.

**060231 [Commending Lucille Burlew-Lawler]
Supervisors Dufty, Elsbernd**

Resolution commending Lucille Burlew-Lawler for 28 years of outstanding and dedicated service to the Department of Public Health and the people of San Francisco.
2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060232 [Commending Eugene Coleman]
Supervisor Maxwell**

Resolution commending Eugene Coleman for his dedication and exemplary service to the residents of San Francisco and proclaiming February 21, 2006 as Eugene Coleman Day in San Francisco.
2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060233 [Accept-Expend Grant - Juvenile Probation Department]
Supervisor Maxwell**

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of \$50,000 from the Zellerbach Family Foundation to support organizational development activities at the Juvenile Probation Department and to fund technical assistance for planning for such organizational change.
2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060234 [Supporting Eddy Zheng's application to remain lawfully in the United States]
Supervisors McGoldrick, Peskin, Ammiano**

Resolution urging the Department of Justice to grant Xiao Fei ("Eddy") Zheng's application to remain lawfully in the United States and calling on the Department of Homeland Security to exercise its discretion not to appeal the grant of a waiver that would allow Eddy Zheng to remain in the United States.
2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060235 [California Seismic Safety Commission]
Supervisors Peskin, Elsbernd**

Resolution urging California Governor Arnold Schwarzenegger to withdraw his proposal to eliminate funding for the California Seismic Safety Commission.
2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060236 [Gift-In-Place to Recreation and Park Department]
Supervisor Peskin**

Resolution accepting and expending a gift-in-place valued at \$40,000 from the Union Square Association to the Recreation and Park Department for use in Union Square.
2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060237 [Commending the "Love Your Playground" volunteers and the Neighborhood Parks Council]
Supervisors Sandoval, Dufty**

Resolution commending the volunteers who participated in the "Love Your Playground" program and the Neighborhood Parks Council for conducting the survey.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

**060210 [Voting Systems]
Supervisor Mirkarimi**

Hearing to assess progress in readying voting equipment from newly selected vendor Sequoia Voting Systems in advance of the upcoming June election.

2/14/06, RECEIVED AND ASSIGNED to Rules Committee.

060211 [Charter amendment (Fourth Draft) to add Section 16.126]

Hearing to consider a charter amendment (Fourth Draft) to add Section 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; appropriate an additional \$10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date. (Clerk of the Board)

2/14/06, ASSIGNED to Board of Supervisors.

060213 [Hearing - 22-Month and 15 Day Extension of Interim Moratorium on New Check Cashing and Pay Day Lender Uses]

Hearing to consider the possible adoption of an urgency Ordinance approving a 22 month and 15 day extension of the interim zoning moratorium on new check cashing and pay day lender uses and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings. (Clerk of the Board)

2/14/06, ASSIGNED to Board of Supervisors. Pursuant to File 060212, Board to sit as a Committee of the Whole on February 28, 2006, at 3:00 p.m.

**060219 [MTA decision to award the Mission Bartlett Garage Contract to Pacific Park Management.]
Supervisor Ammiano**

Hearing to inquire into the Metropolitan Transportation Agency's (MTA) decision to award the Mission Bartlett Garage Contract to Pacific Park Management.

2/14/06, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**060220 [MTA preliminary budget]
Supervisor Daly**

Hearing on the Metropolitan Transportation preliminary budget.

2/14/06, RECEIVED AND ASSIGNED to Budget and Finance Committee.

**060221 [Recreation and Parks Department budget cuts]
Supervisor McGoldrick**

Hearing to consider restoring the cuts to Recreation and Parks Department that affected closures of Recreation and Park facilities.

2/14/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

**060222 [City Build Employment Program]
Supervisor Mirkarimi**

Hearing on the status and future of City Build Employment Program.

2/14/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

**060229 [Report for Interim Zoning Moratorium on New Check Cashing and Payday Lender Uses]
Supervisor Ammiano**

Motion adopting and issuing the Planning Department's report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on new check cashing and payday lender uses.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**060230 [Board of Supervisors Committee of the Whole - February 28, 2006 3:00 p.m. - Extension of interim zoning moratorium New Check Cashing and Payday Lenders Uses]
Supervisor Ammiano**

Motion for the Board of Supervisors to convene as a committee of the whole on February 28, 2006, at 3:00 p.m. to accept public testimony concerning the possible adoption of an urgency ordinance extending the interim zoning moratorium for 22 months and 15 days on new check cashing and payday lender uses and making required findings, including findings related to the imposition of an interim zoning moratorium, findings of consistency with the priority planning policies of Planning Code Section 101.1, and environmental findings.

2/14/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

060132 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

26th and Capp Streets, stopping 26th Street, making this intersection an All-Way STOP;
Vallejo and Baker Streets, stopping Vallejo Street, making this intersection an All-Way STOP;
Myra Way and Molimo Drive, stopping Molimo Drive at Myra Way, making this intersection an All-Way STOP;
Peabody Street and Visitacion Avenue, stopping Visitacion Avenue, making this intersection an All-Way STOP;
Westbound 25th Avenue North at 25th Avenue, making this T intersection an All-Way STOP;
Eastbound Seacliff Avenue at 25th Avenue, making this T-intersection an All-Way STOP;
Northbound 26th Avenue at Seacliff Avenue, making this T-intersection an All-Way STOP;
Murray Street at Crescent Avenue, stopping Murray Street, stopping the stem of this T-intersection;
Washburn Street, stopping Washburn Street at Howard Street;
Dore Street, stopping Dore Street at Folsom Street; and,
Grace Street, stopping Grace Street at Mission Street. (Parking and Traffic Department)

(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

2/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060133 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME, 7 AM TO 3 PM, MONDAY THROUGH FRIDAY - RESCIND
Pine Street, south side, from Montgomery Street to 155 feet easterly (creates new metered parking, but maintains Tow-Away 3 PM to 7 PM, Monday through Friday).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Lake Merced Boulevard, northbound, right turn lane onto Font Boulevard to the limit of the existing angle parking on the south side of Font Boulevard.

4-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - RESCIND

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

2-HOUR PARKING TIME LIMIT, 7:00 AM TO 6:00 PM, EXCEPT SUNDAY - ESTABLISH

Mississippi Street, east side, between Cesar Chavez and northern terminus.

TOW-AWAY, NO PARKING - ESTABLISH

Mississippi Street, west side, between Cesar Chavez Street and northern terminus.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Irwin Street, north side, between 7th and 8th Streets.

TOW-AWAY, NO PARKING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH

17th Street, north side, from 25 to 58 feet east of Utah Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

1122 Folsom Street, north side, from Langton Street to 48 feet westerly; and,
1168 Folsom Street, north side, from the west property line to the east property line (50-foot zone) (both parking restrictions are in conjunction with implementation of sidewalk bulbs).

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - RESCIND

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Franklin Street, west side, from Turk Street to Golden Gate Avenue (replaces existing tow-away regulations).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Franklin Street, west side, from Turk Street to 80 feet northerly.

TOW-AWAY, LANE MUST TURN LEFT - RESCIND

Franklin Street, northbound, at Turk Street.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH

Rodgers Street, east side, between Folsom Street and the southern terminus (unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

San Jose Avenue, east side, from 10 feet north of the north crosswalk at Farallones Street to 190 feet southerly;

San Jose Avenue, west side, from Farallones Street to 173 feet northerly;

San Jose Avenue, east side, from Lakeview Avenue to 150 feet southerly;

San Jose Avenue, west side, from Lakeview Avenue to 150 feet northerly;

San Jose Avenue, east side, from 50 feet north of the northern crosswalk at Mount Vernon Avenue to 260 feet southerly;

San Jose Avenue, west side, from Mount Vernon Avenue to 178 feet northerly; and,

McCoppin Street, south side, between Market Street and Elgin Park

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fillmore Street, east side, at the O'Farrell Street intersection (36 foot zone accommodating 10 unmetered motorcycle parking spaces).

PARKING METER AREA 3 (9AM-6PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Parker Avenue, west side, from Geary Boulevard to 50 feet southerly (replaces existing green zone with two 30-minute meters).

PARKING METER AREA 4 - ESTABLISH
Stockton Street, east side, from North Point Street to 60 feet northerly (adds 3 meters).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillway Avenue, east side, from Carl Street to the south property line of #40 Hillway Avenue (Parking and Traffic Department)

(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

2/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

060134 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET (SOUTHBOUND) - RESCIND
Elgin Park, between McCoppin Street and Duboce Avenue

ONE-WAY STREET (EASTBOUND) - RESCIND
ONE-WAY STREET (WESTBOUND) - ESTABLISH
McCoppin Street, between Market Street and Elgin Park

BICYCLE LANES - ESTABLISH
McCoppin Street, north side, west of Valencia Street to terminus.

BICYCLE LANES - ESTABLISH
Laguna Honda Boulevard, both sides, between Portola Drive and Vasquez Avenue

LEFT TURN BIKE LANE - ESTABLISH
Laguna Honda Boulevard, southbound, between Ulloa Street and Portola Drive

BICYCLE LANES - EXTEND
Potrero Avenue, southbound, from 120 feet south of 25th Street to Cesar Chavez Street.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Southbound Masonic Avenue at Grove Street.

NO LEFT TURN, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Northbound Masonic Avenue at Grove Street (Parking and Traffic Department)

(1/26/06: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3133.)

2/3/06, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of completely removing the sawed-off parking sign poles at 1280 Webster Street in front of the parking lot.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing the sidewalk at 1280 Webster Street in front of the church and near the parking lot.

From: Supervisor Mirkarimi

To: Director, Redevelopment Agency

Requesting/Inquiring: Requesting the Redevelopment Agency to report on the status of the upkeep and maintenance of the property located at 1210 Scott Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of reattaching the parking street sign at the intersection of Fillmore Street and McAllister Street.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations: Light boxes located at Divisadero and Haight, Masonic and Ellis, Masonic and Haight, and Fulton and Baker (northwest corner). Parking Signs on Haight between Fillmore and Webster, both sides of the street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following buildings: 1555 Golden Gate Street, 1750 Golden Gate Street, 625 Haight Street, 680 Haight Street, 901 Haight Street, 959 Haight Street, 973 Haight Street, 1351 Haight Street (DiAvila School), 1435 Haight Street, 1725 Haight Street, and 2450 Sutter Street.

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Recreation and Park Department and the Department of Public Works to report on the status of preventing the homeless from sleeping at the southwest corner of Geary Boulevard and Steiner Street under the stairs.

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting the Recreation and Park Department to report on the status of repairing the tea rose bush outside the Western Addition Public Library at the Hamilton Recreation Center at 1550 Scott Street.

From: Supervisor Ammiano

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation directing the Department of Public Health to establish a "Defined Benefit Program" (SFDBP) to provide health care services to uninsured low-income City residents, establish enrollment fees, qualifications for participants, a list of health services provided and cost estimate for such services and a system of oversight.

From: Supervisor Ammiano

To: Chair, MTA Commission

Requesting/Inquiring: Inquiring into the circumstances related to the MTA Commission's decision to award the Mission Bartlett contract to Pacific Park Management.

From: Supervisor Ammiano

To: Director, Metropolitan Transportation Agency

Requesting/Inquiring: Inquiring into the Metropolitan Transportation Commission's position that MUNI could apply for a larger share of Surface Transportation Program (STP) funds based on ridership.

In Memoriams

Chad Ferriera - Supervisor Ammiano

Sinead (Shiels) Daly - Supervisor Elsbernd

Mary Lou Uland - Supervisor Dufty

ADJOURNMENT

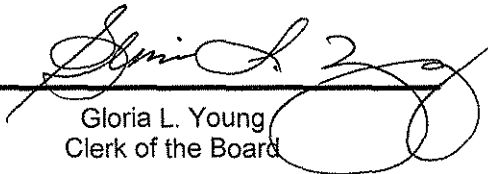
There being no further business, the Board adjourned at the hour of 5:08 p.m.

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 March 14, 2006.

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